

Location **Woodside Park Underground Station, Station Approach, London, N12 8SE**

Reference: **19/4293/FUL** Received: 2nd August 2019
Accepted: 13th August 2019

Ward: Totteridge Expiry 12th November 2019

Applicant: Pocket Living Woodside Limited

Proposal: Redevelopment of site to provide 86 affordable self-contained flats (Use Class C3) within 2 x five storey blocks including roof terraces with associated amenity space, hard and soft landscaping, refuse storage, cycle parking and wheelchair accessible car parking

Recommendation: Approve subject to s106

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

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. **Affordable Housing**

All units shall be affordable adhering to the following obligations below:

- Eligible Persons Priorities List with the Council prior to first marketing and for first five months of initial sales; followed by a further three months of marketing to those that live or work within the Borough;
- Marketing Plan with the Council to market the affordable units for a period of 6 months to Eligible Persons who have lived or worked within the London Borough of Barnet for a minimum period of 3 months.
- The sale of dwellings to eligible persons for no more than 80% open market value;

4. **Controlled Parking Zone (CPZ Review and Implementation) and/or Highways Improvements**

Contribution of £45,000 towards the review and Implementation of CPZ and / or highways improvements within the vicinity of the development in order to mitigate against any traffic impacts of the Development;

5. **Residential Parking Permit Restrictions**

Contribution of £2,022 towards amending the Traffic Management Order (TMO) to prevent future occupiers from obtaining a parking permit in the event the CPZ is implemented.

6. **Travel Plan and Monitoring**

Within 3 months of occupation, a Residential Travel Plan that meets the criteria of the current Transport for London Travel Plan guidance, currently 'Travel Planning for new development in London incorporating deliveries and servicing' and Itrace or TRICS compliant surveys shall be submitted to and approved in writing by the Local Planning Authority. The document shall set out the transport policy to incorporate measures to reduce trips by the private car especially single occupancy and single passenger journeys and encourage non-car travel modes such as walking, cycling and public transport and to reduce, consolidate or eliminate delivery trips. The Travel Plan Statement should include the appointment of a Travel Plan Champion, SMART targets and a clear action plan for implementing the measures. The Travel Plan should be reviewed, updated and resubmitted in writing for approval in years 1, 3 and 5 in accordance with the targets set out in the Plan.

Contribution of £5,000 towards monitoring of Travel Plan.

7. **Car Club Provision**

Contribution of £5,000 towards implementation of an on-street car club bay and a car club scheme for the site and free 3 years car club membership for all occupants of the development

8. **Employment and Enterprise**

The applicant would be required to enter into a Local Employment Agreement with the Council.

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

9. **Carbon Off-set**

A carbon offset contribution of £70,601.89

10. **Section 106 monitoring**

A contribution of £2,646.06 towards the monitoring of the S106 agreement.

RECOMMENDATION II:

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

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

0001 (Site Location Plan)
0002 (Existing Site Plan)
0003 (Block Plan)
0200 Rev A (Proposed Ground Floor Plan)
0201 (Proposed 1st - 4th Floor Plan)
0202 (Proposed Roof Plan)
0301 (Proposed Floor Plans Building A)
0302 (Proposed Floor Plans Building B)
0500 (Contextual Sections)
1400 Rev A (Building A Elevations West)
1401 Rev B (Building A Elevations North & South)
1402 Rev B (Building A Elevations East)
1403 Rev A (Building B West)
1404 Rev B (Building B Elevations North & South)
1405 Rev A (Building B Elevations East)
1406 Rev A (Proposed Contextual Elevations 1)
1407 Rev A (Proposed Contextual Elevations 2)

PLL-WPB HTA-L 00 DR 0904 (Levels and Falls Plan)
31114/AC/020 (Swept path analysis of 10.5m refuse vehicle turning within site)
C-001 P01 (Flood Flow Paths)
Greenfield runoff estimation for sites
Storm Sewer Design

Arboricultural Impact Assessment and Method Statement
Air Quality Assessment
Construction Logistics Plan
Contamination Assessment
Daylight & Sunlight Report (Neighbouring Properties)
Daylight & Sunlight Report Addendum (Neighbouring Properties)
Daylight & Sunlight Study (dated 03.04.20)
Daylight and Sunlight Study (within Development)
Design and Access Statement
Drainage Strategy
Ecological Impact Assessment
Energy Statement
External Lighting Strategy
Heritage Statement
Heritage Statement Update
Landscape Masterplan
Noise and Vibration Assessment
Parking Note
Phase 1 Environmental Study
Planning Statement
Planning Addendum
Planting Strategy
Travel Plan

Tree Report

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

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

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

- 3 a) Before the relevant parts of the works are begun, details of the materials to be used for the external surfaces of the building(s), and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

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

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

and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 5 a) Before the relevant part commences details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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

- 6 Development shall not commence until a detailed surface water drainage scheme for the site, based on the agreed Drainage Strategy prepared by Whitby Wood (ref: P4500195-REP-001) dated February 2019 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.

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

- 7 a) The submitted Air Quality Assessment shows that the site does not conform to the air quality neutral benchmark for building emissions. A scheme to mitigate offset the excess emissions of 17.3 kgNO_x/yr shall be submitted to and approved by the Local Planning Authority prior to occupation of the development.
- b) The approved measures shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

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

- 8 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development

Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policy 7.15 of the London Plan 2016.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

- 10 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

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

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

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

(adopted October 2016) and 5.21 of the London Plan 2016.

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

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

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

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

- 12 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

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

- 13 a) No development shall take place until details of 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 have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016).

- 14 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.
- b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection

plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works 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.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

- 15 The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 17 shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

- 16 Prior to the first occupation of the development, the proposed cycle parking and cycle storage facilities shall be installed in accordance with the approved plans and such spaces shall be permanently retained thereafter.

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

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

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

- 18 a) Notwithstanding the details submitted with the application and otherwise hereby approved, the development shall not be occupied until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

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

Construction SPD (adopted October 2016).

- 19 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 20 Prior to the occupation of the development, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority detailing the type, design, lux levels of proposed external lighting as well as measures to control glare. The External Lighting Assessment submitted shall detail the existing and proposed average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to both neighbouring residential properties as well as residential properties within the proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to first occupation.

Reason: To ensure the development provides adequate amenities of neighbouring residential properties as well as the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan.

- 21 Prior to the erection and installation of photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and constructed in accordance with the approved details.

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

- 22 The development shall proceed and be carried out in strict accordance with all the findings and recommendation of the Ecological Impact Assessment (ACD Environmental, 10.07.2019), including mitigation measures, ecological enhancements, provision of swift box and proposed lighting strategy.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 23 a) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved

landscaping scheme.

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

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

- 24 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 25 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 26 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 37% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

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

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

- 28 a) Prior to carrying out above grade works of each building or part of any new building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate how such building or such parts of a building seek to apply the principles of Secured by Design'.

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

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

29 a) Prior to the commencement of the development hereby permitted, a reptile survey shall be undertaken by an appropriately qualified person and a survey report shall be submitted to, for the written approval of, the local planning authority, which shall include details of mitigation measures in the event that reptiles are found.

b) Mitigation shall be carried out, where necessary, in accordance with the approved details.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

30 Notwithstanding the parking layout submitted with the planning application, prior to construction of the development; a parking layout plan showing the exact dimensions of the proposed two disabled parking spaces on Station Approach shall be submitted to and approved in writing by the Local Planning Authority. Should a person eligible for a blue badge purchase a residential unit within the development hereby permitted these parking spaces shall be made available and be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

31 The applicant shall carry out a "before" and "after" condition survey of the agreed route (i.e. 50m distance from the site entrance to the west of Woodside Park Underground Station) to be utilised by all construction traffic.

a) The "before" survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development.

b) The "after" survey shall take account of ongoing construction works along Holden Road and be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority or where this relates to Station Approach, by Transport for London. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey, which is a result of the development hereby approved and not caused by other construction works within the vicinity of the site, shall be implemented as approved following completion of the development.

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

RECOMMENDATION III:

- 1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 30.09.2020, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):
 1. The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy CS5 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).
 2. The proposed development does not provide a legal agreement to mitigate the impacts of the proposed development and its therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Local Plan Core Strategy (adopted September 2012) and policy DM17 of the Adopted Development Management Policies DPD.
 3. The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy 5.2 of the London Plan (2016), Policy CS9 of the Local Plan Core Strategy (adopted September 2012), and policy DM04 of the Adopted Development Management Policies DPD.

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf
2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.
3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

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

- 3 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 4 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 5 The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are 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-largesite/Planningyour-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

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

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

- 7 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:
 - 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 8 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

- 9 The applicant is advised of the following ecological advice matters:

Slow-worm and hedgehog are known to utilise residential gardens, therefore, to assure they can attain access to the proposed soft landscaping it is recommended that each stretch of boundary fencing has a 5sq" hole cut at the base so as not to reduce connectivity for these species in the local area;

Climbers such as jasmine *Jasminum officinale* and honeysuckle *Lonicera periclymenum* are to be planted on boundary fences and proposed properties to provide additional value for invertebrates and foraging bats. The planting strategy supplied by hta and includes a wildflower meadow and native shrub planting should be undertaken.

Three Terraced Sparrow Boxes or Schwegler 1SP Sparrow Terrace Boxes (dependent on whether integrated or external fixtures are preferred) are to be installed. The boxes are to be installed on properties, facing north or east exclusively, and at least 3m from the ground, away from window ledges; o One Habitat Bat Box or similar is to be installed. This box is to be installed on properties, facing north or east exclusively, and at least 3m from the ground, away from window ledges; and At least three discrete Bug Boxes²⁴ are to be installed along the western boundary tree line, within the proposed shrub planting, and well hidden from the public to prevent vandalism.

Additional hibernacula can be incorporated into the proposals in the form of wooden compost bins that provide opportunities for slow-worm to enter/egress and one large hibernaculum situated at the south site boundary.

- 10 It is requested by the Committee Members that applications to satisfy condition 3 (Materials) and condition 12 (Hard and Soft Landscaping) be referred back to CB Area Planning Committee for determination.

Officer's Assessment

This application was previously heard at the Chipping Barnet Area Planning Committee on 7th January 2020, where the committee voted to approve the application subject to the completion of a S106 agreement.

Following the receipt of new information since the committee approval which comprised of a late representation from the developer of the St Barnabas Church site and the submission of a revised Daylight / Sunlight report from the applicant, Officers consider it necessary that the application be referred back to the Chipping Barnet Area Planning Committee.

1. Site Description

The proposal site is located on a narrow section of land to the south-west of Woodside Park London Underground Station. It measures approximately 0.25 hectares (Ha) and was previously used as a storage facility with a number of shipping containers and other storage. The southern part of the site was previously occupied by 2no single storey buildings and were utilised and occupied by St Barnabas Church. The site has now been cleared and the buildings removed.

The site is accessed via Station Approach, off Holden Road to the north of the site. The eastern boundary of the site is bounded by the underground tracks, with the western boundary backing onto the back gardens of Holden Road and the former St Barnabas Church building.

The topography of the site is such that level falls by 4 metres from north to south and falls from the eastern boundary where the railway line is elevated by approximately 3 metres.

The site has a Public Transport Accessibility Level (PTAL) of 3 and is located adjacent to Woodside Park Station (underground/ TfL). North Finchley Town Centre is located approx. 500 metres to the east.

The site is located within the ward of Totteridge and is not located within a conservation area nor within the setting of a listed building. The site is located in Flood Zone 1. There are two Locally Listed Buildings adjacent to the site; Woodside Park Tube Station to the north-east and St Barnabas Church to the south-west.

There is 1no tree on the corner of the proposed new access point and Station Approach which is safeguarded under a Tree Preservation Order (TPO).

2. Site History

Reference: 19/1809/FUL

Address: Woodside Park Underground Station, Station Approach London N12 8SE

Decision: Refused

Decision Date: 31.07.2019

Description: Redevelopment of site to provide 86 affordable self-contained flats (Use Class C3) within 2 x five storey blocks including roof terraces with associated amenity space, hard and soft landscaping, refuse storage and cycle parking.

Related site history of St. Barnabas Church and No.42 Holden Road

Reference: 19/6142/S73

Address: St Barnabas Church, Holden Road, London, N12 7DN

Decision: Approved subject to conditions

Decision Date: 23.04.2020

Description: Variation of condition (Approved Drawings) pursuant to planning permission 17/6932/S73 dated 13/08/2019 for " Variation of condition 1 (Plan Numbers) pursuant to planning permission 16/5632/S73 dated 29/09/2017 for `Conversion of the existing St Barnabas Church from Use Class D1 (community use) to Use Class C3 (residential) comprising 21 flats and four floors,

along with associated external alterations. Demolition of the existing bungalow at 42 Holden Road and construction of a three storey plus lower ground floor building comprising 9 residential flats and car parking, provision of private and shared amenity space, cycle and bin stores and other associated works.' Amendment to include reconfiguration of internal layout with associated alterations to windows

Reference: 17/6932/S73

Address: St Barnabas Church, Holden Road, London, N12 7DN

Decision: Approved following legal agreement

Decision Date: 13.08.2019

Description: Variation of condition 1 (Plan Numbers) pursuant to planning permission 16/5632/S73 dated 29/09/2017 for 'Conversion of the existing St Barnabas Church from Use Class D1 (community use) to Use Class C3 (residential) comprising 21 flats and four floors, along with associated external alterations. Demolition of the existing bungalow at 42 Holden Road and construction of a three storey plus lower ground floor building comprising 9 residential flats and car parking, provision of private and shared amenity space, cycle and bin stores and other associated works.' Amendments include internal reconfiguration of residential floorspace within church, change to unit mix, rooflight changes and provision of additional outdoor amenity space.

Reference: 16/5632/FUL

Address: St Barnabas Church, 42 Holden Road, London, N12 7DN

Decision: Approved following legal agreement

Decision Date: 29.09.2017

Description: Conversion of the existing St Barnabas Church from Use Class D1 (community use) to Use Class C3 (residential) comprising 21 flats and four floors, along with associated external alterations. Demolition of the existing bungalow at 42 Holden Road and construction of a three storey plus lower ground floor building comprising 9 residential flats and car parking, provision of private and shared amenity space, cycle and bin stores and other associated works.

In addition to the above, there are a number of conditions applications relating to this site and the above approvals. These are detailed and found on the Council's Planning website.

3. Proposal

Planning permission is sought for the erection of 2no. five storey buildings comprising 86 one-bedroom one-person residential units (Use Class C3), with associated communal and private amenity space, cycle store and refuse, recycling stores and two wheelchair accessible parking spaces.

The proposed scheme is classified as affordable housing under the National Planning Policy Framework (NPPF) and will be delivered by Pocket Living, who are a private developer providing intermediate affordable housing. Pocket's provision of affordable housing will be explained in further detail in the affordable housing section of the report.

The proposal comprises of two buildings (Blocks A and B) which would both be 5 storeys in height. The blocks would be constructed from red brick which would be varied across the blocks in terms of colour, orientation and angle. Large floor to ceiling windows would be provided to serve the living areas and bedrooms of each unit and to the communal areas. Juliet balconies would be provided only along the northern elevation facing onto Station Road.

The development proposes a series of communal outdoor spaces through a central courtyard between the blocks and separate roof terraces on top of each block. In addition, new and improved landscaping is proposed along the east and western boundaries.

The site entrance to the north would be retained and improved, leading down to the central courtyard where the entrances to both buildings are located. The necessary plant and refuse stores are located to the east façade to provide as much active frontage to the entrance and courtyard as possible. The scheme would provide the ability to provide two wheelchair accessible spaces if required and

bike stores accommodating 90 cycle spaces would be provided.

A previous application was refused by the Chipping Barnet Area Planning Committee at the meeting of 15th July 2019. This application seeks to address the reasons for refusal. In terms of this application, the following material alterations/amendments have been made since the refusal in July 2019:

Design and external appearance

- Use of warmer, redder brick colour, similar to that used for St. Barnabas Church;
- A lighter band of soldier course at every level, reflective of the stone horizontal bands;
- Vertical Soldier courses after every two windows, reflective of the vertical buttresses;
- Corbelled brick to the upper level like the corner of the station roof eaves.

Parking

- Provision of 2 disabled car parking spaces if required to be installed;
- Payment of £45,000 towards the review and implementation of a Controlled Parking Zone (CPZ) and/or highways improvements within the vicinity of the development in order to mitigate against any traffic impacts of the Development;
- Payment of £2,022 towards amending the Traffic Management Order (TMO) to prevent future occupiers from obtaining a parking permit in the event of the CPZ being implemented;
- Contribution of £5,000 towards implementation of an on-street car club bay
- Introduction of a car club scheme to the area and free 3 years car club membership for all occupiers of the development. The car club would also be accessible to the surrounding area.

Supporting documents

- Updated heritage report and addendum to address the impact on the setting of the Locally Listed St Barnabas Church;
- Updated Daylight / Sunlight Report which assesses the impact on the various extant permissions of the adjacent St Barnabas Church re-development.

4. Public Consultation

Upon validation of this application on 13/08/19, consultation letters were originally sent to 345 neighbouring properties.

Following the submission of amended plans which comprised of the above mentioned external design and appearance revisions, a period of re-consultation was undertaken on the 17/10/19.

A late representation was received, after the 7th January 2020 Committee meeting at which the resolution to approve the application was passed, from the developer of St Barnabas Church adjoining the application site.

Following the committee resolution, the submission of the above representation and a revised Daylight / Sunlight reports which assesses the impact upon the three permissions for the neighbouring church development: permissions 17/6932/S73 and 19/6142/S73 relating to St. Barnabas Church, a new consultation period was undertaken on 02/06/20.

Overall, 70 responses have been received, comprising 56 letters of objection and 14 letters of support. This does include multiple letters from the same household as a result of the re-consultation periods.

The objections received against the application as a whole can be summarised as follows:

- Contrary to Barnet's Core Strategy and Development Management Policies and Residential Design Guidance SPD;
- No substantial changes to previous application;
- Overdevelopment and density out of scale;
- Excessive height which is not in keeping with the surrounding area;
- Design and external appearance is not reflective of surrounding area;
- Overprovision of flats in this area;
- Impact on the setting of the locally listed St Barnabas Church and Woodside Park Station. Loss of view of the church from the station;
- Not affordable units;
- Provide poor amenity and quality of life for future residents;
- Loss of neighbouring amenity;
- Overlooking;
- Loss of outlook;
- Reduction of daylight / sunlight levels;
- Increased noise and pollution;
- Cumulative impact with nearby developments under construction;
- Holden Road is already at capacity in terms of parking, access and thoroughfare;
- Traffic is a constant problem with restrictive street parking;
- Disagree that the future occupier will have no cars;
- Disruption construction period;
- Additional congestion;
- Disabled residents will continue to be discriminated against;
- Impact on existing trees;
- Strain on local infrastructure;
- No benefit to existing community;

The representations received from the developer of St Barnabas Church can be summarised as follows:

- Proposed amendments are minimal compared to the refused scheme
- Non-submission of verified views;
- Height of block B would exceed the height of the existing St Barnabas Church and would dominate the St Barnabas building;
- Previous submitted Daylight / Sunlight report did not consider the more recent S73 applications;
- Windows on the rear elevation of the St Barnabas are principal windows;
- BRE requirements for rooms would not be met within St Barnabas Church;
- There is no significant and mature planting along the site to limit or screen views from the application site to the St Barnabas site;
- Inaccurate distances within the report in relation to separation of proposed building and St Barnabas Church;
- Officers failed to consider all the criteria within Barnet policy DM06;
- Identification of an alternative scheme which addresses the concerns of the developer of St Barnabas Church

The letters of support received can be summarised as follows:

- Plans are sympathetic to the character of the local area and redevelop poorly used land in a sustainable location for affordable housing;
- Take advantage of the underused and unkempt land beside the station;
- Provision of much needed affordable housing;
- Important to provide homes to own for people on moderate incomes which will enable people to stay in the borough;
- Hard to become a home owner in the borough;
- Allow people on moderate incomes to stay in the borough; and
- The site is extremely well served by public transport.

An objection has been received from **Theresa Villiers MP** prior to the January 2020 committee who comments:

"Following the refusal of the previous application relating to the development of the above site, I have been informed that a further application to develop this land has been submitted.

However, while I understand that the new plan addresses one of the reasons for refusal, I remain concerned about the proposals because they are still an overdevelopment of the site and out of style and character with the area.

The developers state that the development will be car-free, with the exception of 2 wheelchair accessible car parking spaces, aiming to encourage future residents to travel to and from the site using sustainable modes of travel. While this is a laudable aim, I find it difficult to believe that the majority of residents will be content to use a bicycle. How will this be enforced?

Therefore I believe that my comments on the previous application about the parking pressures in the local vicinity are still relevant. Additionally, given the fact that the number of residential units has not been reduced, I remain opposed to the development of this site and believe that the application should be refused."

Responses from External Consultees

Metropolitan Police (Secure by Design)

I do not wish to object to this specific proposal but if planning is approved and due to comments raised, I would respectfully request the inclusion of a planning condition whereby this proposal must achieve Secured by Design accreditation prior to occupation.

Thames Water

With regard to Foul Water sewage network and surface water infrastructure capacity, we would not have any objection to the planning application.

Transport for London

Noise and Vibration

The site adjoins Woodside Park Underground Station, which is served by the northern line. Draft London Plan Policy D12 makes reference to the Agent of Change principle, which places responsibility for mitigating the impacts from existing noise-generating activities or uses on proposed new noise-sensitive development with the applicant/developer. TfL cannot be responsible to the tenant or anyone using the land for any nuisance, disturbance, annoyance or inconvenience (howsoever caused) arising in consequence of or in relation to the operation of the Transport Undertaking or anything arising from this station. Therefore, the applicant will need to demonstrate to TfL how this development will comply with this policy.

Taking the above into consideration, TfL request that approval at this site is conditional on entering into an agreement requiring protective measures in such a format as TfL specifies to adequately protect the Transport Undertaking and the Transport Assets in carrying out any works, and agreement on protection for TfL against future claims from residents regarding disturbance from the railway or adjacent compound, or other claims that affect the operation, maintenance of future upgrade of the transport network. The tenant cannot limit or affect the rights of TfL to deal with its adjoining land and Transport Assets or be entitled to make any objection or complaint in respect of any noise, vibration or discharge or any electromagnetic disturbance from the Transport Assets arising from the operation of the Transport Undertaking. It is considered that the Noise and Vibration assessment should be revised to include an allowance for future worsening (night time operation and track ageing).

It is useful to highlight that since the previous application; the applicant has been engaging with TfL on the above matter and have committed to entering into an agreement to protect TfL from future

claims regarding noise from transport operations and maintenance at Woodside Park. This agreement should be secured through condition. Furthermore, Pocket have also confirmed that the design of the building will make allowances for current noise levels and potential future increases due to 24 hour running and track ageing to ensure that the new homes are comfortable and reduce the probability of complaints being raised.

Any items placed within 3m of the boundary should be easily removable for maintenance of the boundary fence and TfL structures. TfL are concerned about the management of the façade facing the railway. Further information on how this will be maintained needs to be provided, and agreed with TfL.

Car Parking

The proposed development will be car-free, with the exception of two wheelchair accessible car parking spaces. Draft London Plan Policy T6 requires the starting point for all proposals in places that are well connected by public transport to be car-free. While the site is in an area of PTAL 3, it is immediately adjacent to Woodside Park Underground station, which provides access to Northern line services. This provides direct connections to a range of destinations including Finchley Central, Archway, Camden Town and central London along both the Charing Cross and Bank branches. The station also offers Night Tube services, while the amenities of North Finchley town centre are within walking distance.

Given the proximity of the site to the station and the connectivity this offers, the proposals for no general car parking are strongly supported and is considered to be in line with the aims of the draft London Plan and the Mayor's Transport Strategy. The development should be supported by the implementation of a CPZ in the area surrounding the station to ensure that car-dominance is not increased in line with the Healthy Streets approach. Residents of the development (other than Blue Badge holders) should not be eligible to apply for parking permits. This should be secured via an agreement under section 16 of the Greater London Council (General Powers) Act 1974.

Two disabled car parking spaces are proposed to serve the development, which is an increase in provision from the previous application. The draft London Plan policy requires spaces for three percent of dwellings from the outset, which in this case would round up to three spaces. TfL acknowledges the site is significantly constrained by the railway line, associated operational infrastructure and space for servicing which limits the options for the additional space to be provided on site. Given that any alternative proposals would not be able to provide an additional space, the scheme's high level of affordable housing is likely to outweigh any dis-benefits from not providing the space from the outset. Consideration should also be given to the probable occupier profile of the proposed development, which has been identified within the applicant's Planning Statement (Chapter 6). However, the applicant should closely monitor demand for the two spaces, and, should they both be in use, engage with TfL and Barnet to explore options for further provision, such as reviewing operational practices around the station to release land or providing a further space on-street. One space should provide an electric vehicle charging point, with passive provision for the other space. This should be secured through condition.

Cycle Parking

TfL notes that 86 long stay cycle parking spaces and 4 short-stay cycle parking spaces are proposed to serve the development. This is in accordance with draft London Plan policies and is welcomed. All cycle parking on this site should be designed in accordance with London Cycling Design Standards (LCDS), with at least 5 per cent of spaces being able to accommodate larger cycles.

It is noted that there is no change in the location of cycle parking since the previous application. Sufficient justification was provided as to the location of cycle parking as part of the applicant's response to TfL's comments on the previous application.

Responses from Internal Consultees

Arboricultural Officer

There are no Arboricultural reasons to object to this application and the development is in accordance with local planning policy DM01.

Affordable Housing

The development is supported by the Council's Director of Growth and Head of Housing Strategy, Growth & Development and therefore the development is supported from an affordable housing basis.

Drainage / SUDS

No objection subject to a condition requiring the submission of a surface water drainage scheme.

Ecology

This EclA report has set out mitigation aimed at ensuring no net loss in biodiversity and no adverse effects on protected species, to support the planning application. The mitigation will ensure compliance with relevant legislation and policy. The recommended enhancements in the form of wildflower meadow creation, new tree and hedgerow planting, wildlife beneficial borders, compost bins and bat and bird boxes will provide a net gain biodiversity in accordance to NPPF and Local Planning Policy.

Environmental Health

Air Quality

Due to the size of the site it is necessary to have a number of extra air quality conditions.

The site is next to a busy tube line railway. It is relatively far away from road traffic and other noise/air sources of pollution. The taxi rank Abetta cars does operate all night and has received complaints of noise. A noise report is conditioned.

I have read the air report. This has been carried out already and the scheme has been found to be compliant with benchmarks for travel but exceeding benchmark for heating; therefore, a detailed scheme of mitigation is advised within the report' conclusion, but not provided in detail. Otherwise, the report is acceptable. Therefore, I am still including a condition for air quality neutrality assessment because although the results are available there has been no detailed mitigation which will need to be added to the updated report. I have also included a condition for the CHP assessment and air quality report but this does not need to be updated.

Noise

Conditions will be attached to ensure the concerns relating to noise in the vicinity from the trains are addressed.

Conservation Officer

It is not felt that the proposed changes to the materials and appearance of the blocks can be considered, in any way, to have overcome the Committee's grounds of objection in relation to height, scale, massing and bulk. It is still considered that it would detrimentally harm the setting of the Locally Listed Church. It is not felt that the submitted heritage statement fully recognises or appreciates the significance of the historic relationship between the church and Underground Station. As such, the previous comments provided by the heritage team on the original application (19/1809/FUL) still stand.

Traffic and Development

Highways would advise that a parking provision for this development should be at ratio of 0.5 spaces per dwelling. However, if minded to recommend approval, then a proposed package of mitigation measures should alleviate any potential displacement problems.

Highways and Development - Travel Plan

The Travel Plan for the proposal is acceptable and as a result is considered satisfactory for use. The applicant will be required to provide a £5K Travel Plan Monitoring Fee to be secured under section 106 agreement.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

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

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

Draft London Plan

The draft New London Plan is at an advanced stage. In December 2019, the Mayor issued the "Intend to Publish" version of the emerging New London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the New London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed. Those policies affected by the Directions carry moderate weight, whilst those with no modifications can carry significant weight.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS12, CS13, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM10, DM16, DM17.

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan Regulation 18 Preferred Approach was approved for consultation on 6th January 2020. The Regulation 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. Whilst still at an early stage, it is noted that the Council have identified a Schedule of sites that have the potential to be brought forward for development, subject to a suitable development proposal being submitted to and approved by the Council. It is noted that Site No.56: Woodside Park Station West is identified as having potential for being developed for residential use. The application site falls within this identified strip.

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

Supplementary Planning Documents

- Affordable Housing (2008)
- Delivering Skills, Employment, Enterprise and Training (SEET) from development through S106 (2014)
- Green Infrastructure (2017)
- Planning Obligation (2013)
- Residential Design Guidance SPD (adopted October 2016)
- Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Provision of affordable housing;
- Whether harm would be caused to the character and appearance of the existing site, the street scene and the wider locality;
- Whether harm would be caused to the setting of locally listed buildings;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Provision of adequate accommodation for future occupiers;
- Highways and parking; and
- Other material considerations.

5.3 Assessment of proposals

The previous application (19/1809/FUL) was refused by the Chipping Barnet Area Planning Committee on 15th July 2019 for the following reasons:

1. The proposed development in particular 'Block B' by reason of its massing, excessive height, close proximity to St Barnabas Church and its extensive depth across the entire rear elevation of the Church Building would detrimentally harm the setting of the Locally Listed Building. Furthermore, the proposed building would significantly obscure the rear elevation of this non-designated heritage asset when viewed from the Northern Line and be visually obtrusive when viewed from Holden Road contrary to policies 7.4, 7.6 and 7.8 of the London Plan, policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012) and policies DM01 and DM06 of the Adopted Development Management Policies DPD (2012) and paragraph 197 of the National Planning Policy Framework 2019.
2. The proposal would provide no-off street parking or disabled provision to serve the proposed development. This would result in additional kerbside parking to the detriment of highway and pedestrian safety and the free flow of traffic, contrary to policy 6.13 of the London Plan

and policies CS9 and CS15 of the Local Plan Core Strategy (adopted September 2012) and policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012).

Principle of development

Whilst the site was previously used for a series of ancillary uses (storage and parking), the surrounding area is predominantly residential with a variety of detached and semi-detached properties as well as purpose built flatted buildings. Taking into account the predominate residential character of the area, it is considered that subject to relevant planning policy considerations, the principle of new residential development as the land use is acceptable on this site.

Housing Tenure and Mix

Barnet Policy CS4 aims to maximise housing choice providing a range of sizes and types of accommodation that can meet aspirations and increase access to affordable and decent new homes.

Policy DM10 requires 40% of housing provision to be affordable from all new sites providing 10 units. In line with the Core Strategy the tenure mix of affordable housing which will be sought is 60% social rented and 40% intermediate.

All the units proposed would be one bedroom and all offered at intermediate tenure for discounted sale. It is recognised and acknowledged that the proposal does not comply with policy DM10, however Officers have been in dialogue with the Council's Housing team who have confirmed that the model proposed by Pocket would be acceptable to the Council as affordable housing, as well as the proposed tenure mixture. The pre-ambule to Barnet Policy DM08 in paragraph 9.1.7 states an aspiration for family sized intermediate affordable housing. However, smaller 1 and 2 intermediate tenure homes will be supported as larger sized homes under shared ownership/low cost home ownership may be unaffordable.

There is an established affordable housing need within Barnet and at London level. Barnet's Strategic Housing Market Assessment Update (October 2018) states that there will be a need to provide additional affordable housing for 17,600 dwellings over the 25 year period 2016-41 (an average of 704 per year). London Plan Policies 3.11 and 3.12 and Policies H4 and H5 of the Mayor's Intend to Publish London Plan seek to maximise the delivery of affordable housing. Draft London Plan Policy H4 (Delivery affordable housing) in paragraph 4.4.1 strongly emphasises the need to deliver more genuinely affordable housing, with schemes expected to maximise the delivery of affordable housing and make the most efficient use of available resources.

Pocket homes are all designed to be one-bedroom units for first time buyers. Taking this into account, the proposal would contribute to the Borough's housing stock and would consist of 100% affordable housing which is a significant positive aspect of the scheme. In addition, it is considered that one bed units would be appropriate in this location, adjacent to the underground station.

It is recognised that policy 3.8 of the London Plan concerning housing choice requires that 10% of new housing should be designed as wheelchair or easily adaptable for wheelchair users. Within the proposed scheme this would equate to the provision of 8 wheelchair units, however Pocket has advised it is not proportionate to the evidenced level of demand. Within the submitted Planning Statement, it states that Pocket has provided a number of wheelchair units in the majority of its developments, however, no Pocket units in all developments to date, have been sold to a wheelchair user despite best efforts in the marketing process. Pocket consider that this is principally due to the demographic of typical Pocket purchasers which is between 25 and 40; in this age range the requirement for part M4(3) wheelchair user dwellings is at lowest. Nevertheless, all the proposed units would be finished to M4(2) accessible and units can be altered in the future should the circumstances change in the future. Both buildings would be step free and have internal lift access to all levels.

Affordable Housing

As stated earlier, Pocket is a business dedicated to the provision of affordable homes in London. Pocket is a private developer that provides intermediate affordable housing delivering homes for first time buyers on an average wage in London.

Pocket builds an innovative form of affordable housing in London which does not require public subsidy. Housing affordability is secured in perpetuity through a Section 106 legal agreement requiring purchasers to demonstrate that their income is below the eligibility threshold designated by the Mayor of London for intermediate affordable housing. Pocket units are by definition affordable housing in accordance with the definition contained within Annex 2 of the NPPF. Pocket builds principally one-bedroom apartments that are designed specifically for single occupiers who want to own their homes outright. A 20% discount to the open market price for comparable flats in the same area is applied on the initial sales of Pocket homes. Pocket homes are sold to local people who either work or live in the Borough in the first instance.

Unlike conventional shared ownership and shared equity products whereby buyers increase their stake by 'stair-casing'. Pocket buyers own 100% of the equity and the value of their home from day one. Pocket's homes are restricted on resale to buyers with eligible household income (as designated by the Mayor of London) through Pocket's bespoke Section 106 legal agreement and this restriction is also enshrined in lease covenants. Priority is given to those who already live or work in the relevant borough; people on any intermediate nominations list operated by the Council; or who are otherwise approved by the Council. Pocket's homes therefore remain part of the intermediate housing stock in perpetuity.

On resale the Section 106 covenants require a vendor to sell the Pocket home to an 'eligible person' this is a person with an income below which the Mayor of London has deemed should be afforded the opportunity to buy intermediate affordable housing. The administrator supervises the sale and certifies that the purchaser is an eligible person. There are also restrictions on renting out the units; these restrictions mean that the units can only be bought by eligible persons and also effectively mean that the price at which they are bought and sold is below the price at which they would otherwise reach on the open market.

Pocket homes therefore qualify as affordable housing under both the current NPPF and London Plan and the draft London Plan because the homes satisfy the three key criteria contained within the definition of affordable housing:

- Restricted Eligibility;
- Provision to remain at an affordable price; and
- Cost Below Market Level

Restricted Eligibility

All buyers must have a household income below the Mayor's maximum household income threshold (currently £90,000). However, the average Pocket purchaser has a household income of £42,000. For resales the restriction on eligibility remains in place through the S106 agreement.

Provision to Remain at an Affordable Price

The lease for all Pocket homes includes conditions that oblige owners to follow the same eligibility rules when selling (or in exceptional circumstances renting) their home. Mortgage providers will not release their security to allow a sale to proceed unless Pocket, as Administrator, has issued a legal certificate confirming that the buyer is 'eligible'. This condition is relaxed only in the event the property has not been sold within 6 months of first marketing, and the eventual buyer is bound by the same restrictions on resale. In practice, all re-sales of Pocket's units to date have been to qualified eligible buyers, and Pocket considers that referrals from Councils' Housing Departments will ensure that this applies to most if not all future sales.

Through these conditions Pocket will ensure its homes remain affordable in perpetuity. It is anticipated that only rarely will the units be sold on the open market; however, this has not occurred

once to date. This on-going requirement distinguishes these units from shared equity or shared ownership homes, whose buyers can over time acquire additional equity (so-called "stair-casing") until they own 100% and are no longer subject to any resale restrictions. In those circumstances any grant is repaid or eventually recycled by the original developer or Registered Provider but those homes, unlike Pocket's units, are forever lost to the intermediate housing stock.

Cost Below Market Levels

Pricing for the units is agreed with a valuer before they are released onto the market. Pocket commit to a discount of 20% to the local open market value for equivalent homes on the first sale. The open market value is set by an independent valuation assessing the local market values and can be supported by further valuations by other surveyors if queries are raised. Secondary sales do not include a fixed discount; however, the aforementioned restrictions imposed on the sale do remain in perpetuity. When an owner decides to sell their home, they appoint a valuer to determine the sale price. The valuer will have regard to the restrictions ensuring the units sell for below market value.

Restrictions to Borough Residents

Whilst not a formal requirement of meeting the definition of affordable housing, Pocket often applies a further restriction on the sale of its homes which is that in agreement with a LPA it will apply a restriction on the sale of its home to local residents or people who work in the borough. Thus, applicants must also either live or work in Barnet to be eligible for a Pocket home.

The key benefit of this restriction is that it reduces demand on local transport, health and community infrastructure.

Design, Layout and height

The proposal comprises of two roughly rectangular footprints with a centralised landscaped courtyard. The buildings would occupy a large proportion of the site but it is considered that there is sufficient space between the adjacent boundaries to provide appropriate setting for the proposal. In addition, there is sufficient space for considerable new landscaping along all the site's boundaries.

At ground floor level, the majority of rooms which would face onto the entrance ramp and central courtyard, comprise of main habitable rooms which provides an active frontage. Areas of plant and refuse storage, as well as cycle storage are mainly located to the eastern façade facing on the underground tracks. Overall the proposed layout and siting of the proposed buildings are considered to be acceptable.

The topography of the site and surrounding area is such that the land slopes down from east to west. When viewing the east-west context in terms of built form, there is a gradual and consistent rise of building height and form. The applicants have undertaken and provided wider street sections which illustrate the heights and scale of the street scene along Woodside Park Road and Holden Road. Reviewing this, Officers consider that the proposal fits appropriately within the gradual rise of the area and the proposal is considered to respect this context and would not appear out of scale with the surrounding area.

The massing of the buildings is broken up with the incorporation of bays and levels which are repeated along the facades. Each bay predominately relates to an individual unit on each floor.

In order to address the previous refusal reason, a number of design amendments have been made to the proposed blocks that help the proposal better reflect the St. Barnabas Church building. The main alterations include the use of a warmer, redder brick colour, similar to that on the church and the replacement of the previous metal cladding on the top level with an identical brick colour. Also, the detailing of the building has been amended to include more traditional features to reflect the historic and traditional characters of both St. Barnabas Church and the Underground Station; these detailing features include extended banding to mirror the church and traditional corbelling to reflect both the church and the station.

The use of red brick is acceptable and can be widely seen within the wider context but also now better reflects the adjacent St. Barnabas Church. The proposal incorporates the use of variances in the brick such as colour, orientation and corbelling to help break up the massing and provide visual interest. These detailing features will make the proposal appear more traditional in character and appearance. These changes were previously welcomed by the committee during the meeting on 7th January in being an improvement over the original submission.

It is considered that the proposed design changes have the effect of reducing the visual impact of the proposal, by incorporating the existing materiality of St. Barnabas Church and ensuring that the proposal has a positive relationship with the nearby heritage assets.

It should be noted that the proposed development is supported by the Council's Urban design team.

Officers consider that the proposed layout, height, scale and bulk and external appearance have been carefully considered in terms of the site's constraints, wider context and urban form. Overall, the proposal is considered to be of a high quality in terms of form and detailed appearance.

Impact on Locally Listed Buildings

St Barnabas Church and Woodside Park Station are both Locally Listed Buildings. In assessing the potential impact, Barnet Policy DM06 states that there will be a presumption in favour of retaining all Locally Listed Buildings. Part c of DM06 also sets out a number of criteria that proposals should demonstrate when involving or affecting Barnet's heritage assets. In this case, the proposal does not involve the loss of any locally listed buildings as they are located on adjacent sites. Therefore, any assessment is restricted to the potential impact on their setting. Paragraph 197 of the NPPF states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

In accordance with paragraph 190 of the NPPF and DM06 (c. point 1), in terms of its significance, St Barnabas Church is designated on the Local List designation due to its aesthetic merits, intactness, landmark qualities and social and communal value. It is described as "*A typical large J.S Alder Church. Built in orange brick with stone detailing and clay tiled roof.*"

Woodside Park Underground Station is designated due to its aesthetic merits, intactness and landmark qualities. It is described as "*Two storey building in gault brick with shallow pitched slate roof and chimney stacks. Timber sliding sash windows on both ground and first floor façade.*" It opened in 1872 on the Great Northern Railway's Barnet branch and has been part of the London Underground since c1940.

C. point 2 of DM06 requires consideration of the impact on the significance of the heritage asset but as mentioned above, this proposal does directly affect the asset itself but its setting and this will be defined, considered and assessed next in the report.

In the previous application that was heard by committee in July 2019, concerns were raised that the setting of the church when viewed from the platforms of Woodside Park Station, for passengers on passing trains and from Holden Road will be lost. It was considered that the height of proposed Block B was overly dominant and that the proposed external appearance conflicted with the church. On the basis of these two main points, the Committee refused the application on this considered harmful impact.

Within this application, the applicant has submitted an updated heritage statement to address the previous raised concern, and within the submitted appendices of this report, a number of non-verified visualisations are included from views from Holden Road. In addition to this, a number of verified views from the front of the Woodside Park Underground Station and St. Barnabas Church have been submitted as part of the application. The view of the submitted heritage report is that the proposed

development of the site will result in a minor change that will not significantly alter the contribution of the setting of the locally listed St Barnabas's Church to the significance of the asset. The report considers that the setting of the church has changed following the consent of schemes at No.42 and No.44. With regards to the loss of views of the church from Woodside Park, the report states that the rear of the church is not visible along the vast majority of both the south and north bound platforms due to the presence of the station building and dense foliage. It is only when one walks to the southernmost of the platforms that the roof of the church is visible. In addition, views of the church when travelling along the northern line are fleeting and until recently would have been seen in the context of three portacabins which stood to the rear of the church for some 17 years.

However, the Council's Heritage Officer does not agree with the findings of the submitted report and does not consider that the proposed design amendments help mitigate the harm caused to the heritage assets. Their comments raised in relation to the initial application still stand.

It is evident amongst parties that the main impact of the proposal is on the setting of St. Barnabas Church. Officers, including conservation, do not raise any considered impacts on the setting of Woodside Park Underground Station. Whilst the proposed development would in the background of the station building, it is not considered to be detrimentally harmful to the setting of the main station building.

Loss of rear view of St Barnabas Church

Officers acknowledge that the proposal will result in the complete loss of the rear view by virtue of the massing, siting and height of proposed block B. Historically and at present, the rear of the church can be viewed from passengers on the Northern Line. Within the rear elevation, there was historically a large high-level, stained glass window which was positioned centrally. There are no other considered interesting or unique architectural features within the rear elevation. The Church would have historically appeared as a prominent building with the lower heights of development at Vicarage Court and the previous bungalow at No. 42 Holden Road. In addition, the church would have been viewed against the backdrop of mature tree coverage to the rear of No.42 and No. 44 Holden Road. These elements are considered to form part of the significance of this rear view. However, it is also worth noting that for many years, a series of outbuildings were located in front of the rear elevation.

Firstly, concerning the loss of the view of the rear elevation. It is considered that this rear view is only available from short-distance views of the surrounding area. The only available public views of the rear of the church are experienced from users of Woodside Park Station from the platform and on the tube. There are limited views of the rear of the church from outside the station. The objection comments received state that the rear of the church is visible from the platform and highlight that is clearly a positive contributing factor to the area. However, the objection photos provided were taken in February 2020, after the site had been cleared of its previous existing trees, shrubs and hedges. These photos provide a view of only a recent snapshot and not the historic position that users of the station have been experiencing for the many years prior to this. In addition, whilst the building was still in operation by the Church, there were a number of temporary buildings in front of the rear elevation. Whilst these were located on lower topography adjacent to the underground tracks, they still formed a prominent part of this view. Therefore, the view from the platform is only a recent benefit that has come about through the progress of the proposed development and only experienced from users of the Station and not within the wider area. Whilst the proposal has been noted for its 'landmark' qualities, it is considered that this quality from the rear elevation has been historically reduced due to the previous presence of the outbuildings and existing trees and vegetation. The objection comments seek to place more importance of this view by the number of people passing through Woodside Station each year. Officers have taken into account the above assessment that only a momentary view of the Church is achieved from within the tube itself, in the planning balance, when considering the benefits of the proposed development (DM06 and NPPF paragraph197).

Impact of works to St Barnabas Church and No.42 Holden Road

It is considered that the proposed works approved and carried out on the St. Barnabas Church have resulted in a reduced significance of this rear elevation. Such works comprise of the removal of the

stain glass panels which was considered to be the main architectural interest on the rear elevation and a number of new openings in terms of windows and doors being added to this elevation. Historically, the rear elevation appeared simple in form with little fenestration, with the focus on the stain glass windows. However, these changes do not appear to have been part of the Conservation Officer's comments in assessing the significance of this view, nor within the objection comments from the neighbouring developer. As a result of these works which have been carried out, it is considered that the original state of the rear elevation has now been considerably altered, with the removal of original features and the addition of further openings.

Furthermore, the applications at St Barnabas also included the redevelopment of the adjacent site at No.42 Holden Road for a four-storey building. This has now been predominately completed and so its visual impact can be easily viewed. In order to facilitate this development, a number of trees to the rear of No.42 were felled and as such the development at No.42 is much more visible and prominent in the combined views of the site. The historic 'landmark' significance of church's setting has been that it appears as the main prominent building which was viewed on its own. Now the prominence and scale of the adjoining development has to be considered as having a moderate impact on the setting of the church building and detracts from its setting.

Scale / Bulk

In terms of the scale and height of proposed block B, it is acknowledged that the overall height would be taller than the church. However, when viewed at street scene level from Holden Road, the additional height of Block B is not considered to be very perceptible. This can be viewed from the submitted verified views which Officers consider demonstrates that the proposed development does not visually detract from the setting of the church from this view. Whilst the proposed development can be viewed between sites, the proposed scheme will be sited approx. 72m back from Holden Road. As such, Officers are satisfied that there is no adverse harm in this regard. From Holden Road, the impact of the adjacent new flatted development must also be considered. With the site having been predominately completed, it is clear that this constructed scheme has a greater visual impact on the current view along Holden Road. Given that the proposed development will only be visible through gaps in the sites and will also be screened by existing and proposed landscaping, the proposal is not considered to have a visually harmful impact on the setting of St Barnabas Church. When experiencing the views of St Barnabas Church along Holden Road, it is considered that the Church still maintains its prominence within the street scene.

External appearance

During the application process, the applicant did engage with the Council's Conservation Officers. Following this, an amended design and external appearance was submitted which sought to increase elements which seek to reference the traditional features of the church and station buildings. The conservation officers acknowledged that these design changes were considered to have an improved relationship with the site and surrounding area than the previous refused scheme. However, these changes were not substantive enough in their opinion for them to remove their objection. It was also noted during the previous committee meeting that these design changes were welcomed by members and that it integrated more successfully than the original proposal with the surrounding area.

Loss of historic view from Woodside Park Underground Station

Finally, the Conservation Officer makes reference to the historic view from the Underground Station to the Church. However, when you exit the western side of the station onto Station Approach, any views towards the church are oblique and the presence of large mature landscaping hides the majority of the church building. Therefore, Officers afford little weight towards this view.

Conclusion on the effect of nearby non-designated heritage assets

The proposal does not involve the alteration or loss of a non-designated heritage asset and as such part d of DM06 is satisfied.

Part c of the same policy sets out a number of criteria which proposals should demonstrate, including amongst other matters; the impact of the proposal in the setting of the heritage asset, how the significance and/or setting of a heritage asset can be better revealed and how the benefits outweigh any harm caused to the heritage asset.

The significance of the heritage asset has been identified at the beginning of the section as having architectural and landmark qualities. The proposal does not directly impact the non-designated asset as it is located on an adjacent site. However, it is the setting which is only relevant to this assessment. It is evident that the main architectural interest lies within the principal elevation along Holden Road and that detailing / scale is of a lesser degree on the rear elevation. The harm is principally caused by the siting, massing and height of proposed block B which would result in the complete loss of the rear view of the Church. Taking into account the above reasons which include the limited visibility of the rear of the site and the changes that have occurred to St Barnabas and its setting through permissions granted and implemented on the St Barnabas site and adjacent, the harm to the non-designated asset is considered to be minor by virtue of the proposed development within the Church's setting.

Criterion c. point four of Policy DM06 refers to how can the setting of the asset can be better revealed. It is claimed that leaving the rear view open and not developing in front of the rear elevation will better reveal the asset. However, that is questionable as that simply leaves the site as it is and does not improve or better reveal the site. It is considered that better revealing an asset would likely involve works to the asset itself but this scheme is on adjacent land, and as such there are no works proposed. Officers would reiterate that the main significance of the non-designated asset is perceived through the front elevation and its prominence along Holden Road. What the objecting comments and conservation officer comments fail to acknowledge is the impact of harm resulting from the works undertaken to the Church and adjoining site.

The proposal seeks to address climate change by incorporating renewable technologies into the proposed development. This will be discussed further within the relevant at the relevant section.

As required by paragraph 197 of the NPPF, applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policy DM06 which also requires a balancing of harm with identified benefits.

The applicant has identified the benefits of the scheme, mainly the provision of 86no. affordable housing units which seek to meet an identified established need. The benefits of the proposal and the balancing of these will be made within the 'Planning Balance' section at the end of the report.

Impact on the amenity of adjacent occupiers and surrounding area

Barnet policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining users. Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission.

Privacy, overlooking and outlook

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

The site is located within a residential area with a variety of building forms. In terms of potential

impact there are existing residential properties to the east and west of the site.

To the east there are purpose built flatted buildings (Winterberry, Carolina and Silver Bell Court) which vary in height. However, their main orientation is north-south with only a row of single windows along the west elevation facing towards the proposal. In addition, these buildings are located across the underground tracks, with a distance varying between 28-31m and therefore Officers are satisfied that they would not be harmfully affected by the proposed development in terms of overlooking.

To west of the northern part of the application site lie the rear gardens of the residential properties of Holden Road, specifically two pairs of semi-detached properties and a detached property (No.44) comprising of flats. No.44 also benefits from a recent permission to demolish the existing building and erect a new flatted building. It is noted that along this part of the western boundary there are areas of significant and mature planting on adjoining land which will help limit or screen views towards the sites. In terms of separation distances, there would be varying distances of between 6m to 8m from the western elevations of the proposed block A and the boundary. In terms of window-to-window distances between the properties at Nos. 42-52 Holden Road, there would be approximate distances of 35m to 50m. In terms of direct overlooking, the proposal would comply and exceed the window-to-window requirements. Whilst there would be shorter window to boundary distances, Officers consider that the existing mature trees and dense vegetation along the boundary would provide significant screening and help mitigate any perceived levels of overlooking from neighbouring gardens. The tree protection plan submitted with the application identifies that those trees in close proximity or on the boundary will be physically protected by fencing during construction and a construction exclusion zone will be placed around these trees. This will be secured by condition and will require the applicant to erect such fencing prior to any works commencing on site.

At the southern end, to the west of the application site, lies St Barnabas Church and No.42 Holden Road where a new flatted block has been predominately completed. Officers acknowledge that St Barnabas Church has permission to convert into flats and that there are two separate S73 applications which detail further amendments to that original scheme. Works to convert the church to residential appear to be currently taking place. In terms of separation distances between the proposal and St Barnabas building there would be approximately 6.5m to the shared boundary from the western elevation of block B and approx. 16m to the central element of the rear elevation of St Barnabas. It is acknowledged that there is a two-storey element of the church which projects closer to the shared boundary, measuring at a distance of approx. 13.5m between flank elevations. Officers have reviewed the layouts of the various permissions relating to the church and note that there are windows serving Kitchen/living/dining rooms or bedrooms. Officers note the shorter separation distances, with the closest element of the church being the projecting element only representing less than 30% of the whole rear elevation. However, given this only represents a smaller projection of the Church building, consisting of 1 unit and with the addition of new landscaping along the boundary, on balance, the shorter distance is considered to be acceptable from an amenity impact. The ground floor level of this application site is at a level with the first floor of the church. At this level, it is considered that new landscaping proposed along the western boundary will help reduce the potential impact and prevent direct overlooking. As indicated on the submitted planting strategy, 6no. new trees at a height of 3-4m are to be planted along the boundary with St. Barnabas Church. This is considered to a positive mitigating factor in helping to prevent overlooking harm. At the higher levels of the church, the number of windows decrease and are also oriented at different angles. As such, for these reasons, Officers do not consider that the proposal will result in significant adverse overlooking impacts.

Daylight / Sunlight

The application was originally accompanied by a Daylight & Sunlight Study which assessed the impact on the original church permission (16/5632/FUL). A further report has been submitted which considers the impact on the two S73 permissions (17/6932/S73 and 19/6142/S73) this forms the additional information consulted upon in June 2020 in response to the objection from the church developer.

16/5632/FUL

The reports for the VSC (daylight) test demonstrate that a number of windows at St Barnabas Church would fall short of the BRE recommendations. However, the report notes there are mitigating factors which explain the shortfall. The windows in this elevation serve predominately kitchen/living/dining rooms and a bedroom on the ground floor. A number of the rooms in this part of the building are served by multiple windows.

The results of the daylight distribution test show that all rooms meet the BRE recommendations with the exception of three rooms. These are a ground floor bedroom of Flat 4 (window 22), a kitchen/living/dining room of flat 4 (windows 23-26) and a kitchen/living/dining room (window 45) on the first floor of flat 12. For the rooms which experience shortfall, the report advises of mitigating factors. In terms of BRE guidance, distribution of light in a bedroom is considered less important. For Flat 4 living/kitchen/dining, the shortfall is only marginal (0.78 against 0.8) and it also benefits from several windows. The first-floor kitchen/living/dining experiences a shortfall because the window is situated between in the gap between roof forms and is set back from the rear building line. This room also benefits from a further two windows on its north elevation.

In terms of sunlight, the report advises that all living rooms have at least one window which meets the sunlight targets.

In summary the report acknowledges that the proposed development will have an impact on the proposed habitable rooms at the church. Notwithstanding this, given the mitigation set out above, the proposal is not considered to detrimentally harmful.

17/6932/S73

This application resulted in the reconfiguration of the internal layouts.

The results for the VSC (daylight) demonstrate that all rooms at St Barnabas have at least window that meets the BRE recommendations with the exception of three rooms. These are a ground floor bedroom of Flat 4 (windows 27 & 28), a kitchen/living/dining room (windows 29 to 32) of Flat 4 and a single bedroom (window 50) of Flat 12 on the first floor. For the rooms which experience shortfall, the report advises of mitigating factors. In terms of BRE guidance, distribution of light in a bedroom is considered less important. Firstly, windows 27 & 28 serving a bedroom of ground floor Flat 4 would only marginally fall short of the BRE recommendation with before/after ratios of 0.73 and 0.69 respectively. Secondly, the kitchen/living/dining room of ground floor Unit 4 served by windows 29 to 32 has an angled shaped layout, with a deep floorplan. Therefore, daylight would be difficult to achieve to all parts of the room. Thirdly, the first-floor single bedroom served by window 50 is already affected as it is tunnelled in by the projection of the existing building itself.

The results of the daylight distribution test show that all habitable rooms meet the BRE recommendations with the exception of three rooms. These are the same rooms within the VSC test but the report advises of mitigating factors which are relevant to consider. It is stated that both the ground floor rooms are both deep rooms in excess of 5m daylight would be difficult to achieve. The single bedroom, first floor bedroom would only fall marginally short of the BRE recommendation, achieving 0.75 against a recommendation of 0.8.

In terms of sunlight, the report advises that all living rooms have at least one window which meets the sunlight recommendations.

In conclusion, the updated daylight and sunlight report acknowledges that the proposal will have an impact on isolated habitable rooms within the church. However, the impact is considered acceptable due to the mitigation set out above.

19/6142/S73

This application resulted in the reconfiguration of the internal layouts, further to the above S73 application.

The results for the VSC (daylight) test found that all rooms have at least one window that meets the BRE recommendations with the exception of the ground floor central bedroom of Flat 4 which is served by windows 29 & 30. The report advises that these windows only fall marginally short of the BRE 0.8 recommendation, achieving before/after ratios of 0.73 and 0.71 respectively. However, it meets the daylight distribution test.

The results of the daylight distribution test show that all habitable rooms meet the BRE recommendations with the exception of three rooms. These are a ground floor bedroom of Flat 4 (windows 27 & 28), a living/dining room of Flat 12 on the first floor (windows 43 to 46) and a dining area on the mezzanine level of Flat 4 on the ground floor. For the rooms which experience shortfall, the report advises of mitigating factors. Firstly, windows 27 & 28 which represent the ground floor master bedroom of Flat 4, only marginally falls short of the BRE 0.8 recommendation with a before/after ratio of 0.79. Secondly, the first-floor kitchen/living/dining room of Flat 12 served by windows 43-46 would experience a before/after ratio of 0.65. However, if you review the layout it is extremely deep with a front room, narrow circulation space in the middle and kitchen element at the rear. The kitchen in any event due to its location is unlikely to receive high light levels. Therefore, the living room at the front is considered to receive adequate daylight levels. Thirdly, a first-floor dining room of Flat 4 experiences a reduction, however, it was assessed that it was only lit to 11% of its area before the development takes place with a before/after ratio of 0.09 after the development. As this room would already experience low levels of daylight, the small reduction is not considered to be detrimentally harmful. This room also appears at mezzanine level and would be open to the level below.

In terms of sunlight results, the report found that all living rooms have at least one window which meets the sunlight recommendations with the exception of the first-floor living/dining/kitchen of Flat 13 served by window 48. The report advises this room would already experience low levels of sunlight even before the development. It explains that this window is tunnelled in by the projection of the existing building itself and furthermore has another window which doesn't require to be tested as it does not face within 90 degrees of due south.

In conclusion, the daylight and sunlight report acknowledges that the proposal will have an impact on isolated habitable rooms within the church. However, the impact is considered acceptable due to the mitigation set out above

Conclusion of Daylight / Sunlight

In the conclusion of the most recent report which assesses the more recently permitted layouts, it states that the results of all the tests across all the schemes are broadly similar and there is no real material difference between them. It is acknowledged that the proposed development will have an impact on the rear rooms but those are two isolated rooms where mitigating factors exist as set out above.

For the reasons set out above, Officers are satisfied that the proposed development will have limited effect on the habitable rooms within St Barnabas Church and is not considered to result in harm which would merit the application being refused.

Accordingly, it is considered that the representation from the developer of St Barnabas Church has been fully considered and the points raised in those representations have been adequately responded to and addressed in the further information provided by the Applicant.

Residential amenity within the proposed development

In terms of the amenity for future occupiers, the Planning Authority expects a high standard of internal design and layout in new residential development to provide an adequate standard of accommodation. The London Plan and Barnet's Sustainable Design and Construction SPD sets out the minimum space requirements for residential units.

All the units proposed are one-bedroom units measuring 38sqm. A number of design principles are

incorporated into all Pocket schemes in order to maximise space, comfort and sustainability. This includes floor-to-ceiling windows, a low ratio of circulation spaces to liveable space, high quality sound proofing, built in storage and high quality internal and external amenity spaces. All of the units would exceed the 37sqm national minimum requirement.

The majority of units would be single-aspect, which is not an issue in principle, as none of the units would be north facing. Each unit would benefit from floor to ceiling windows to increase the level of daylight and sunlight received into each unit. The applicant has submitted a Daylight and Sunlight Study, to assess the whether the proposed habitable rooms will receive satisfactory levels of daylight and sunlight. The study demonstrates that all of the proposed habitable rooms would receive a high level of both daylight and sunlight and would exceed BRE targets by significant margins.

As the site is located adjacent to the underground tracks, a Noise and Vibration Assessment has been undertaken and submitted in support of the application. The assessment advises that with a well-built building fabric and good quality double-glazed windows, both these elements would contribute towards a significant reduction of ambient noise levels. In terms of vibration, the assessment states that there is a low probability of adverse impact from future occupiers. The Council's Environmental Health Officers have raised no objections.

Overall, Officers are satisfied that that high standard of accommodation would be provided to the proposed development.

In terms of outdoor amenity space, Barnet's Sustainable Design and Construction SPD sets out the minimum standards for outdoor amenity space provision in new residential developments. Flats are expected to provide 5sqm of usable outdoor communal or private amenity space per habitable rooms. All of the ground floor units within both buildings would benefit would be provided with private amenity spaces. In addition, the proposed would provide 860sqm of external communal amenity space on the roofs of both buildings and within the courtyard and south western linear garden. The provision of external spaces is therefore compliant with Barnet requirements but Officers are satisfied that the proposed spaces would be useable and available throughout the year and would help create a sense of community within the development.

Highways and parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The Council's Traffic and Development service had previously raised concerns regarding a car free scheme at this location given that the site is not located within a Controlled Parking Zone (CPZ) and the non-provision of disabled parking spaces.

The development is still proposing a car free scheme; however, the applicant is now providing 2no. wheelchair accessible spaces to the front of the development, which can be provided should one of the units be purchased by a disabled user. These disabled spaces will be installed for the sole use of residents and signs will be erected to encourage compliance. Highways and TfL have confirmed that they are satisfied with the provision of disabled spaces.

Whilst Highways have been advocating for parking spaces, they acknowledge that potential parking displacement and overspill can be overcome by a range of mitigation measures. These include a contribution towards the review and implementation of a CPZ or other highways improvements, permit restrictions, a contribution towards the provision of a car club space in the vicinity of the area and the travel plan measures. With these mitigation measures, Highways consider that these would sufficiently alleviate any potential parking displacement issues. The applicant has agreed to all these financial contributions and they will be secured by S106 obligations.

In light of the above, Officers consider that the agreed measures would satisfactorily overcome the previous reason for refusal and would ensure that there is no adverse parking displacement or overspill into the surrounding area. The proposal is therefore considered to be acceptable on highways grounds.

Trees, landscaping and ecology

Trees

The application is accompanied by an Arboricultural Impact Assessment & Method Statement (25/03/2019). The site comprises of trees of varying values, age and categories. There are also a number of mature trees along the western boundary. The very large Horse Chestnut tree adjacent to the north-west corner of the site has been recently safeguarded under a Tree Protection Order (TPO). Proposed tree removals are proposed within the site and the scheme proposes suitable protection fencing and bespoke construction measures to ensure that the existing western trees are protected during construction and in the future once the development is completed.

The application has been reviewed by the Council's Arboricultural Officer and further information and details has been provided in relation to the foundations in the north-west area. The revised plans illustrate that the building is to be built of pile and beam foundations which will reduce the risk of harming tree roots and would retain space for tree root growth. Officers are therefore satisfied the proposed measures are satisfactory and protected TPO tree and western sited trees will be appropriately safeguarded.

Landscaping

The proposed landscape design seeks to deliver a high-quality resident focused environment through the provision of well-considered spaces and carefully identified planting and materials. The primary entrance to the site is at the northern boundary where the aim is to create a safe and functional access arrangement for all users, providing a pedestrian focussed paved space leading down the western part of the site. Within the central part of the site, there will be a courtyard created between the two blocks with new ornamental trees, to help create a space where the residents of both blocks can meet. Along the western boundary, a linear community garden is proposed, with seating and sensory planting. Specifically, along the boundary adjacent to St Barnabas the submitted planting strategy indicates that 6no. new trees are to be planted which have a specification height of 3-4m.

The two roof terraces will offer additional areas of amenity space for residents. The terraces will primarily comprise of raised planting areas, pergola structures and seating.

Ecology

The application is supported by a Preliminary Ecological Appraisal (October 2018) undertaken by ACD Environmental Ltd. The appraisal comprised of a desk study and an Extended Phase 1 Survey. The report advises that the site primarily comprises of scrub and ephemeral/short perennial grassland. The results of the survey have advised that neighbouring trees on the adjacent land have ecological value. These trees will not be affected by the proposed development but a number of mitigation and enhancement measures are proposed during the construction phase and will remain once the development is constructed.

The Council's Ecological Consultants have been consulted and have commented that the submitted EclA report has set out mitigation aimed at ensuring no net loss in biodiversity and no adverse effects on protected species, to support the planning application. The mitigation will ensure compliance with relevant legislation and policy. The recommended enhancements in the form of wildflower meadow creation, new tree and hedgerow planting, wildlife beneficial borders, compost bins and bat and bird boxes will provide a net gain biodiversity in accordance to NPPF and Local Planning Policy CS7.

Sustainability

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

The application is accompanied by an Energy Statement from TUV SUD (February 2019) which sets out how the development accords to the London Plan energy hierarchy.

Be Lean

Passive design measures included within the development to reduce energy demand would include the following:

- energy efficient building fabric and insulation to all heat loss floors, walls and roofs;
- high efficiency double-glazed windows throughout;
- efficient building services including high efficiency heating systems;
- low energy lighting throughout the building.

These measures are assessed as providing a 1% reduction in regulated CO₂ emissions.

Be Clean

At the present date, there is no decentralised heating network in close proximity of the site. However, the scheme shall be future proofed with space allocated in the plantroom for heat exchangers and pump sets to enable future connection. The proposal seeks to install a Combined Heat and Power (CHP) due to the energy demands of the site. The CHP is assessed as providing a 24% reduction in regulated CO₂ emissions.

Be Green

The applicant has investigated the feasibility of range of low and zero carbon technologies for the development and is proposing to install roof mounted solar photovoltaic panels.

The installation of PV panels will result in a reduction of 11% reduction in regulated CO₂ emissions.

Summary

Overall, an on-site reduction of 39 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building regulations compliant development is expected for the development, equivalent to an overall saving of 37%. The carbon dioxide savings exceed the on-site target set within policy 5.2 of the London Plan.

New residential developments are required to meet the zero-carbon target. The applicant is therefore required to mitigate the regulated CO2 emissions, equating to a financial contribution of £70,601.89 to the Borough's offset fund.

Flood Risk and SUDS

Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".

The application is accompanied by a Drainage Strategy Report from Whitby Wood Limited (February 2019). This has been assessed by the Council's appointed drainage specialists who, following the submission of further details, have raised no objection to the development. If permission were granted, a condition securing the submission of a surface water drainage scheme would be attached.

5.4 Planning Balance

As stated earlier within the report, Officers acknowledge that the proposed development will have a minor level of harm to the setting of St Barnabas Church by virtue of the siting, massing and height of proposed block B resulting in the loss of the rear view of the church. In accordance with Barnet policy DM06 and paragraph 197 of the NPPF, a balanced judgement will be required having regard to the scale of any harm or loss, the significance of the heritage asset and the benefits of the proposed development

Following the refusal of the previous application, a number of material changes have been made to the proposal:

Design and external appearance

- Use of warmer, redder brick colour, similar to that used for St. Barnabas Church;
- A lighter band of soldier course at every level, reflective of the stone horizontal bands;
- Vertical Soldier courses after every two windows, reflective of the vertical buttresses;
- Corbelled brick to the upper level like the corner of the station roof eaves.

Parking

- Provision of 2 disabled car parking spaces if required to be installed;
- Payment of £45,000 towards the review and implementation of a Controlled Parking Zone (CPZ);
- Payment of £2,022 towards amending the Traffic Management Order (TMO) to prevent future occupiers from obtaining a parking permit in the event of the CPZ being implemented;
- Contribution of £5,000 towards implementation of an on-street car club bay
- Introduction of a car club scheme to the area and free 3 years car club membership for all occupiers of the development. The car club would also be available to the surrounding area.

Supporting documents

- Updated heritage report and addendum to address the impact on the impact on the setting of the Locally Listed St Barnabas Church;
- Updated Daylight / Sunlight Report which assesses the impact on the various permissions of the adjacent St Barnabas Church re-development.

The minor level of harm identified as a result of the proposal is:

- The siting, mass and height of proposed block B would result in the complete loss of the rear

- view of the church when experienced along the London Underground Northern Line; and
- Part viewing of the proposed Block B from Holden Road as a result of the proposed height and width.

The proposed benefits of the scheme are:

- Provision of a 100% affordable housing scheme, providing 86no. units to those who directly live / work in the Borough of Barnet (secured by a S106 agreement which will ensure that those eligible for the units must have been residing or working in Barnet for a period of not less than six months);
- Provision of a car free scheme in a high accessible location with typology of 1-bed units is considered to be very appropriate adjacent to the London Underground Station and will promote the use of public transport;

In terms of weight attributed to each benefit, this is set out below:

- It is considered that the provision of 86no. affordable units which will be available at a discounted value and specially marketed for those who live or work in the Borough should be given very substantial weight in the planning balance; There is a strong established need for additional affordable housing as set out in the Barnet Local Plan, Draft Barnet Local Plan, London Plan and Draft London Plan.
- The provision of a car free scheme adjacent to the London Underground Station would discourage those from owning a private car and would promote the use of public transport. This would provide wider sustainability benefits in terms of helping to reduce carbon emission and would be in line with Mayor of London's Transport Strategy. As such significant weight is afforded to this as it complies with Barnet and London Plan ambitions.

Conclusion of Planning Balance

For the reasons given in the assessment sections above, it is identified that there would be a minor level of harm to the significance of the non-designated heritage asset by virtue of the proposed development being within its setting and resulting in the loss of the rear view as experience along the Northern Line and it being partly visible along Holden Road. The level of harm through these impacts is considered to be minor by the limited experience of the rear view and that the proposed would not be predominately visible from the Holden Road. Further to this, it is important to consider the approved works that have been consented or carried out in relation to the St Barnabas Church building. Part of its original significance would have been the stained-glass windows and minimal openings. However, the various permissions have approved the removal of these interest elements and the most recent approved S73 applications include the addition of new larger windows on the rear elevation of the church. Also the adjoining development at No.42 Holden Road is practically completed and has an impact on the setting on the church from Holden Road. Taking into account these works, Officers consider that the significance of the rear elevation has been reduced and impact caused would be minimal in nature.

However, in this case there would be a package of benefits that would arise from the development which have been attributed very substantial or substantial weight.

In applying paragraph 197 of the NPPF and Barnet policy DM06 c, it is considered that the package of public benefits is of considerable importance and it would outweigh the harm that would arise through the impact of the setting of the non-designated heritage asset in this case.

For the reasons given, the site would be an appropriate location for a residential development and it is considered that the scale, height and massing has been progressed, in conjunction with Officers, as a direct response to the site constraints. Through this application, additional highways measures have been secured through S106 obligations which will help to overcome and mitigate the highway's impacts. The proposal will involve the redevelopment of a highly accessible and under-utilised small site and will provide 86no. affordable units which will provide a significant benefit to the Borough and its housing supply. Subject to mitigation, measure relating to highways, noise, contamination, air

quality transport impact and sustainability will be secured via S106 obligations and relevant conditions.

5.5 Response to Public Consultation

Design, scale and height - This is considered and addressed within the report. Officers consider that the design is of a high quality, responding appropriately to the levels of the site and surrounding area and incorporates a predominate red brick which is appropriate to the site's context.

Proposed amendments are minimal compared to refused scheme - The proposed material changes within this application compared to the previous refused scheme have been clearly indicated within the report. Officers are satisfied that the proposed amendments constitute new material weight in their respective right and provide an alternative assessment within this application to the previous refused scheme.

Non-submission of verified views - The verified views were part of the committee presentation on the 7th January 2020 and the committee had the opportunity to view these during the discussion. These views are not formal documents as part of the approved plans but are a visual guide to aid discussion. However, following the committee resolution, these verified views are available to view on the planning public website.

Overprovision of flats in this area and greater need for larger family flats - Officers consider that 1-bed units are highly appropriate for this highly accessible location and that family units would not be suitable. Taken into account the targeted demographic of Pocket users, this location is ideally located, particularly for young, single professionals or those who struggle to afford elsewhere in the Borough.

Impact on the setting of the locally listed St Barnabas Church and Woodside Park Station. Loss of view of the church from the station - This is thoroughly assessed within the report. Officers have taken a balanced judgement that the provision of a high-quality development that provide 100% affordable housing affording very significant weight and would outweigh the adverse effect on the non-designated heritage asset.

Impact on neighbouring amenity - This has been assessed within the report. Officers consider that the proposal would not detrimentally harm the residential amenity of neighbouring occupiers. The application is supported by a Daylight and Sunlight Assessment which assesses the impact upon neighbouring buildings. Whilst it is acknowledged that a number of rooms / windows have been identified as not meeting the relevant BRE recommendations, there has either been suitable justification provided or the reduction is minimal. Officers consider that there is sufficient separation distances between neighbouring properties and that existing and enhanced landscaping will help mitigate any potential overlooking / overbearing impact.

Highways and parking -The application is subject to a legal agreement which seeks contributions towards the review and implementation of a CPZ and/or highways improvements within the vicinity of the development in order to mitigate against any traffic impacts of the Development. Future occupiers will be restricted for applying for residential parking permits. Therefore, these mitigation measures are considered to help alleviate any parking displacement/overspill issues.

Impact on trees - This has been assessed within the report and by the Council's Arboricultural Officer. The proposal is considered to adequately protect trees on and around the site.

Consideration of proposed alternative scheme - this has been proposed - by the developer of the neighbouring St Barnabas Church. However, this is not part of the application submission and as such is not a material consideration in this application.

6. Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important

duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

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

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

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

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

A potential negative impact will be the non-provision of any specific wheelchair adaptable units with the proposal. However, Pocket have provided justification for not providing on-site M4(3) units which is based on evidence gathered from all other Pocket developments. To date, Pocket advise that no wheelchair unit has been sold to a wheelchair user. Whilst no wheelchair adaptable units will be provided on-site, Pocket advise that units can be altered should circumstances change in the future. Two wheelchair accessible parking spaces have now been provided within the scheme. Nevertheless, the development will be fully constructed to M4(2) standards including step-free pedestrian access to all levels. On balance, whilst this is identified as a negative impact, Officers considered that there are acceptable justifying reasons to deviate from planning policy in this instance.

It is considered by Officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

7. Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.

