

## **STRATEGIC PLANNING COMMITTEE**

**13 January 2021**

### **ADDENDUM TO SERVICE DIRECTOR OF PLANNING AND BUILDING CONTROL'S REPORT**

#### **AGENDA ITEM 6**

**Application: 20/3823/FUL  
679 High Road London N12 0DA**

Under Recommendation II, the S106 obligations are updated as follows:

**8. Travel Plan and Monitoring Contribution**

Submission of a Full Residential Travel Plan and a monitoring contribution of £15,000.

**9. Town Centre Contributions and Highways Improvement Works**

Contribution towards the works programme for North Finchley Town Centre as defined by the Framework SPD and includes infrastructure such as public realm, pedestrian environment, cycle priority and safety schemes.

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Under Recommendation III, the conditions are updated as follows:

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

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

- viii. details of contractors' compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.
- xi. Details setting out measures to promote sustainable travel of construction workers to and from the site.**

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).

36. a) Notwithstanding the approved plans, details of the site access onto the High Road (A1000) and improvements to the crossing facilities in proximity to this junction shall be submitted prior to the commencement of these works and the development shall not be first occupied until the details have been 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.

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

37. a) Prior to the public opening of the internal access road, details of the access control and measures to prevent the road being used as a vehicle thoroughfare shall be submitted 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.

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

38. a) Before the relevant part of the works are begun, details of the external architectural expression and references to the site's heritage and previous use as a tram depot, which are to be included on the external appearance of the buildings hereby approved, shall be submitted 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.

Reason: To provide interest to 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.

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With references to the site's PTAL, on pages 31, 42 and 66, areas of the application site also fall under a PTAL score of 4 (Good). Therefore, the site can be classed as having a moderate to good PTAL level.

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### **Public Consultation**

Since the publication of the committee report, 1 letter of support has been received and raises the following:

"Regal London and Joseph Partners are currently working with the LBB to investigate opportunities for the redevelopment of key sites across North Finchley to achieve the Council's vision for the town centre as set out in the adopted North Finchley Town Centre Framework Supplementary Planning Document (February 2018).

Both the London Plan and Barnet's Local Plan highlight significant growth potential of North Finchley for additional residential development as well as retail, leisure, workspace and community uses. The SPD provides detailed guidance on how this growth will be realised and identifies that a coordinated and comprehensive approach is essential to achieving the regeneration of the town centre.

Regal London and Joesph Partners have reviewed the application proposals with interest and are please to confirm their support, in principle, for the redevelopment. Consistent with the aspirations of the SPD, the proposals will deliver a significant number of homes on an underutilised brownfield site and will support the step change required across North Finchley to deliver a revitalised town centre."

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On page 56 of the committee report, before the assessment of individual properties or groups of properties, the following text is inserted to provide explanation of why a VSC level of 20% is considered acceptable in this location.

For determining VSC, the BRE guidelines state that if the VSC at the centre of a window is more than 27%, and it is less than 0.8 times its former value, then the diffuse daylighting of the existing building will not be adversely affected. However, it is widely accepted that this model is predicted upon a suburban environment as opposed to more urban environments.

As set out earlier in the report in the ‘Residential Density’ (page 41), the site is considered to hold more characteristics of an urban context, having regard to Policy 3.4 of the London Plan:

*“areas with predominately dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, No located within 800m walking distance of a District centre, or along main arterial routes.”*

Both National and Mayoral policies highlight the need for an appropriate degree of flexibility to be applied when using the BRE guidelines to assess the daylight and sunlight impacts. The Mayor’s Housing SPG states that “*Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.*”

In the submitted Daylight, Sunlight & Overshadowing Report, examples of this flexible approach have been provided:

#### Holy Trinity School (Hackney)

The GLA representation hearing report states:

*“the 27% VSC target value is derived from a low-density suburban housing model. The independent daylight and sunlight review states that in an inner city urban environment, VSC values in excess of 20% should be considered as reasonably good, and that VSC in the mid-teens should be acceptable. However, where the VSC value falls below 10% (so as to be in single figures), the availability of direct light from the sky will be poor.*

*With respect to the reduction factor, it should also be noted that whilst BRE guidelines state that a 20% reduction is the threshold for a materially noticeable change, the independent daylight and sunlight review sets out that given the underdeveloped nature of the site relative to its context, this percentage reduction should be increased to 30%, with an upper threshold of 40%.”*

#### Monmouth House (Islington)

The GLA representation hearing report states:

*“For general guidance, whilst the BRE guidelines recommend a target value of 27% VSC when measured on an absolute scale, that value is derived from a low-density suburban housing model. In an inner city urban environment, VSC values in excess of 20% should be considered as reasonably good, and VSC in the mid-teens should be acceptable.”*

#### Whitechapel Estate (Tower Hamlets)

The appeal decision (ref: APP/E5900/W/17/3171437) states:

*“The figures show that a proportion of residual Vertical Sky Component (‘VSC’) values in the mid-teens have been found acceptable in major developments across London. This echoes the Mayor’s endorsement in the pre-SPG decision at Monmouth House, Islington that VSC values in the mid-teens are acceptable in an inner urban environment. They also show a*

*smaller proportion in the bands below 15%... The appeal proposal would therefore appear to be in compliance with the LP as amplified by the SPG and as it is being interpreted by the Mayor."*

#### 22-23 Tileyard Road and 196-228 York Way (Islington)

The appeal decision (ref: APP/V5570/W/19/3224373) states:

*"There appears to be a growing recognition in heavily built-up areas of London that a VSC of 20% is now regarded as reasonably good, with a VSC of 15% being considered acceptable in most instances."*

The examples above go to show that 27% VSC levels are derived from a low-density suburban model. Therefore, it is considered appropriate in this instance to accept a flexible 20% VSC value as providing a good level of daylight.

An example of this flexible approach within Barnet, was the approved application at Colindale Underground Station (Ref.19/0859/OUT), which like the application site, had established low-scale residential properties in close proximity to the site and where the application proposed a tall building. In terms of daylight of that approved application, 50.8% of the neighbouring met the BRE guidelines for VSC levels. In that instance VSC levels of 10-16% were considered acceptable to neighbouring properties. The committee report stated:

*"A detailed assessment of daylight to these windows have been provided, which show a reserved VSC levels of mostly mid-teens to lower storey windows with some instances of high single storey levels to upper storeys and 1 ground floor window, in comparison to a target of 27%. Percentage reductions in daylight also exceed the 20% guideline in the BRE in some cases by more than 50%. In relation to the lower figures, they are partly in relation to design characteristics of the affected properties such as overhanging eaves and as such are not within the ability of the developer to amend, also not all of the windows serve habitable rooms.*

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On page 64 of the committee report, the following correction is made within the 'Overshadowing' section':

Omission of the word - 'not'

"In summary, whilst a large proportion of surveyed gardens would not achieve the BRE levels on the recommended day of 21<sup>st</sup> March, the results demonstrate that nearly all of the garden areas would achieve this within a few weeks. This is not considered to be acceptable in this instance and is not considered that the effects of the proposed development would have a detrimental impact in terms of overshadowing the gardens of neighbouring properties."