

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

REFERENCE: 20/6271/FUL

Received: 24 December 2020

WARD(S): Mill Hill

Accepted: 24 December 2020

Expiry: 25 March 2021

CASE OFFICER: Andrew Dillon

APPLICANT: Barratt London

PROPOSAL: Alterations to the basement, lower ground, upper ground and first floor of the existing Block A Building to provide 16 new residential units, a gym, and a cafe, including associated alterations to landscaping and car parking.

Background

The Original Permission 16/4545/FUL

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

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

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

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

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

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

- Minor design changes

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

The S73 Application 19/3208/S73

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

The amendments proposed under this application were as follows:

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

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

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

Slot-In Application 20/1893/FUL

The applicant submitted planning application (Planning Reference 20/1893/FUL) on the 20th April 2020 which was a full application effectively for the same development proposed under the earlier S73 application, with the exception of the minor changes proposed to blocks J1 and J2 which were subject to a separate and concurrent non material planning application.

The description of development for this application was:

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

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

Barnet's Planning Committee resolved at the Planning Committee meeting of 22nd July 2020 to grant planning permission for this development subject to a deed of variation being completed. Planning permission was subsequently granted on the 23rd November 2020 following the completion of the deed of variation.

The Current Planning Application 20/6271/FUL

The current application was submitted in December 2020 The description of development is as follows:

'Alterations to the basement, lower ground, upper ground and first floor of the existing Block A Building to provide 16 new residential units, a gym, and a cafe, including associated alterations to landscaping and car parking'

In short the scheme proposes alterations to the basement, lower ground, upper ground and first floor of Block A to replace the existing 1,867 sqm of office floorspace with 16 residential units (comprising two x one-bedroom units, eight x two-bedroom units and six x three-bedroom units), alongside the provision of the residents gym (Use Class E) and publicly accessible café (Use Class E), which is also proposed to increase in size by 33 sqm (from 163 to 196 sqm), to the upper ground floor.

The proposed scheme comprises the complete reconfiguration of the basement, lower ground, upper ground and first floor of Block A, to comprise:

- Removal of 1,867 sqm of Office Floorspace;
- Provision of 16 residential units (comprising two x one-bedroom units, eight x two-bedroom units and six x three-bedroom units);
- Relocation of the Residents Gym (177sqm) from Lower Ground to Upper Ground Floor, alongside a reduction of 63 sqm in floorspace (from 177sqm to 114sqm);

- Relocation of the Publicly Accessible Café from Lower Ground to Upper Ground Floor, including an increase in size by 33 sqm (from 163 to 196 sqm);
- Rearrangement of six parking bays within the Basement;
- Provision of 4 additional projecting balconies on the Upper Ground and First Floors (east and west facades); and
- Alterations to the Landscape to provide private outdoor amenity space for Upper Ground Floor residential units (north façade).

The application includes the provision of an additional seven affordable homes (equal to 35% of the proposed additional 16 units calculated by habitable room), which are to be provided 'off-site' within Block C1 being built out pursuant to the Consented Scheme. The above changes result in an increase of 16 residential units, therefore increasing the overall number of residential units provided within the sitewide development from 512 to 528. The site wide affordable housing provision will remain at 35%.

The main issue concerning the proposals are the land use principle of changing the consented employment space to residential, although as discussed below, the principle of the change is supported by the Council's Employment and Skills Team who advise that the site is not in an ideal place to provide employment space of the type proposed under the consent and a payment in lieu has been negotiated which can be used to facilitate employment provision elsewhere in the borough.

In terms of green belt there are no changes to the footprint, massing or volume of the buildings and as such there is no additional impact on the Metropolitan Green Belt which this site is situated in. The proposed design changes are minimal and do not fundamentally adversely affect the visual appearance of the building. As there is no increase in the amount of hard standing on the site, the application would have no impact on surface water drainage on the site. The impact on roads and parking is also discussed and considered acceptable resulting in minimal changes to parking demand or traffic generation.

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

RECOMMENDATIONS

Recommendation 1

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

- Removal of Flexible Workspace Management Plan;
- Removal of Flexible Workspace Plan Champion;
- Removal of Flexible Workspace Travel Plan;
- Removal of Flexible Workspace Travel Plan Contribution;
- Amendment to definition of Residential Travel Plan Incentives Fund, to increase contribution to £157,800 (Additional £4,800);
- Amendment to definition of 'Travel Plans' to remove reference to Flexible Workspace Travel Plan;
- Variation to Schedule 1 –Affordable Housing Plans;
- Variation to Schedule 3 (Affordable Housing);
- Variations to Schedule 4 (Travel Plans and Sustainable Transport);
- Variation to Schedule 7 (Skills, Enterprise, Employment and Training);
- Appendix 1 – Revised Affordable Housing Delivery Schedule;
- Appendix 2 – Revised Affordable Housing Accommodation Schedule; and
- Contribution of £411,180 towards the loss of employment.

Recommendation 2

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

CONDITION(S):

1. Time Limit

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

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

2. Approved Drawings

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

- 1623_DWG_PL_A_221_E
- 1623_DWG_PL_A_240_E
- 1623_DWG_PL_A_241_E
- 1623_DWG_PL_A_242_E
- 1623_DWG_PL_A_243_E
- 1623_DWG_PL_ABC_201_G
- 1623_DWG_PL_ABC_202_E
- 1623_DWG_PL_ABC_203_E
- 1623_DWG_PL_ABC_204_E
- 1775_0222_-
- 1775_0223_-
- 1775_0224_-
- 1775_0225_-
- 1775_0226_-
- 1775_0227_-
- 1775_0228_-
- 1775_0229_-
- 1775_0232_-
- 1775_0233_-
- 1775_0234_-

Documents: Access Statement Addendum (December 2020), Design and Access Statement Addendum (December 2020), Delivery and Servicing Management Plan (December 2020), Energy Statement Update (December 2020), Daylight and Sunlight Addendum (Amenity Within the Site) (December 2020), Planning Statement (December 2020), Residential Travel Plan (December 2020), Environmental Statement - Statement of Conformity (December 2020), Statement of Community Involvement (December 2020), Transport Assessment Addendum (December 2020), Utilities Assessment Addendum (December 2020) and Workplace Travel Plan (December 2020).

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

3. Non-Road Mobile Machinery

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the construction shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the Local Planning Authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Policy DM04 of the Barnet Local Plan (2012) and Policy S11 of the London Plan (2021) and the London Plan's SPG on Sustainable Design and Construction (2014).

4. Air Quality and Dust Management Plan

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

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

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

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction (2014) and Policy S11 of the London Plan (2021)

5. Noise Mitigation Measures

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic noise/mixed use in the immediate surroundings, in accordance with Policy DM04 of the Barnet Local Plan (2012), Barnet's Sustainable Design Construction (2014) and Policy D14 of the London Plan (2021).

6. Extraction & Ventilation Equipment

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

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

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

7. Landscape and Ecological Management Plan

The Landscape and Ecological Management Plan (LEMP), approved under condition reference 19/5190/CON of the extant consent (Planning Ref 16/4545/FUL), will be

implemented in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

Any future amendments to the LEMP shall include the following.

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

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

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

8. Planting

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

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

9. Construction Hours

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

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

10. Landscape Management Plan

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

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

- long term design objectives;
- maintenance schedules;

- new soft landscaping to be planted as part of the approved landscaping scheme including the number (no less than 839 new trees including 100 semi mature trees), size, densities, species and location of trees and shrubs; and

- implementation programme

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

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS05, CS07 and DM01 of the Barnet Local Plan (2012) and Policy G7 of the London Plan (2021).

11. Parking Provision

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

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies T6 and D5 of the London Plan (2021) and also to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Policies CS9 and DM17 of the Barnet Local Plan (2012).

12. Private Parking

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

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies T6 and D5 of the London Plan (2021).

13. Construction Environmental Management Plan

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

Construction site and works

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

- ii. Description of works, equipment and storage
 - iii. Programme of works
 - iv. Temporary hoarding and fencing
 - v. Temporary works
 - vi. Interim drainage strategy
 - vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)
- Construction management and procedures
- viii. Code of Considerate Practice
 - ix. Consultation and neighbourhood liaison, including St Vincent's RC Primary School.
 - x. Staff training and briefing procedures
 - xi. Schedule of environmental legislation and good practice
 - xii. Register of permissions and consents required
 - xiii. Environmental Audit Programme
 - xiv. Environmental Risk Register
 - xv. Piling Works Risk Assessment
 - xvi. Health and safety measures
 - xvii. Complaints procedures
 - xviii. Monitoring and reporting procedures
- Demolition and waste management
- xix. Demolition Audit
 - xx. Site clearance and waste management plan
 - xxi. Asbestos survey and disposal strategy
- Construction traffic
- xxii. Construction traffic routes
 - xxiii. Construction traffic management including access to the site (specifically any proposed temporary construction accesses to the site); the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.
- Environmental Management
- xxiv. Ecology surveys and management plan (as required by the ES) in relation any existing ecological features that may be affected by works in that Development Phase
 - xxv. Measures to minimise visual impact during construction
 - xxvi. Measures to minimise noise and vibration levels during construction
 - xxvii. Measures to minimise dust levels during construction
 - xxviii. Measures to control pollution during construction (including a Pollution Response Plan)
 - xxix. Construction lighting strategy, including measures to minimise light spill
 - xxx. Measures to reduce water usage during construction
 - xxxi. Measures to reduce energy usage during construction
 - xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register
- Biodiversity
- xxxiii. Risk assessment of potentially damaging construction activities.

- xxxiv. Identification of "biodiversity protection zones", including a 20m buffer to the Folly Brook.
- xxxv. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including, but not limited to badgers, amphibians, reptiles, White Letter Hairstreak butterflies, owls and lesser spotted woodpeckers.
- xxxvi. The location and timing of sensitive works to avoid harm to biodiversity features.
- xxxvii. The times during construction when specialist ecologists need to be present on site to oversee works.
- xxxviii. Responsible persons and lines of communication.
- xxxix. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- xxxx. Use of protective fences, exclusion barriers and warning signs.
The approved CEMP shall be adhered to and implemented throughout the Construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04, DM16 and DM17 of the Barnet Local Plan (2012) policies D14 and G7 of the London Plan (2021) and the London Plan's SPG on Sustainable Design and Construction (2014).

14. Non-Residential Units

The non-residential units hereby approved shall only be used for purposes within Use Class E and no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (or any amending Order).

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

15. Access Statement

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

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies D5, D6 and D7 of the London Plan (2021) and Policy DM02 of the Barnet Local Plan (2012).

16. Energy Statement

The development shall be implemented in full accordance with the submitted Energy Statement Addendum (dated December 2020) and shall thereafter be retained. The communal heating system shall be designed to permit a future connection to a District Heat Network should a feasible and viable connection become available in the future.

Reason: To ensure that the development is sustainable and in accordance with Policy DM01 of the Barnet Local Plan (2012) and Policies SI2 and SI3 of the London Plan (2021).

17. Secure by Design

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

Reason: To ensure that the proposed development meets the Police standards for the physical protection of the buildings and their occupants, and to comply with Policy D11 of the London Plan (2021) and Policy DM02 of the Barnet Local Plan (2012).

INFORMATIVE(S):

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

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

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

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

3: Refuse collection points should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Level access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised to ensure Barnet Council's refuse collection department is consulted to agree a refuse collection arrangement.

4: The applicant must submit an application under Section 184 of the Highways Act (1980) for all the proposed vehicular accesses. The proposed access design details, construction and location will be reviewed by Barnet's Council's Authority

Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

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

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

6: Barnet Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of construction traffic movements. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works. The applicant is advised that photographic records should be kept of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.

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

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

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

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

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

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

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

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

15: Pre-commencement conditions:

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

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

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

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

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

Please visit

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

MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

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

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

National Planning Policy Framework (February 2019)

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

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

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

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

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

Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

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

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9

(Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

London's Economy:

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

London's Response to Climate Change

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

London's Transport

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces

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

Implementation, Monitoring and Review:

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

Intent to Publish London Plan December 2020

The new London Plan which sets out the Mayor's overarching strategic planning framework from 2019 up to 2041 will be adopted in March 2021. When adopted this will replace the London Plan 2016. The Mayor published his Publication London Plan in December 2020, and the Secretary of State has now confirmed that he requires no further revisions to the document before adoption. The Publication London Plan will be adopted in March 2021 and therefore a very high weight should be attached to those policies. Until then the London Plan 2016 remains the statutory Development Plan until such stage as the replacement plan is adopted and as such applications

should continue to be determined in accordance with the 2016 London Plan, whilst noting that considerable account needs to be taken of the soon to be adopted policies.

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

Chapter 1

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG4 Delivering the homes Londoners need

GG5 Growing a good economy

GG6 Increasing efficiency and resilience

Chapter 2

Policy SD3 Growth locations in the Wider South East and beyond

Policy SD10 Strategic and local regeneration

Chapter 3

Policy D1 London's form, character and capacity for growth

Policy D2 Infrastructure requirements for sustainable densities

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering good design

Policy D5 Inclusive design

Policy D6 Housing quality and standards

Policy D7 Accessible housing

Policy D8 Public realm

Policy D9 Tall Buildings

Policy D11 Safety, Security and resilience to emergency

Policy D12 Fire safety

Policy D14 Noise

Chapter 4

Policy H1 Increasing housing supply

Policy H2 Small sites

Policy H3 Meanwhile use as housing

Policy H4 Delivering affordable housing

Policy H5 Threshold approach to applications

Policy H6 Affordable housing tenure

Policy H7 Monitoring of affordable housing

Policy H8 Loss of existing housing and estate redevelopment

Policy H10 Housing size mix

Policy H11 Build to Rent

Chapter 5

Policy S4 Play and informal recreation

Policy S5 Sports and recreation facilities

Chapter 6
Policy E1 Offices
Policy E2 Providing suitable business space
Policy E3 Affordable workspace

Chapter 7
Policy HC3 Strategic and Local Views
Policy HC4 London View Management Framework

Chapter 8
Policy G1 Green infrastructure
Policy G2 London's Green Belt

Policy G4 Open space
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands

Chapter 9
Policy SI 1 Improving air quality
Policy SI 2 Minimising greenhouse gas emissions
Policy SI 3 Energy infrastructure
Policy SI 4 Managing heat risk
Policy SI 5 Water infrastructure
Policy SI 6 Digital connectivity infrastructure
Policy SI 7 Reducing waste and supporting the circular economy
Policy SI 8 Waste capacity and net waste self-sufficiency
Policy SI 12 Flood risk management
Policy SI 13 Sustainable drainage
Policy SI 17 Protecting and enhancing London's waterways

Chapter 10
Policy T1 Strategic approach to transport
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T6.2 Office parking
Policy T9 Funding transport infrastructure through planning

Chapter 11
Policy DF1 Delivery of the Plan and Planning Obligations

Mayoral Supplementary Guidance

Sustainable Design and Construction (April 2014)

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

Accessible London: Achieving an Inclusive Environment (October 2014)

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

Planning for Equality and Diversity in London (October 2007)

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

All London Green Grid (March 2012)

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

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

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

Play and Informal Recreation (September 2012)

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

Housing (March 2016)

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

Affordable Housing and Viability (August 2017)

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

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

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

Mayor's Transport Strategy (2018)

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

jobs on transport land and by 2020/21 aims to start on working on property development sites that will deliver 10,000 new homes.

Relevant Local Plan (2012) Policies

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

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

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

– The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well-being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)

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

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet's town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Barnet's Local Plan (Reg 18) 2020

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

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

Supplementary Planning Guidance and Documents:

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

Local Supplementary Planning Documents:

Sustainable Design and Construction (October 2016)

Residential Design Guidance (April 2013)

Planning Obligations (April 2013)

Affordable Housing (February 2007 with updates in August 2010)

Strategic Supplementary Planning Documents and Guidance: Accessible London:

Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)

Wheelchair Accessible Housing (September 2007)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 2012)

Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

Housing (November 2012)

Supplementary Planning Documents and Guidance

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

Local Supplementary Planning Documents:

Affordable Housing (February 2008)

Sustainable Design and Construction (October 2016)

Planning Obligations (April 2013)

Delivering Skills, Employment, Enterprise and Training from Development through S106 (October 2014)

Sustainable Design and Construction (October 2016)

Residential Design Guidance (October 2016)

Green Infrastructure (October 2017)

National Institute of Medical Research Planning Brief 2016

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

1.2 Key Relevant Planning History

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

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

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

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

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

'Minor Material Amendment to condition 2 (Approved Plans), Condition 26 (Play Equipment), Condition 32 (Car Parking), Condition 44 (Inclusive Design), Condition 45 (Energy Statement) and Condition 49 (Accessible Units) of Planning Permission for 16/4545/FUL dated 22/12/2017, to provide for the following design changes. Amendments to the approved floor plans of

Blocks A, B and C to allow for the provision of 52 additional homes (within the same building mass of the original approved scheme, with no change to above-ground building volume or floorspace). Amendments to the basement floor plan of the Cruciform Cluster (Blocks A-C) to enlarge the basement, in order to provide a pro-rata increase in the provision of car parking spaces (52 additional spaces). Associated floor plan amendments to Blocks A-C and basement to accommodate pro-rata changes to cycle parking, refuse storage, private amenity space etc. Minor changes to elevations of Blocks A-C as a result of floor plan amendments. Pro-rata increase in the provision of affordable housing (to maintain 35% by habitable rooms) and Minor alterations to the floor plans of Blocks J1 and J2, to allow for an increase in M4(3) wheelchair adaptable units within these blocks'

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

As a direct result of the 'Finney Judgement' the applicant submitted a new planning application (Planning Reference 20/1893/FUL) on the 20th April 2020 which was a full application effectively for the same development proposed under the earlier S73 application, with the exception of the minor changes proposed to blocks J1 and J2 which were subject to a separate and concurrent non material planning application.

The description of development for this application was:

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

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

Barnet's Planning Committee resolved at the Planning Committee meeting of 22nd July 2020 to grant planning permission for this development subject to a deed of variation being completed. Planning permission was subsequently granted on the 23rd November 2020 following the completion of the deed of variation.

1.3 Pre-application Consultation by the Applicant

Along with discussions with the London Borough of Barnet and the GLA, targeted pre application local consultation also took place, including with local ward councilors and local Business including Pondlife in Finchley Nurseries. The wider public were

also informed by means of an update to the Ridgeway Views Construction Newsletter which was sent to 392 neighbouring addresses. Recipients were invited to provide feedback on the proposals although no responses were received at the time of the submission of the Planning Application.

1.4 Public Consultations by the Council and Views Expressed

Public Consultation

Letters were sent out to 247 addresses on the 4th January 2021 giving 42 days to respond. The application was also advertised by site notice on the 14th January 2021 and by press notice on the 14th January 2021

As a result of this consultation, 18 letters of representation received, of which 16 were in objection to the Planning Application.

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

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

- Site already overdeveloped no need to add additional units
- Insufficient Parking at present which will be exacerbated by proposal
- Traffic congestion and lack of bus layby
- No need for Gym or café as already provision in area and will compete with existing businesses
- Overdevelopment of Green Belt and Conservation Area
- Too much development already on site
- Too much development in Mill hill
- Objection to incremental increases
- Consider buildings built to date not attractive modern design and dislike lighting of building.
- Consider design of building will limit sales of additional flats.
- Lack of landscaping
- Recent removal of trees (which were approved through a tree works application
- Changes from covid means less demand for flats in London and as such no need for additional flats.
- The emphasis on cycle provision will not work due to the gradients in the area
- Loss of Employment Land
- Consider application at IBSA house for office space show there is a market for office accommodation.
- Relocation of café to first floor will make it for inaccessible to the public and prevent outdoor tables
- The Gym is now for residents only.
- Proximity to Finchley nurseries and Carp ponds (risk of contamination)
- Construction Management Plan has been flouted by Barratts
- Run off pollution of the Folly Brook, discharge rates are too high and result in flooding and pollution next to Finchley Nurseries and the Darlands Nature Reserve downstream.

- Lack of mention of Finchley Nurseries in the original planning documentation which referred to the site as open fields to the north.
- Consider Transport Statement and Environmental Statement out of date and should be rerun.

Officer Comments

All of the above comments have been taken into account in the consideration of the application, however officers would make the following observations on the comments which have been received.

In relation to complaints regarding current enforcement breaches, it is noted that Scientific Services and Planning Enforcement have visited the site following complaints and have in the main been satisfied that the development is acting in compliance with the approved Construction Management Plan and other Environmental requirements. In any event this is of no relevance to the slot-in application as it is the impact of the changes which need to be assessed on its own merits.

In relation to water discharges into the Folly Brook, this was authorised by Capita Drainage on behalf of the London Borough of Barnet, however it is appreciated that further mitigation measures are required and discussions are ongoing between Barratts London and the London Borough of Barnet to provide this mitigation. However this is of limited relevance to the consideration of the current application as the scheme would not increase the footprint of buildings or hardstanding and as such would not affect surface water drainage either positively or negatively from the site. Capita drainage officers have confirmed no objections to the current proposals.

In relation to the loss of the employment facility on the site, this change has been supported by the Council's Economic Development Team who have agreed an appropriate financial payment to better support employment opportunities and more sustainable town centre sites.

In relation to comments in relation to the overdevelopment of the site and the impact on the Conservation Area and Green Belt, it is noted that the volume of the buildings is not changing and as such the proposals would not consider that the proposals would have any greater impact in this regard over and above the originally approved scheme. It is also noted that national, regional and local plan policies support the principle of increased housing supply providing the resultant form of development is acceptable.

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

In relation to the café, this will remain open to the public as per the original consent.

The café has been relocated from the Lower Ground to Upper Ground floor, which in turn increases accessibility and visibility to members of the passing public, alongside an increase in floor area of 33sqm (to 196 sqm). The Gym is for residents of the development as it was on the original proposals.

In relation to parking, the Original Sitewide Permission included a total of 19 car parking spaces that are allocated to the commercial aspects of the site (Office, Gym and Café). This application proposes to transfer 16 of the commercial spaces into residential use, with the three remaining spaces to be used by the future occupiers of the café/gym. This maintains the sitewide 1:1 residential parking ratio approved as part of both the Original Sitewide Permission and the Consented Scheme. As the total number of spaces is not changing the proposals would not cause any significant changes to traffic generation to and from the site.

In relation to the impact of the development on traffic, the proposals would result in a reduction of 45 vehicular two-way movements during the morning peak period and 47 movements in the evening peak period. Therefore, the proposals result in a betterment on the approved position by reducing vehicular movements at the site. Consequently, the proposals would bring about a reduction in traffic and ease any congestion issues on the local highway network.

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

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

Elected Representatives.

John Hart

Thank you for this communication on which I would wish to comment.

I object to the increase in accommodation which will intensify the built-up aspect of the general development, located as it is in the Conservation Area. Any increase in built surface will serve to exacerbate the serious water (and sometimes sewage) run-off down-hill to Finchley Nurseries and Pondlife, scouring the untarmacked surface of the access lane.

My second objection is that further building will block the views into the Totteridge Valley, the openness of which was an important consideration in preliminary discussions with Messrs Barratt. A through view was a prize improvement on the old NIMR erections.

An additional planning 'sweetener' was the proposal to include a modest café at ground level, accessible to passersby and walkers, as well as residents; its removal to an upper storey by the proposed residents' gymnasium is regrettable.

Please enter these comments on my behalf.

Officer Comment

The comments have been taking into account in the consideration of the application. The proposal would not change the massing of the building and as such would not increase the impact on the green belt. Issues in relation to the flooding issues at Finchley nurseries are an ongoing issue which discussions are ongoing in relation to, but is of limited relevance to the current application which would not affect levels of surface water run off from the site.

Consultation responses from neighbouring associations other non-statutory bodies.

Mill Hill Preservation Society

1.0 Background

Planning permission was granted for a residential-led mixed use scheme to provide 460 new residential units across 19 blocks and 12 houses at the application site in December 2017 under planning permission ref. 16/4545/FUL (the 'original consent'). On 23 November 2020, full planning permission was granted under ref. 20/1893/FUL for alterations to five of the approved blocks to provide 189 homes, an uplift of 52 additional homes over the original consent.

The Society does not consider this application a 'non-material amendment' as the registration code indicates. It is considered that the current application which seeks a further uplift of 16 dwellings at the site will lead to cumulative issues and other additional concerns in respect of the following:

2.0 Density

Recently approved application 20/1893/FUL has already allowed an 11.3% increase in housing numbers over those originally approved on this Green Belt site. The current application would increase the housing numbers from the original 460 to 528, this representing a further increase of 14.8%.

The original permission had a density of 49 dwellings per hectare (dph) (460 dwellings across 9.5ha developable area). The recent 2020 permission increased this to 54 dph and the current proposal increases this again to 56 dph.

The Applicant appears to be submitting continued applications for incremental increases in housing numbers and the density of development that begins to have a cumulative impact upon the intensity of the use on this Green Belt site. This also affects provisions such as car parking, traffic and sustainability which are explored in more detail below.

A further clear indication of overdevelopment is that four of the 16 new homes will not have any access to private amenity space due to design limitations. This is particularly problematic as the applicant claims that the scheme will "introduce additional family sized homes into the development" (including 8 no two-beds and 6 no three-beds). Providing 'family sized homes' without private amenity space delivers a poor quality of housing for future occupiers and does not accord with adopted or emerging planning policy.

Lessons should also be learned from the current COVID-19 pandemic and the importance of access to private amenity space, from a health and well-being perspective, delivering family homes without any private amenity space will exacerbate people's need to move outside the private home environment for their own physical and mental health.

The applicant has also stated that the affordable housing provision associated with the 16 additional units will only be an offsite provision of shared ownership "for practical reasons" owing to not being able to provide a separate stair core. This reduces the social mix and diversity of the scheme which is an important characteristic of sustainable communities.

Practical design reasons do not justify departure from policy and demonstrates the inability to deliver the appropriate provision of onsite affordable housing. This is reflective of a scheme seeking to 'shoehorn' additional dwellings into an already dense development. Alternatively, there appears to be no legitimate reason why the lower ground and ground floor flats could not be provided with their own independent access arrangements, without reliance on the stair cores as their primary means of accommodation.

3.0 Car Parking

The original development had a total of 544 residential parking spaces, 50 visitors' parking spaces and 19 commercial parking spaces. The Society has always maintained, since consultation on the original application, that this provision was not sufficient and has been especially concerned that there will be inadequate visitor parking provision for the café.

We understand that the proposal reallocates 16 of the 19 commercial spaces to residential and retains an allocation of just three spaces to be shared by the café and/or gym. No additional visitor parking spaces are proposed, which the Society considers totally unacceptable.

The café is now proposed for expansion, which is supported, but no additional car parking is allocated to this commercial unit. Previously, the 19 commercial spaces were shared between the office/café/gym. Three spaces to serve a café and a gym will be wholly insufficient for operational and staff parking needs and will create further pressure on the already limited visitor parking, which are also likely to be used by the additional residential properties.

Additionally, overspill cars from the first phases of the development have already begun parking permanently on The Ridgeway. To date this has been during lockdown and COVID-19 pandemic, but once schools get back to full operation this will result in a serious highways issue which will only be exacerbated as further phases are completed and if further dwellings are approved on the site.

The applicant should be required to undertake a parking survey to demonstrate how ineffective the parking strategy is already, without further development exacerbating it.

4.0 Loss of Employment

The Planning Brief for the site was clear that the site affects a "wide range of constraints including Green Belt and the Conservation Area" but that redevelopment was considered appropriate as there was "a significant opportunity to transform the site into a residential-led, mixed use development that is sensitive to and enhances its surroundings and is planning policy compliant" (our emphasis).

As part of this, five clear objectives were set out, the fourth of which was: "To provide opportunities for employment creation, ensuring the continued contribution to innovation and growth through provision of workspace for small to medium enterprises."

Additionally, the Brief specifically recognised that the NIMR was a major employer within Barnet (employing some 600 people) and the Council sought "to mitigate its loss when it relocates to St Pancras" through the reprovision of office space on site. The current application now seeks the removal of all 1,867 sqm of the permitted office floorspace at the development. As such, the development will no longer accord with the planning brief or strategic aims of the regeneration scheme.

The applicant states that the Local Planning Authority advised, via pre-application engagement, that the loss of offices will need to be justified against market evidence to satisfy the requirements of Policy DM14 and mitigated by way of a financial contribution within a S106 agreement. It is not considered that the market evidence sufficiently demonstrates that no commercial uses are viable and whilst a financial contribution could be obtained, where would this money be spent? Clearly the need to apply the CIL 122 tests would be essential to ensure monies benefit the people of Mill Hill.

The Employment Study which supported the original application concluded that the site is suitable for small scale employment uses and that around 2,000sqm of B1 accommodation would be viable. Whilst there would have been some changes in viability since this was produced, it cannot be unviable to provide any office use at all at this site. The pandemic has only served to demonstrate the importance of homeworking and locally based office and employment space which is a further indicator of sustainable communities.

Additionally, recent change in the Use Classes Order has revoked Class B1(a) and offices now fall within the more flexible Class E classification covering 'Commercial, business and service' uses. The Applicant should be required to demonstrate that this 1,867sqm of floorspace is not viable for all potential Class E uses.

The updated Employment Study by Avison Young does not take this legislative change into account. Nevertheless, it still finds that flexible/managed office space will recover from the impacts of the COVID-19 pandemic first and continue to be an expanding sector of the market. In spite of the fact that some 600 NIMR staff managed to find their way to work, the report goes on to claim that the site is not an appropriate location for such space because of the relatively poor public transport access. Clearly this is a departure from the opinion when they sought to obtain planning permission in the first instance and wanted to offer as much variety as possible to obtain officer and member support. To accept that this is not a suitable

location for flexible office now would be completely undermining the Council's determination procedure in the first instance.

Moreover, a site with over 500 dwellings is highly likely to generate demand for some flexible office space, likely bolstered by more flexible office/home working arrangements and people benefitting from 'hot-desk' or daily office space rentals, for example. This is similarly not a factor taken into consideration in this report. In assessing the suitability of the site for office space the report concludes that it is possible that the quality of office environment and a low rent may attract parties. Given that the site was originally earmarked for small to medium enterprises, such provision should be progressed, not ignored in favour of more dwellings that generate more income for the developer but provide no benefit for the surrounding community.

Overall, the updated Employment Study does not sufficiently demonstrate that no Class E commercial uses are viable on the site and so Policy DM14 is not satisfied.

5.0 Café and Gym

The café and gym proposed were supposed to be accessible to the general public and not solely for residents of the development. Certainly, this would make them more viable and less susceptible to a future application to convert that space to further flats. The relocation of the facilities to the ground floor, previously located on the lower ground floor and directly accessible, are now not accessible to the general public.

This we consider totally unacceptable as this results in the overall scheme no longer being a mixed-use proposal, but an elite residential development with its own private gym and café.

Whilst it may be speculation by the Society, if the gym and café do not remain on the lower ground floor and accessible to all members of the public, a fresh application to convert these spaces into further flatted accommodation will follow, citing the unviability of a private café and gym facility.

6.0 Sustainability

The loss of commercial provision at the site also has sustainability implications. The dual location of employment and residential uses as part of a comprehensive mixed-use scheme promoted sustainable development at the site.

With removal of opportunities for a 'mixed-use' scheme, the development mix is becoming less sustainable and will add more pressure to the local transport infrastructure and subsequently, carbon emissions and global warming. Mill Hill East underground already has insufficient capacity and local parking is becoming more of an issue, which will only worsen as all residents have to travel in and out of the development for work.

7.0 Design of the Cruciform Building

The Planning Brief for the site identified a key opportunity for the site as "To improve, retain, re-use or re-build as per the original the distinctive Main Building, in whole or part". The originally approved cruciform building design was subsequently selected after a design competition.

The applicant is now incrementally degrading the design quality through amendments and alterations to accommodate additional residential development. This puts profit above design quality, which given the history of the site, is an inappropriate way to approach the development.

The Planning Brief recognised the iconic stature of the building and its historic importance and stated that the Council was keen to ensure that any new development respects that history and incorporates within the scheme markers to the past. The proposed design amendments should be carefully assessed to ensure they are considered to maintain the original design intention for this landmark building and these markers to the past.

8.0 Public Engagement

The applicant states that the public were informed of the proposals via a newsletter posted to 392 addresses on 16 December 2020 and no responses had been received yet. The application was submitted five days later on 21 December 2020. This is not sufficient public engagement and the proposal has not been considered in light of local residents' considerations. We ask that officers take the opportunity to understand any issues raised by the local community and ensure that the application adequately responds to them.

9.0 Conclusions:

On the basis of the above, the application represents inappropriate development and a scheme that is becoming more remote from the original design brief and local planning policy. We trust the planning authority will take these crucial points into consideration when evaluating the proposal and recommend refusal.

Officer Comment

The above comments have been taken into account in the consideration of the application and the points raised are addressed in the officer observations under public comments and under the planning considerations below.

Consultation Responses from Statutory Consultees

Transport for London

Thank you for consulting TfL on this application, copy attached.

Having assessed the proposals, I can confirm that TfL Spatial Planning has no strategic comments to make on this planning application other than to emphasise the development should comply with the transport policies set out in the Publication London Plan. In particular the car and cycle parking standards in tables 10.2 – 10.6 (inclusive). Cycle parking should comply with the London Cycling Design Standards (<https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>).

Thames Water

Waste Comments

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would

have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information : www.thameswater.co.uk/help

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Water Comments

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

Natural England

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Historic England

Thank you for your letter of 4 January 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

Historic England Greater London Archaeological Advisory Service

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

The site is heavily disturbed by modern development and is unlikely to retain any

archaeological interest in this location.

No further assessment or conditions are therefore necessary.

Metropolitan Police

Due to levels of crime and burglary within the borough and to also help enhance community safety through the implementation of proven crime prevention products and measures (addressed by SBD), I would respectfully request that any approval of this application contains a relevant planning condition 'whereby the development must achieve SBD accreditation, prior to occupation'.

I do not wish to object to this specific proposal and I have previously advised the architects/agents to continue to liaise with me in respect of their planning condition from the GLA for the site to achieve Parts 2 & 3 of SBD accreditation.

I remain available to assist the agents throughout this development in order to achieve SBD accreditation, whereby my advice remains impartial and free of charge.

Sport England

Thank you for consulting Sport England on the above application.

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications

If the proposal involves the **loss of any sports facility** then full consideration should be given to whether the proposal meets Par. 97 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a **new sports facility**, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional **housing** (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social

infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

Internal Consultation responses

Drainage

It is acknowledged that this new application (Ref: 20/6271/FUL) is an amendment to the planning application Ref: 20/1893/FUL, which was granted planning permission in November 2020.

The Planning Application Ref: 20/1893/FUL, included a scheme with the proposed construction of 5 buildings of between 5 – 8 storeys in height, with associated basement comprising up to 189 residential units and provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3), as well as associated car and cycle parking, refuse storage and amenity space.

The revised scheme under the Planning Application Ref: 20/6271/FUL, involves alterations to the basement, lower ground, upper ground and first floor of the existing Block A building to provide 16 new residential units, a gym, and a café, including associated alterations to landscaping and car parking.

There is no change to the external building footprint and as such surface water quality or drainage strategy under the Planning Application Ref: 20/6271/FUL.

We have no comments in relation to either the flood risk assessment or proposed SuDS, if the planning authority were satisfied with both the Flood Risk Assessment report and Drainage Strategy Report as part of Planning Application Ref: 20/1893/FUL.

Therefore, we have **no objection** to the alternations proposed under the Planning Application Ref: 20/6271/FUL.

Economic Development

No objections raised subject to an appropriate mitigation in line with the following table:

Net loss of employment floorspace = 1,149.6 sqm (NIA)	Your revised calculation is agreed.
1,149.6 sqm = 76.64 jobs @ 1 job per 15 sqm (NIA)	Until such a time as the <i>SPD: Delivering Skills, Employment, Enterprise and Training from Development through S106</i> (October 2014) is updated, the council has the right to defer to the relevant source documents at the time of drafting (incidentally, I don't see developers rushing to pay the higher CIL rates that we should by rights be charging on schemes). That said, in the interests of supporting Barratt London to deliver the additional units, we are willing to accept a revised employment density figure of one job per 15 sqm (NIA), in line with the 2015 EDG guidelines.
77 x £5,340 (cost of supporting one person into work) = £411,180	Please note that in line with the 2014 SPD, the £5,340 cost of supporting a person into work is to be fixed to the end of 2015, but indexed linked thereafter at CPI +2%. Indexation will therefore be added to the £411,180 figure.

Transport and Regeneration

No Objections raised subject to appropriate conditions.

Environmental Health

No Objections raised subject to appropriate conditions.

Housing

No Objections raised.

1. Background, Description of the Site and Proposed Development

Background

The Original Permission 16/4545/FUL

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

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

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

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

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

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

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

The S73 Application 19/3208/S73

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

The amendments proposed under this application were as follows:

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

- Pro-rata increase in the provision of affordable housing (to maintain 35% by habitable rooms); and
- Minor alterations to the floorplans of Blocks J1 and J2, to allow for an increase in M4(3) wheelchair adaptable units within these blocks.

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

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

Slot-In Application 20/1893/FUL

The applicant submitted planning application (Planning Reference 20/1893/FUL) on the 20th April 2020 which was a full application effectively for the same development proposed under the earlier S73 application, with the exception of the minor changes proposed to blocks J1 and J2 which were subject to a separate and concurrent non material planning application.

The description of development for this application was:

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

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

Barnet's Planning Committee resolved at the Planning Committee meeting of 22nd July 2020 to grant planning permission for this development subject to a deed of variation being completed. Planning permission was subsequently granted on the 23rd November 2020 following the completion of the deed of variation.

Description of the Site

The 1,181sqm site comprises the Lower Ground, Ground and First Floors and of the Existing Cruciform Building (Block A), along with six car parking spaces within the Basement, which forms part of the Cruciform Cluster that is in the process of being

built out pursuant to planning permission 20/1893/FUL (as amended by application Ref. 20/5686/NMA). The Cruciform Cluster extends to 0.9ha and is located within the wider NIMR site (now known as Ridgeway Views), which is in the process of being redeveloped pursuant to planning permission 16/4545/FUL

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

Description of Development

The current application the subject of this report was submitted in December 2020 The description of development is as follows:

'Alterations to the basement, lower ground, upper ground and first floor of the existing Block A Building to provide 16 new residential units, a gym, and a cafe, including associated alterations to landscaping and car parking'

In short the scheme proposes alterations to the basement, lower ground, upper ground and first floor of Block A to replace the existing 1,867 sqm of office floorspace with 16 residential units (comprising two x one-bedroom units, eight x two-bedroom units and six x three-bedroom units), alongside the provision of the residents gym (Use Class E) and publicly accessible café (Use Class E), which is also proposed to increase in size by 33 sqm (from 163 to 196 sqm), to the upper ground floor.

The proposed scheme comprises the complete reconfiguration of the basement, lower ground, upper ground and first floor of Block A, to comprise:

- Removal of 1,867 sqm of Office Floorspace;
- Provision of 16 residential units (comprising two x one-bedroom units, eight x two-bedroom units and six x three-bedroom units);
- Relocation of the Residents Gym (177sqm) from Lower Ground to Upper Ground Floor, alongside a reduction of 63 sqm in floorspace (from 177sqm to 114sqm);
- Relocation of the Publicly Accessible Café from Lower Ground to Upper Ground Floor, including an increase in size by 33 sqm (from 163 to 196 sqm);
- Rearrangement of six parking bays within the Basement;
- Provision of 4 additional projecting balconies on the Upper Ground and First Floors (east and west facades); and
- Alterations to the Landscape to provide private outdoor amenity space for Upper Ground Floor residential units (north façade).

The application includes the provision of an additional seven affordable homes (equal to 35% of the proposed additional 16 units calculated by habitable room), which are to be provided 'off-site' within Block C1 being built out pursuant to the Consented Scheme. The above changes result in an increase of 16 residential units, therefore increasing the overall number of residential units provided within the sitewide development from 512 to 528. The site wide affordable housing provision will remain at 35%.

2. PLANNING APPRAISAL

Principle of Development

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

As this planning application is extant and currently under construction, this planning permission is a significant material planning consideration and it is reasonable to assess the proposal based on the acceptability of the changes to this baseline permission.

Assessment of Proposed Amendments

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

- Principle of Loss of Employment Floorspace
- Alterations to Gym and Cafe
- Urban Design
- Principle of proposed additional residential use
- Residential Mix
- Affordable Housing Provision
- Density
- Daylight and Sunlight
- Residential Quality
- Car Parking Provision
- Construction Impacts
- Cumulative Effect of Amendments

Each of these is discussed in turn below.

Principle of Loss of Employment Floorspace

The site both currently and previously when it was in use as a Medical Research Centre (Use Class Sui Generis) is not designated as an employment site in Barnet's Local Plan. Nevertheless the original proposal did include provision of up to 1,867 sq.m of flexible B1 (a) office floor space as compensation for the reduction of employment on the site.

The Mayor's Stage 3 report further stated '*the site does not fall into one of the categories that are generally considered to support viable office uses as outlined in paragraph 4.12 of the London Plan.*' However at the time the applicant maintained that the floorspace would be viable the inclusion of the employment floorspace was supported in the Mayor's decision. It is also worth noting that as part of the supporting information for the original application a marketing exercise was carried out in relation to the original NIMR building which generated limited interest.

The current application draws reference to these earlier studies and has also submitted an updated Employment Study and Assessment produced by Avison Young the Planning Agents for this Planning Application. The report makes the following observations (as summarised in the applicant's Planning Statement):

'The Office Market in LB Barnet and Mill Hill

The report recognises the current impact of Covid-19 but notes that this cannot be relied upon as an argument as workers will return to the office. However, it is the established desire for an attractive working environment, accessible via public transport and close to amenities will be even more important and it is concluded that these desires will not be able to be met on this site.

Potential for Flexible/Managed Office Space

The flexible leases and instant access associated with serviced offices means that they will recover first and continue to be an expanding sector of the market.

However, this site is not an appropriate location because of the relatively poor public transport access, which creates reliance on private transport, and absence of on site or nearby leisure activity. The findings of the report note that there are a number of more accessible, central locations where this need can be met. Furthermore, market trends have identified that the more appealing serviced offices are much larger than the 1,867 sqm on offer; which also allows them to have a range of shared amenity on site.

Site Marketing

The marketing process undertaken by the MRC between June and September 2014 established the following conclusions:

- The Site was made available to public and Government organisations;*
- The Site underwent a wide 'sector-blind' marketing process;*
- The marketing did not identify any suitable employment generating users interested in the reuse or redevelopment of the Site; and*
- The vast majority of interested parties were residential developers.*

It was concluded that a further marketing campaign for the site would be even less likely to identify the potential for any office users, notably because the office market is considerably worse now (regardless of the impact of Covid-19) than it was in mid-2014. Furthermore, it is felt that London's office market has still some way to fall before a recovery can commence and the report concludes that this site would not be suitable for a serviced office/co-working operation in the either the current or recovering market.'

The Head of Economic Development has assessed the information provided and advised that they have no objections to the employment space being redeveloped for other purposes subject to an appropriate financial payment to support the provision of employment elsewhere. This is principally due to the site's location and the Economic Development's team preference to support employment in accessible town centre and edge of town centre locations. Following negotiations it was considered that a payment of £411,180 would be appropriate to mitigate the loss of the employment space. This would be in addition to the £370,000 secured in the original permission towards employment and skills.

In relation to the comments provided by the Economic Development Team it is noted that the Intent to Publish London Plan Policy E1 (Offices) advises of the following:

D The diverse office markets in outer and inner London (outside the areas identified in Part C) should be consolidated and – where viable – extended, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity.

This approach is also taken in Local Plan Policy DM14 (New and Existing Employment Space) which advises that new employment space should follow a sequential approach which considers town centre sites before edge of centre sites.

Notwithstanding the above policies the proposal still involves a loss of employment floorspace which needs to be taking into account and mitigated against. While however the Intent, Draft London Plan Policy E2 (Providing Suitable Business Space) Part C of the policy notes that where proposals involve a loss of existing B Use Class Business Space, they should demonstrate that there is no reasonable prospect of the site being used for business purposes.

Policy DM14 advises that the loss of office space will only be permitted in town or edge of town centre locations where it has been demonstrated that the site is no longer suitable and viable and a suitable period of active marketing has been undertaken. DM14 is silent in relation to the loss of offices outside such locations and given this, the evidence of the previous marketing of the building prior to the original application in 2016, the supporting information which has been submitted by the applicant and the support (with financial payment) of the Head of Economic Development it is considered that the loss of the employment floorspace provision in this location accords with Policy so far as an appropriate payment is made to provide employment elsewhere and subject to the replacement uses being considered acceptable.

Alterations to Gym and Café

The application proposes the - Relocation of the Residents Gym (177sqm) from the Lower Ground to the Upper Ground Floor, alongside a reduction of 63 sqm in floorspace (from 177sqm to 114sqm) along with the relocation of the Publicly Accessible Café from Lower Ground to Upper Ground Floor, including an increase in size by 33 sqm (from 163 to 196 sqm). In terms of the relocation the gym while smaller appears in a lot more desirable position being located in the centre of the upper ground floor with views to the front and back. Similarly in relation to the café, the proposed new location is a lot more prominent and unlike the extant scheme will be clearly visible from the Ridgeway and also includes the provision for outdoor seating. Overall the proposed relocation is considered a marginal improvement and does not raise any significant planning policy issues.

Urban Design

The proposed design changes are considered minor in nature involving changes to the fenestration and openings on the lower floors to accommodate the proposed residential accommodation along with the removal of the external staircases at the

front of the site. The proposed changes are modest and match the style and positioning of the approved elevations and façade treatment on the upper storeys. The changes will not affect any long views of the building as they concern the lower levels only and arguable improve the lower ground relationship to the surrounding area by providing more articulation and natural surveillance. The proposals do not alter the bulk and massing of the proposal and as such would not result in any additional or adverse impact upon either the Metropolitan Green Belt or the Mill Hill Conservation Area.

Principle of additional Residential Development

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that accords with an up-to-date Local Plan should be approved.

Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

It is noted that this housing target was subsequently revised upwards in the Further Alterations to the London Plan in 2014 to an annual target of 2,349 over a ten year period.

The draft Replacement new London Plan (December 2020), when adopted, will replace the existing London Plan 2016. The new London Plan sets out mayoral policies for the period 2019-2041, with housing targets set only for the first ten years of the Plan. The revised housing target for Barnet is to provide a revised “minimum” Borough Housing target of 23,640 homes, on an Annual Monitoring Target of 2364 homes (set out in the London Plan Intend to Publish). The target date ends in 2029.

In relation to the development site itself, the site constitutes previously developed land and the principle of development of this portion of the site to provide residential accommodation has already been established by the extant permissions.

As such the basic principle of additional residential accommodation accords with national, regional and local plan policy and can be supported subject to the scheme itself being otherwise acceptable.

Residential Mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (Replacement London Plan Policy H10, adopted London Plan Policy 3.8, and Barnet Development Management Policies DPD policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying

that there is not a need for a full range of unit sizes.

Proposed Residential Mix

The proposal involves the provision of 16 additional residential units within the scheme in the form of two 1 bed, eight 2 bed, and six 3 bed units. It is noted that all of the 2 bed units will be larger 2 bed 4 person units and as such are classified as family accommodation. Overall the proposed unit accommodation proposed is welcomed particularly the relatively large number of 3 bed units. As such it is still considered that the proposal will continue to provide a good mix of units sizes in accordance with Policy DM08.

Affordable Housing Provision

The original approved planning application established an affordable housing ratio of 35.01% split with a 70-30 split in favour of intermediate. The earlier drop in approval maintained this 35% but slightly altered the mix in favour of rented.

In relation to the current application while the proposed 16 additional units in the cruciform building will be private the application proposes changing 7 units within Block C from private to intermediate (3 one bed and 4 two bed units). Thus maintaining the 35.01% ratio. While no affordable rented units, the scheme will still comply with the 70-30 split established under the original outline approval as the previously approved drop in application contained a greater number of rented units in the uplift. The scheme has been examined by Council Housing officers who have confirmed that the proposed uplift is acceptable.

While this scheme is not referable to the Mayor as the Mayor is a signatory to the original S106 they will also need to approve and sign this variation. It is the Council's understanding that they consider that the proposed affordable housing provision as a result of this application is acceptable.

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

Density

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

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

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

The Proposed Development, as part of the wider NIMR Development, would result in an average density of 162 habitable rooms per hectare (only including the 9.4 hectares on the southern part of the site), as opposed to 144 habitable rooms per hectare in the extant scheme and 156 rooms per hectare following the previous drop in application, which is within the indicative range within the London Plan. The proposed density is therefore considered acceptable in accordance with Policy.

It should be noted that the Replacement London Plan 2021 will be formally adopted shortly after the time this application will be heard by planning committee and such will carry all weight in decision making from that date and should be given very high weight leading up to Publication. The 2021 Plan takes a less prescriptive approach and Policy D6 states *inter alia* that the density of a development should result from a design-led approach to determine the capacity of the site with particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.

Daylight and Sunlight

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

Residential Quality

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

Four of the 16 new homes, located on the southern façade at first floor, do not benefit from direct access to their own private amenity space, due to the adverse impact this would have on the design quality of the southern elevation of this building. Occupiers will, however, have easy access to the scheme's high quality shared communal gardens ensuring that outdoor amenity needs are catered for. The other 12 homes benefit from private balconies/terraces in line with the Mayor's standards and the overall quantum of outdoor amenity space in the scheme far exceeds the standards set out in the Barnet Local Plan.

It is noted that in the consideration of earlier schemes on this site, several of the consented units did not contain external balconies for visual appearance buildings, these were considered acceptable in the consideration of these earlier applications and overall it is considered that these minor departures from policy are acceptable in this instance given the generous communal amenity provision.

Car Parking Provision

The Original Sitewide Permission included a total of 19 car parking spaces allocated to the commercial aspects of the site (Office, Gym and Café). The current application proposes to transfer 16 of the commercial spaces into residential use, with the three remaining spaces to be used by the future occupiers of the café/gym.

This would maintain the sitewide 1:1 residential parking ratio approved as part of both the Original Sitewide Permission and the Consented Scheme. Adopted car parking policy standards have not changed since the Original Sitewide Permission was determined, and the ratio is in accordance with the maximum standards set out in the Intent to Publish London Plan (Policy T6.1).

In addition to the above spaces, two 'standard' residential parking spaces within the basement have been converted into disabled parking bays, to ensure that each wheelchair adaptable home has a dedicated disabled standard bay.

Vehicle charging points (actual and passive) will continue to be provided in line with the ratios established under the Original and Consented Schemes (with proportionate uplifts in actual provision).

Overall the level of car parking proposed is considered appropriate according to the consented site wide provision. As there is no actual increase in spaces only reallocation there is likely to be limited impact upon congestion on neighbouring roads as a result of the scheme.

Cycle Parking

The application proposes the provision of an additional 31 cycle parking spaces (comprising 30 long-stay spaces and one visitor space) are incorporated into the

scheme at Lower Ground level for the occupiers of the proposed residential units and uses which accords with the current adopted London Plan standards and those approved under the both the Original and Extant Consent.

Construction Impacts

The proposed changes will have minimal impact upon the volume of construction or construction movements on site as the proposals involve effectively internal changes to the already consented buildings.

Flooding

Several comments have been raised in relation to flooding issues which have occurred at the bottom of the site adjacent to Finchley Nurseries and the discharge consent which Barratts have to discharge a quantity of (clean) site run off into the Folly Brook at the rear of the site. This matter is currently subject to detailed and ongoing discussions between the London Borough of Barnet and the applicant to find a solution and a mitigation strategy has nearly been agreed between the parties. Nevertheless in relation to the current application, no additional built form or areas of hardstanding are proposed and as such no additional impact on surface water run off will occur as a result of the current application.

Trees

Several public comments have referred to tree works which have taken place in order to introduce a covid secure one way system for Barratts construction workers. These are subject to a separate tree works application and has no bearing on the consideration of this application.

Cumulative Effect of Amendments

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

Environmental Impact Assessment

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

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

A Statement of Conformity has been provided in support of the application. Following a review of the proposed alterations, it has been determined that the alterations proposed as part of this application would not affect the conclusions of the EIA as reported in the Environmental Statement submitted in association with the Consented Scheme.

The Statement concludes that the proposed alterations do not generate any additional or different likely significant effects to those previously reported. Therefore, the 2016 ES (Planning Reference:16/4545/FUL), 2017 ES Addendum (GLA Planning Reference: D&P/3967/04) and 2020 ES Addendum (Planning Reference: 20/1893/FUL) forms the Environmental Impact Assessment information to be considered for this alternations application, and no additional EIA assessment work is required.

Planning Obligations

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

- Removal of Flexible Workspace Management Plan;
- Removal of Flexible Workspace Plan Champion;
- Removal of Flexible Workspace Travel Plan;
- Removal of Flexible Workspace Travel Plan Contribution;
- Amendment to definition of Residential Travel Plan Incentives Fund, to increase contribution to £157,800 (Additional £4,800);
- Amendment to definition of 'Travel Plans' to remove reference to Flexible Workspace Travel Plan;
- Variation to Schedule 1 –Affordable Housing Plans;
- Variation to Schedule 3 (Affordable Housing);
- Variations to Schedule 4 (Travel Plans and Sustainable Transport);
- Variation to Schedule 7 (Skills, Enterprise, Employment and Training);
- Appendix 1 – Revised Affordable Housing Delivery Schedule;
- Appendix 2 – Revised Affordable Housing Accommodation Schedule; and
- Contribution of £411,180 towards the loss of employment.

Community Infrastructure Levy

The increase in the amount of affordable housing will alter the amount of Chargeable Development for the purposes of the CIL Regulations. Updated CIL forms have been submitted with the application to account for this.

5. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

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

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

6. CONCLUSION

The current application seeks full planning permission for alterations to the basement, lower ground, upper ground and first floor of the existing Block A Building to provide 16 new residential units, a gym, and a cafe, including associated alterations to landscaping and car parking.

The application is effectively an amendment to the extant planning permission H/04753/14 as amended by the full planning application 20/1893/FUL. The conversion of the consented office accommodation to provide an additional 16 flats is considered acceptable in principle subject to an appropriate payment to support employment provision elsewhere in the borough.

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

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

SITE LOCATION PLAN: National Institute of Medical Research

REFERENCE: 20/6271/FUL

