

**LOCATION:** Land at Car Park, Fuller Street, Barnet NW4

**REFERENCE:** 21/4612/FUL

**Received:** 23 August 2021

**Accepted:** 16 September 2021

**Expiry:** 11 November 2021

**WARD:** Hendon

**CASE OFFICER:** Hardeep Ryatt

**APPLICANT:** London Borough of Barnet

**PROPOSAL:** Erection of a 2 storey building over existing public car park for occupation by the People's Dispensary for Sick Animals (relocated from Meritage Centre Site) and provision of 10 (ten) car parking spaces, plus alteration to access and landscaping

### **RECOMMENDATION 1:**

That the applicant and any other person having a requisite interest in the site be invited to enter into an agreement or unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of securing the following planning obligations, subject to any changes as considered necessary by the Service Director or Head of Development Management:

1. Legal Professional Costs Recovery  
Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. Enforceability  
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Indexation  
All financial contributions listed to be subject to indexation.
4. Control Parking Zone (CPZ)  
Financial contribution towards Local CPZ monitoring, consultation and implementation, final sum to be agreed.
5. Monitoring Fee  
A contribution of £5,000 towards the monitoring of the S106 agreement.

### **RECOMMENDATION 2:**

That subject to Recommendation 1 and upon completion of the agreement specified, the Service Director of Planning and Building Control or Head of Development Management to approve the planning application reference 21/4612/FUL under delegated powers, subject to the conditions as set out within this report.

That the Committee also grants delegated authority to the Service Director of Planning and Building Control or the Head of Development Management to make any minor alterations,

additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

## **CONDITION(S) and INFORMATIVES**

Please refer to Appendix HR1 at the end of this report for the full list of proposed Conditions and Informatives.

### **1. MATERIAL CONSIDERATIONS**

#### **1.1 Key Relevant Planning Policy**

##### Introduction

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

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance (such as the NPPF) and supplementary planning guidance and documents are also material to the determination of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application, is set out in subsequent sections of this report dealing with specific policy and topic areas.

The development proposals have been carefully considered against the relevant policy criteria and, for the reasons set out in this report, it is concluded that the development would fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is therefore considered to comply with the requirements of the development plan.

##### National Planning Policy Framework (2021)

This document replaces the previous version of the National Planning Policy Framework (NPPF) published in February 2019. The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states at Para 126, "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

In addition the NPPF retains a "presumption in favour of sustainable development", unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

### The London Plan 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and now supersedes the previous Plan (2016).

The new London Plan policies (arranged by chapter) most relevant though not exclusive to the determination of this application are:

#### 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 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 D11 Safety, Security and resilience to emergency
- Policy D12 Fire safety
- Policy D14 Noise

#### Chapter 5

- Policy S1 Developing London's social infrastructure
- Policy S2 Health and social care facilities

#### Chapter 6

- Policy E2 Providing suitable business space
- Policy E11 Skills and opportunities for all

#### Chapter 8

- Policy G1 Green infrastructure
- 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 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

## 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 T6.2 Office Parking
- Policy T6.5 Non-residential disabled persons parking
- Policy T7 Deliveries, servicing and construction
- Policy T9 Funding transport infrastructure through planning

## Chapter 11

- Policy DF1 Delivery of the Plan and Planning Obligations

## Barnet Local Plan

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 Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Although other policies are of relevance, 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)

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 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)  
DM13 (Community and education uses)  
DM14 (New and existing employment space)  
DM16 (Biodiversity)  
DM17 (Travel impact and parking standards)

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:

Planning Obligations (April 2013)  
Residential Design Guidance (April 2013)  
Sustainable Design and Construction (April 2013)  
Delivery Skills, Employment, Enterprise and Training from Development through S106 (October 2014)

\* The Burroughs and Middlesex University Supplementary Planning Document (SPD) has not yet been formally adopted. The Council has been advised by leading and junior counsel that although not adopted, the draft SPD nonetheless may be regarded as a material consideration. The Council has also been advised that the weight to be given to any material consideration is a matter of planning judgement. The draft SPD is yet to be formally adopted. The Chief Executive has also been delegated 'to make any necessary minor changes to the SPD in consultation with the Chairman of the Committee before its final publication'. That process has yet to be undertaken. The draft SPD is also supplementary to proposed policies in the emerging plan (Barnet's Draft Local Plan) some of which are subject to objection and all of which have yet to be subject to independent examination by an inspector at an examination in public. In addition, the draft SPD is currently subject to an application for judicial review. The Council is robustly defending its position and hopes to be successful in those proceedings. However, if the judicial review application were to be successful and if the Council had relied on the draft SPD in the determination in favour of the grant of this application there would be a possible risk that it might be regarded as having contaminated the lawfulness of its decision to grant planning permission. That risk however small can be avoided if the draft SPD is not given any weight. Accordingly, having regard to all of these factors, officers have exercised their planning judgement and have not given the draft SPD any weight in the determination of this application.

As explained above, the SPD has been given no weight in the consideration of this application. As such, the outcome of those judicial review proceedings will not affect any of the conclusions set out in this report.

Mayoral Supplementary Planning Documents and Guidance:

Barnet Housing Strategy 2015-2025  
Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)  
 Wheelchair Accessible Housing (September 2007)  
 Planning for Equality and Diversity in London (October 2007)  
 Shaping Neighbourhoods: Play and Informal Recreation (September 2012)  
 All London Green Grid (March 2012)  
 Housing (March 2016)  
 Affordable Housing and Viability (August 2017)  
 The Control of Dust and Emissions during Construction and Demolition (July 2014)  
 Mayor's Transport Strategy (2018)

### Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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 has been taken of the policies and site proposals in the draft Local Plan, limited weight has been given to the draft Local Plan in the determination of this application (see further below).

The sites identified in the Reg 22 Local Plan Schedule of Proposals and which remain relevant to the Hendon Hub regeneration project and the current set of planning applications are tabled below. This application site is no.41:

Site No.	Site Address	Indicative Units
35	Egerton Gardens Car Park, The Burroughs	23 (69 student)
36	Fenella, The Burroughs	60 (180 student)
38	Ravensfield House, The Burroughs	84 (252 student)
40	Meritage Centre, Hendon	36 (108 student)
41	PDSA and Fuller St Car Park, Hendon	12 (36 student)

### The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development.

### Environmental Impact Assessment Regulations (2017)

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (hereafter referred to as 'the EIA Regulations') requires that for certain planning applications, an Environmental Impact Assessment (EIA) must be undertaken.

The term EIA is used to describe the procedure that must be followed for certain projects before they can be granted planning consent. The procedure is designed to draw together an assessment of the likely environmental effects (alongside economic and social factors) resulting from a proposed development. These are reported in a document called an Environmental Statement (ES).

The process ensures that the importance of the predicted effects, and the scope for reducing them, are properly understood by the public and the local planning authority before it makes its decision. This allows environmental factors to be given due weight when assessing and determining planning applications.

The Regulations apply to two separate lists of development project. Schedule 1 development for which the carrying out of an Environmental Impact Assessment (EIA) is mandatory and Schedule 2 development which require the carrying out of an EIA if the particular project is considered likely to give rise to significant effects on the environment. The proposed development does not fall within Schedule 1 of the regulations.

The development which is the subject of the application comprises development within column 1 of Schedule 2 of the Regulations. The development is deemed to fall within the description of Infrastructure projects and more specifically urban development projects (paragraph 10(b)).

As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 5 hectares or 150 residential units.

Given the nature and scale of the development, it was common ground with the applicant that the application would need to be accompanied by an ES in line with the Regulations.

An EIA Scoping Report was submitted to the London Borough of Barnet (LBB) as the relevant local planning authority (LPA) by GL Hearn on behalf of the London Borough of Barnet (LBB) as the 'Applicant'. The Report requested an EIA Scoping Opinion (under Section 13 of the Regulations) in respect of information required to be submitted in support of planning application(s) for the redevelopment of a number of sites within the Hendon area.

These would come forward as separate planning applications, however given the proximity and interconnection of these sites, for the purposes of EIA Regulations, they collectively are considered to constitute a single development known as the 'Hendon Hub'. The Local Planning Authority subsequently issued a Scoping Opinion in May 2021 confirming that the proposed scope of the ES was acceptable.

In consideration of the policy and guidance the Hendon Hub Project comprises a series of separate sites, the SR considered it was not necessary for each site to fall within the consideration and assessment of the EIA. This would enable the EIA to focus on the sites and proposals that are considered likely to give rise to significant environmental effects given the size of the site and the scale and nature of the proposals for the site. Accordingly, the Scoping Opinion confirmed that some of the smaller sites could be scoped out of the EIA. This site is one of those sites which was scoped out.

This site was scoped out of the EIA, nonetheless a precautionary approach was taken in the ES and it was included within the cumulative assessment. The cumulative assessment concluded that there would be no residual significant environmental effects. This conclusion supports the original assessments undertaken and detailed in the Scoping Report, namely that owing to the very limited size of the site and the nature of the proposal, the site would not give rise to significant environmental effects when considered individually, together with all elements of the Proposed Development, or cumulatively.

## **2. PLANNING CONSIDERATIONS**

### **2.1 Background & Site Context**

The Hendon Hub Project consists of 7 separate sites which will see proposals for development, refurbishment and landscaping focused primarily in and around The Burroughs area in Hendon. The sites are principally focused around the civic centre of Hendon, running along the west and east sides of The Burroughs from Watford Way in the south to Church Road in the north.

The Burroughs (A504) is a major road that connects the A41 (Watford Way) through to Finchley in the north east. At the southern end of The Burroughs is the Burroughs Conservation Area. This broadly extends from Watford Way in the south to St Josephs Grove in the north in linear form.

To the north of St Josephs Grove is the civic core to Hendon, characterised by larger civic buildings which include Hendon Town Hall, Hendon Library on the western side of The Burroughs and Middlesex University Buildings to the east. There are also several listed buildings in this area, the Town Hall, Public Library, and Fire Station.

To the north of The Burroughs is Church Road. This area is the southern extent of the Hendon Church End Conservation Area. Hendon Church End is a linear development, with St Mary's Parish Church at its heart, and links Church Road to the south with Watford Way to the west.

The Hendon Hub Project led by Barnet Council as applicant, is a significant Regeneration Project that would integrate new academic, community, retail and civic spaces along The Burroughs and other nearby sites to enhance and lift this important area of Hendon.

The 7 planning applications which have been submitted and form the Hendon Hub project are:

#### *21/4709/FUL – Ravensfield & Fenella (R&F)*

Three new buildings providing a mix of student accommodation, affordable housing, new teaching and student facilities, with community and retail uses at street level. There will also be two important new civic buildings; the relocated Hendon Library and the new Arts and Creative Industries (ACI) facility.

#### *21/4722/FUL – Meritage Centre (MC)*

Redevelopment which will deliver new student accommodation, a healthcare-based community use and new shared accommodation for young adults.

*21/4723/FUL & 21/4724/LBC – Building 9/Hendon Library (B9)*  
New grade A teaching Facility for Middlesex University.

**21/4612/FUL** – *Fuller Street (FS) (this application report)*  
New building to house the re-located PDSA (Pet Hospital).

*21/4613/FUL – Former Quinta Club*  
Change of use and refurbishment of the existing building for the relocation of Schools Libraries Resource Service (SLRS)

*21/5054/FUL – Linear Woodland\**  
Landscaping proposals including the installation of wayfinding signage, new lighting, improvements to the existing public footpath and creation of a new public footpath.  
\* - This application has been formally withdrawn as requested by the applicant.

*21/5061/FUL – Land @ Prince of Wales Estate*  
Provision of car parking and creation of informal play areas and landscaping works.

Hendon Hub Masterplan:



## 2.2 Site Description

The land to which this proposal relates lies entirely within the London Borough of Barnet. The Fuller Street Car Park is approximately 0.19ha in size located at the corner of Fuller Street and Sunningfields Road surrounded by two storey residential properties. The site contains a substation and has a large area of soft landscaping with a number of trees on the southern edge fronting onto Fuller Street. Immediately to the north is the public footpath which runs east to west from Sunny Gardens Road through to Church End. St Mary's and St John's CE School is diagonally opposite to the north west.

The site is located within Flood Zone 1 and does not contain any locally or statutorily listed buildings nor does it fall within a designated conservation area.

The site is currently used as a car park which has 31 spaces with the access at the junction with Sunningfields Road in the north west corner of the site. The site benefits from a Public Transport Accessibility Level (PTAL) rating of 4 (Good) and located 1.2 km from Hendon Central London Underground Station.

### **2.3 Proposed Development**

This application seeks planning permission for the erection of a 2 storey building over the existing car park for the occupation by the People's Dispensary for Sick Animals (PDSA). 10 car parking spaces would be provided along with alterations to the access and landscaping.

The new linear building would be sited along the northern edge of the site with the flank elevations facing east and west. The 10 car parking spaces would be located to the south of the new building within the existing hardstanding area. The existing sub-station and all the trees on site would remain with additional planting and landscaping proposed.

By way of further background information:

*The PDSA offer a range of different services to household pets. The support they can provide eligible owners will depend on what benefits the owners are receiving and where they live. Their pet hospitals provide free and low cost veterinary treatments and medications for eligible pet owners. The PDSA state, that if the pet owner lives within the postcode catchment area of one of their pet hospitals, and they are receiving benefits, they should qualify for treatments and help with the cost of prescribed medications. Pet Hospitals treat cats, dogs, rabbits and other small pets described as 'small furrries'.*

[This information was taken from the PDSA's website, the link is <https://www.pdsa.org.uk/pet-help-and-advice/our-services>]

#### **Land Use**

The existing PDSA site is located at 2-4 Church Terrace, less than 150m directly to the west and within the Meritage Centre site, which forms part of the wider Hendon Hub regeneration project. This new modern purpose built building for the PDSA would provide a total GIA of 510 sqm an uplift of 283 sqm. However this proposal would also provide a significant uplift in not only the quantum of floor space but also quality. The applicant has confirmed this approach has been agreed with the PDSA, an important local charity, to improve and enhance their range of services for the local community.

The existing 31 car parking spaces would be relocated and fully re-provided within the Fuller Street and Prince of Wales Estate directly to the south as part of a coordinated strategy of re-provision and enhancement. This is being proposed along with public realm improvements and submitted under planning application 21/5061/FUL.

These applications including this submission confirm that there would be an overall net increase of community use (and teaching) floorspace provided by the Hendon Hub Regeneration project.

## **2.4 Relevant Planning History**

There is no strategic planning history relevant to the application site other than the formal scoping opinion:

Reference: 21/2885/ESC

Address: Hendon Hub In And Around The Burroughs, Church Road And Church End  
Hendon London NW4

Decision: Statement Scope Acceptable

Decision Date: 16 July 2021

Description: Environmental impact assessment scoping opinion

From the search of council records, there are no other applications considered to be directly relevant to this application.

## **2.5 Pre-application Consultation by the Applicant**

A Public Consultation Report has been submitted with the planning application, prepared by GL Hearn, which outlines the public consultations which the applicant's agent has carried out prior to the submission of the application.

The report details for example:

- 14-week non-statutory public consultation period ran from 27 February 2021 to 7 June 2021, with the aim to obtain feedback from local residents and stakeholders.
- A project website was set-up ([www.hendonhub.co.uk](http://www.hendonhub.co.uk)) to allow people to find out more about the consultation and feedback via the online survey.
- A total of eight online presentations were held via Zoom and an additional four in-person events were held at the Scholars Courtyard at Middlesex University during the week commencing 17 May 2021.
- Leaflets were delivered to over 13,000 addresses (including residential and business addresses) in the Hendon and West Hendon wards.
- At the same time the leaflets were distributed, press releases were issued to local news media.
- The applicant (LBB) promoted the project and consultation events through its own social media channels, including its corporate Facebook and Twitter accounts.
- The University has also been undertaking its own local engagement in parallel to the work being carried out by the applicant's project team.
- The Barnet Libraries team also undertook its own consultation exercise in parallel to the main consultation.

## **2.6 Public Consultations**

As part of the consultation exercise, 563 letters were sent to neighbouring properties and residents. In addition the application was advertised in the local press and site notices were posted. At the time of preparing this report a total of 171 letters of objection were received.

### **2.6.1 Public Objections:**

The letters of objection received relating to this application and site are summarised as follows:

- Considerable opposition to these developments by residents, so should be refused.
- Sites are not brownfield or unused sites.
- Hendon Masterplan with its 8 applications is a development proposal that is not supported by a formally adopted SPD nor the new Local Plan (currently at Reg 19 Stage).
- Application must be judged against the adopted 2012 Local Plan and existing policies.
- The area is being overtaken by the University, overcrowding and overdevelopment.
- Insufficient demand for this student accommodation.
- No need to move the PDSA, if this is not built then no need for the car parking spaces at the alternative site.
- Building would be too high and would have a negative impact, loss of privacy for surrounding properties.
- This will result in overcrowding, increased noise, littering, antisocial behaviour, crowded pavements, more traffic and congestion.
- The site has been used as a local domestic car parking for residential & visitors parking for well over 45 years.

### **2.6.2 Neighbouring/Residents Associations & Local Amenity Groups:**

#### **The Burroughs Residents Association:**

The Burroughs and Middlesex University Supplementary Planning Document (SPD) which sets out the development principles that guide and shape the Hendon Hub regeneration; the "Blueprint" for the whole development has not yet been formally adopted, according to Barnet Council.

Moreover, a Judicial Review has been submitted on the grounds that the SPD cannot be lawfully adopted in advance of the adoption of the local plan. Therefore, no weight should be placed on the SPD.

*Building Communities*

GG1A of the London Plan was not properly considered or complied with when creating the Hendon Hub scheme. It took at least 2-3 years for the community to be meaningfully engaged in the plans and at that stage the process moved very quickly and was not sufficiently meaningful. Just 36 hours after The Burroughs and Middlesex University SPD Consultation ended, Hendon residents received paperwork for the Hendon Hub Consultation. Therefore, no SPD feedback from the public was considered when Barnet Council created the draft Hendon Hub scheme. Additionally, the Leader of the Council made it clear in correspondence to residents from January 2021 that he was already fully behind the proposals.

Despite 88% of residents who responded to the Hendon Hub consultation opposing it (Barnet Council's figures) the plans were still approved.

Moving the PDSA into Fuller Street would make the manoeuvring of cars harder, creating more highway and pedestrian risk. Fuller Street has parking bays and yellow lines on both sides of the road, effectively making this a one lane thoroughfare. It is also narrow and curved. It will cause major congestion on Fuller Street, around school times, as the car park is used for collecting and dropping off the kids, the flow of traffic will only get worse.

The PDSA would be too high. This would have a visual impact on neighbouring residents and a loss of privacy for the properties by the PDSA, particularly nos. 10,12 Fuller Street, 16,18 Sunningfields Road and other neighbouring gardens. 31- 37 Fuller Street between Block 3 of the Meritage Site and the new PDSA would be horribly affected by the new builds. They will be hemmed in by huge buildings in the midst of an urban jungle. This will result in adverse impact upon residential amenity in terms of overbearing impact, overlooking, loss of privacy and impact on right to private enjoyment of property. Clearly, paragraph 130 from the NPPF, Section C1, I1, I2 and B2 from the National Design Guide, and Section 1 and Section 6 from the Building for Life guidance will be contradicted. Similarly, Policy CS5 from the Barnet Local Plan Core Strategies document and DM01 from the Barnet Local Plan Development Management Plan will also be contradicted.

Fuller street car park has always flooded when it rains. The 10 spaces for the PDSA staff is where it currently floods. This has never been resolved despite years of complaints to Barnet Council.

Much of the ground in this area is clay. Clay is sensitive to moisture which means it will expand and contract with the weather which causes shifting foundations, cracks, leaks and warped walls. The site is not very well drained and prone to flooding due to soil subtype. More intensive works to lay deeper foundations may cause issues for buildings nearby - who will be responsible for any damages to foundations and walls caused by buildings works?

The site has been used as a local domestic car parking for residential & visitors parking for well over 45 years. This proposed new commercial development inside a residential environment would cause a harmful level of pollution, noise, nuisance and dust. The site will be busy during the day whereas Fuller Street car park is normally busy at school run times and evening and morning peak hours when residents leave or return. The homes on Fuller St and POW estate will also be subject to increased comings and goings as the PDSA's location is moved nearer to them whereas it is contained in its existing location.

Fuller Street car park is also convenient for elderly residents and families with young children who do not have to walk the extra distance from the re-provided spaces at Prince of Wales car park. This is particularly important when the weather is inclement or during dark winter evenings. Re-providing the car park spaces in another location is not the solution the community wants.

The PDSA new build is a 2-storey rectangular building with a high pitched roof. It will overshadow the alleyway between Sunningfields Road and Sunny Gardens Rd and create a tunnelling effect whereas it is an open-air carpark now.

There is potential to increase the footprint and height of this new building if it is approved.

If the PDSA is moved here, the new parking area is set to be near the play area for children.

This move is clearly for the benefit of the University expansion. To present it as for the local community is totally incorrect. Again, the pre-application suggestions to ask the University to expand modestly on its own footprint has been ignored. To present it also as a solution for the displacement from its existing site on Church Terrace is also unacceptable. It is not a good solution because it causes issues for other residents.

The PDSA should be redeveloped on its current site, they have got the land and space available; it will have minimum impact on neighbours, as it is already there. It is a totally unnecessary relocation.

Move of PDSA from a site yards away will contribute to the climate change crisis. Reusable buildings must not be demolished. It can be renovated on its present site if necessary.

With all the above in mind, I urge Barnet Council to reconsider their current Hendon Hub proposals and instead create a plan that is equally beneficial to both Hendon residents and Middlesex University.

#### Officer Comment

All of the above representations have been taken into account and are considered within the relevant sections of this report and which form part of the assessment set out below.

#### **Vivian Avenue Residents Group:**

As a group of residents living in Vivian Avenue & surrounding roads, we are aghast that Hendon Hub plans were NOT notified to our households. Many of us use the civic centre, Library, churches & Church End area as well as Brent St.

The consultation area is very limited for such huge proposals that will change the way Hendon will look, feel & function for the future.

We strongly object to the proposals to move the PDSA to Fuller Street. The original proposal to move PDSA to Osidge Lane was aborted because the residents there needed their car park. We ask that the same courtesy be given to residents who use

Fuller St carpark. The re-provision of spaces to POW is not the best solution as it brings another set of issues to POW residents.

The building proposed takes up a large area of the car park, overlooks several properties & their gardens & makes the alleyway between the carpark & Sunnyfields Road darker & enclosed, decreasing natural surveillance.

The carpark is also regularly flooded and there are real worries that construction works for the bigger build may cause damage to nearby houses. Who is responsible for reparation?

The PDSA should remain where it is, even if it needs refurbishing or extensions. On its present site it can operate with less disruption to neighbours.

Again, this application, like the others in the Hendon Hub Masterplan, is for the sole benefit of MDX expansion. To laud it as a 'direct benefit' to the community is laughable when the only reason the PDSA has to set up in Fuller Street Car Park is so that a massive 102 unit student block can be built on its current site.

Our residents would like the PDSA to remain in Hendon & we do not think it is practical to move it just yards away, deeper into a residential area and cause parking issues for residents. That area is already congested with many users.

#### Officer Comment

Vivian Avenue is located some distance away from the application site beyond the consultation radius of the planning application. Nevertheless these representations have been taken into account and are considered within the relevant sections of this report and which form part of the assessment set out below.

#### **The Barnet Society:**

No comments received.

## **2.7 Responses from External Consultees**

### **Transport for London (TfL)**

No objections.

### **Thames Water**

No objections.

#### **Waste Comments:**

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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

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. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. 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>.

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>.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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.

#### Water Comments:

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

#### **Affinity Water**

No objection/comments to make on this application

## **Historic England – GLAAS**

No objection – recommended Archaeological Condition:

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 205.

Informative:

The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

The archaeological work should include:

### **Watching Brief**

A watching brief involves the proactive engagement with the development groundworks to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.

### **Officer Comment**

These comments are duly noted and the requested condition and informatives shall be added.

## **MET Police – Secured by Design**

No objections.

This proposal relates to the relocation of the existing PDSA animal hospital to a plot within Fuller Street, currently operating as a residential car park.

Again, it is positive that the applicant has incorporated a section within their DAS relating to 'design out crime' for the proposal. As the applicant has stated, a meeting took place to discuss the early design of the scheme and this led to a subsequent re-design of some of the elements of this proposal. It is important to ensure that this building can meet Secured by Design compliance, due to levels of crime within the ward and borough, especially considering that there may be high value assets to protect within this building, along with any medicines, vulnerable animals in residence and so on.

With this type of facility, it will be possible to provide ongoing guidance and assistance for Secured by Design (SBD) purposes in respect of these buildings (current SBD guide – Commercial 2015). With crime statistics and levels of burglary within the borough, achieving SBD for these buildings should greatly assist in being able to deter and reduce crime and disorder in this area. As alluded to within the DAS, specific guidance relating to security rated products can be provided in due course and it does appear possible for it to achieve SBD accreditation. I would respectfully request that this is considered as a formal planning condition upon any approval of this proposal.

It is recommended that the proposed cycle stands are not covered within this site. Covering these will reduce the natural surveillance afforded to these stands but can also provide an ad-hoc seating area with shelter for those wishing to misuse this area (loiter, street-drink etc), outside of the operating hours of this facility, when legitimate activity and surveillance has diminished.

It is also important to ensure that the refuse store does not provide an opportunity for a person to climb onto the adjoining single-storey roof of the building and potentially access any other more vulnerable areas. It is important that the refuse store is also locked and secure in case of any clinical waste that is disposed in this area, that could either remain hazardous or become an area targeted by those wishing to obtain these items such as syringes and so on.

#### Officer Comment

These comments are duly noted and details can be secured by condition.

#### **Highways England**

National Highways raises no objection.

## **2.8 Responses from Internal Consultees**

#### **Ecology**

No objections, the proposed development has been reviewed and is considered acceptable subject to a number of standard conditions and informatives, which will be included. The detailed comments are set out in the relevant section of this report.

#### **Environmental Health**

No objections. The proposed development has been reviewed in regard to noise, air quality, overheating, contaminated land and is considered acceptable subject to a number of conditions and informatives, which will be included.

### **Arboriculturalist**

No objections. Recommend a number of conditions relating to:

- Levels
- Hard & Soft landscaping
- Excavation for services
- Pre-commencement, Tree protection
- Landscape management

### **Policy**

No objections.

Planning Documents considered in assessing the applications

- NPPF
- The London Plan 2021
- The Barnet Core Strategy
- The Barnet Development Management Policies

See comments on the SPD at 1.1 above.

### *Community use*

The PDSA is an established use in the area and the re-provision of the use on this site would assist in satisfying the requirements of Local Plan policy, ensuring continued access to a much needed service for the wider community of North London. The existing PDSA building has a Gross Internal Area of 226.98sqm the proposed new building would increase this to 510sqm.

### *Design*

Comments should be sought from the Heritage and Conservation Officers and the Design Officer especially in regard to agreeing materials and lighting.

### *Energy*

It is expected that the new building will result in a modern energy efficient building.

### *Urban Greening / Biodiversity*

London Plan Policy G5 requires that predominately commercial development (i.e. development that is not predominately residential) should achieve an Urban Greening Factor of 0.3 this site is currently projected to achieve 0.347818. Where new planting is planned and if planted SuDS are being provided it is preferable to use species which will benefit the local wildlife and enhance habitats additionally bird boxes on the building are also encouraged where possible. The Ecological Appraisal Report concluded that the proposed landscaping would result in a Biodiversity Net Gain increase of 57.09% net gain. The report also recommended that by including the recommended biodiversity enhancements listed in Section 5.5 of the report that this would further increase the site's suitability for a range of faunal species including protected species such as birds, bats and invertebrates. It is recommended that these enhancements are provided onsite to meet the requirements of London Plan Policy G6, Local Plan Policy DM16 and draft Local Plan Policy ECC06.

### *SuDS*

Sustainable Drainage Systems (SuDS) are encouraged across the site to lower the amount of runoff entering the storm water infrastructure. All SuDs designs, drainage plans and paving materials should be agreed with the Drainage and Highways Team at the Council.

#### *Parking*

Draft policy GSS12 does allow for the redevelopment of car parks, however as the existing car park is linked to the surrounding housing estate a re-provision of all 31 parking spaces is proposed in application 21/5061/FUL.

The proposed provision of 10 car parking spaces for staff and patrons of the PDSA will hopefully lessen the impact that on street parking has had on the streets in the area which has been experienced by the use of the current site.

#### *Traffic/Transport*

Please refer to Transport Planner comments

### **Heritage**

This site lies outside of the Church End, Hendon Conservation Area. It is presently occupied by a surface-level car park laid in tarmac and bordered by grass with a number of established trees.

The scale and design of the new building is considered appropriate on this corner site and the retention of the existing trees and landscaping, supplemented with new planting will assist in allowing the proposal to sit comfortably in its setting.

Given the distance to the boundary of the conservation area (approximately 90m) and its modest scale, the proposal will not have any harmful impact on the heritage asset and will make a positive improvement to the streetscape.

It is suggested that the inclusion of additional planting along the western boundary, adjoining the disabled parking bay (no.1), will demark the edge of site from the pavement edge and help screen the car parking, thus visually improving the setting.

#### Officer Comment

These comments are duly noted and it is agreed by officers, there is no harm and no impact on the heritage asset. The planting details along the western boundary can be secured through the landscape and boundary treatment conditions which would cover the site.

### **Urban Design**

No objections.

#### Height:

2 storeys is a height that does not seem intrusive for this particular site. The height also manifests as a single element as viewed from various double height openings on the building.

#### Massing:

The proposed mass is welcome as it manifests in a way that is pleasant to the eye. There is a continuity in the shape and enough penetration on the form to make it sit well on site.

**Building footprints:**

The footprint is a little larger than the surrounding existing elements, however we have a different use proposed which indicates special needs for space. The increase in building footprint here goes hand to hand with the change of use proposed on site. Space has been allowed for car access and some landscaping so in conclusion the footprint does not seem to be larger than it should.

**Architecture:**

The proposed architecture looks promising, with large double height openings to the form making it light and penetrable. The mass manifests in a single seamless way which grounds it lightly and allows for pleasant view of this non-residential building.

**Material and façade variation:**

We would like more information on the proposed render system. The materials should reflect the location in a successful manner. The use of black stained timber cladding and a dark zinc standing seam roof is encouraged.

**Views:**

Views into the site from the residential quarters are tested thoroughly. Overall views are not seen as detrimental although the building is visible from certain areas. The existing green environment is considered and enhanced where possible.

**Wayfinding:**

We have clear views and a robust wayfinding strategy which efficiently leads people to the front door.

**Local integration:**

The development height does not harm the area, height is concentrated in a way that is not seen as detrimental, at two storeys this is in keeping with the area's height datum.

**Transport and Regeneration**

Summary - No objections. The development is acceptable on transport grounds subject to planning conditions. The detailed comments provided by transport officers has been incorporated in the highways section of this report.

**Drainage/SuDs**

No objections, however further details and information are required therefore have requested this is controlled by condition.

**Waste/Refuse**

No objections – however further details and information are required therefore have requested this is controlled by condition.

**3. PLANNING ASSESSMENT**

### **3.1 Principle of development**

#### **Community Use**

Policy DM13 of the Local Plan requires the re-provision of community facilities with at least an equivalent quality or quantity of floorspace and should be provided at the site or in a suitable alternative location. The existing PDSA site is located less than 100m directly to the west and within the Meritage Centre site, which forms part of the wider Hendon Hub regeneration project. A key consideration given the 'postcode catchment' eligibility requirements.

The new modern purpose built building for the PDSA would provide a total GIA of 510 sqm an uplift of 283 sqm. This proposal would also provide a significant uplift in not only the quantum of floor space but also quality, providing.

The existing 31 car parking spaces would be relocated and fully re-provided within the Fuller Street and Prince of Wales Estate directly to the south, as part of a coordinated strategy of re-provision and enhancement. This is being proposed along with public realm improvements and submitted under planning application 21/5061/FUL. Furthermore Draft Local Plan Policy GSS12 'car parks' does states that the Council may support development of and above surface level public car parks for residential and other suitable uses provided that parking spaces can be demonstrated as surplus to requirement or re-provided, if necessary.

These applications including all the Hendon Hub applications, confirm that there would be an overall net increase of community use (and teaching) floorspace provided by the Hendon Hub Regeneration project.

Therefore taking all matters into consideration the proposed renovations and change of use for this site are deemed acceptable and there are no in principle objections to the proposed development.

### **3.2 Design**

The NPPF makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors; securing high quality design goes beyond aesthetic considerations.

The London Plan 2021 also contains a number of policies, such as Policy D3, promoting a design led approach having regard to various matters such as character, layout, scale, sustainability, public realm and landscaping for example. The London Plan 2021 emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. The London Plan 2021 states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive

relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

The proposed development optimises the use of the previously developed site. The proposed building is considered contemporary with an appropriate size and scale which has been sensitively designed and positioned to help assimilate within the existing built form.

The new linear building would be sited along the northern edge of the site with the flank elevations facing east and west. The new building would be set over 2 storeys in height with a pitched roof to reflect the existing area. However the proposed asymmetric roof form provides a contemporary appearance. This roof form also importantly pulls the mass of the roof away from the northern edge and pushes this to the southern side of the building and towards the centre of the site.

The proposed scheme has also been reviewed by urban design and heritage officers who are supportive and raised no objections to the proposal. The heritage officer has confirmed the proposal would make a positive improvement to the streetscape. The proposal would have no impact or harm on any heritage asset given the distance of away from the nearest conservation area.

The scale and design of the new building is considered appropriate on this corner site and the retention of the existing trees and landscaping, supplemented with new planting will assist in allowing the proposal to sit comfortably in its setting.

#### Materiality

The application submission confirms the materiality has been considered and the selection of materials for both the overall and individual elements of the building would deliver a visually clean, contemporary scheme. This would help provide strong legibility for the building whilst the chosen materials are appropriate and in keeping within the immediate context of the site.

In terms of materiality, the building would consist of a clean pallet of brickwork (to compliment the brickwork of the Prince of Wales Estate), framed window system for the glazed elements, black stained timber cladding and a dark zinc standing seam

roof. The new entrance is proposed to be a fully glazed space which would allow clear views into the building and provide a strong sense of arrival and destination. The existing substation would be re-screened using a dark stained timber screen to match the proposed building, in order to provide visual continuity across the site.

Officers are supportive of the scheme and the high-quality materials and finish proposed. However further details are required to ensure officers are content the finish and appearance of the new building would be appropriate. Indeed it is noted that PV Panels are proposed on the leading edge of the southern part of the roof. However this would need further consideration. Accordingly notwithstanding the submission, these matters will be controlled by way of conditions.

### **3.3 Secured by Design**

Policy DM01 requires that the principles set out in the national Police initiative, 'Secured by Design' should be considered in development proposals. The proposed development was subject to consultation with the Met Police who have raised no objections subject to the standard condition. Therefore a condition would be attached to any permission requiring the proposed development and design to achieve Secured by Design accreditation.

### **3.4 Amenity Impact on Neighbouring Properties**

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

The proposal does not involve the provision of any residential accommodation however there are residential properties surrounding the site. The block of properties directly to the south (19-27 Fuller St) are well over 21m away. The block to the west (31-37 Fuller St) would be approximately 20m away from the west flank elevation of the new building. The block to the east (10-16 Fuller St) would be separated from elevation to elevation of around 14-15m. However it is important to note that there are no windows proposed on the eastern flank elevation facing these properties. The closest neighbouring property is to the north, 16 Sunningfields Road, which at the closest pinch point is 3.5m away to its boundary. The property is separated by the public footpath and is orientated east to west, which results in only one window overlooking the site.

The proposed windows on the northern elevation at ground floor would be set at high level (clerestory windows) and non-opening. Likewise rooflights are proposed on the angled roof slope. This fenestration detail would allow sufficient light into the new building whilst restricting views out to the adjoining property. The high level windows can be secured through condition to ensure they are minimum 1.8m from the finished floor level.

In addition, the overall scale and massing has been carefully considered to ensure it integrates well within the site and in relation to the surrounding built form. The height from ground level to the roof ridge is 7.75m. However as detailed above, the

asymmetric roof form means the pitch of the roof is set away from the northern edge, thereby reducing the mass. The height from the ground to the eaves at the northern elevation is 5.6m.

### Daylight/Sunlight

The applicant has undertaken a Daylight, Sunlight and Overshadowing assessment for the proposed development and neighbouring residential properties based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide' (2011).

A Daylight/Sunlight Report has been prepared by GL Hearn in support of the proposed development. The report confirms that 20 of the neighbouring residential properties (including all of the properties referred to above) have been analysed. The daylight has been assessed to 143 windows using the Vertical Sky Component and all achieve the recommended levels in the BRE. Internal daylight has been assessed to 143 rooms using the daylight distribution. All 143 rooms meet the levels recommended in the BRE. Sunlighting has been assessed to 80 windows using annual probable sunlight hours. All 80 windows meet the recommended levels detailed in the BRE. Overall, the neighbouring properties will achieve 100% BRE compliance.

Therefore taking all matters into consideration the proposed development is considered to be acceptable and there are no significant overlooking/privacy/loss of light issues which would raise any demonstrable harm in this instance.

### Noise and Air Quality

The proposal and submission details have been reviewed by the Council's Environmental Health team. The proposal does not, in air quality terms, conflict with national or local policies, or with measures set out in the London Borough of Barnet's Air Quality Action Plan. There are no constraints to the development in the context of air quality. The construction phase will require mitigation and therefore it is advised that a Construction Management Plan, in order to control dust emissions and maintain good mitigation in line with current good practice is conditioned.

Suitable conditions should also be attached regarding ventilation and the submission of details of proposed plant and equipment. Accordingly appropriate conditions will be included to ensure all details and mitigation measures are secured.

In regard to land contamination the officer states that according to the information provided, there are 2 Unspecified Tanks on site as well as an electric sub station and historic uses that could pose a risk for high levels of contamination. The Geo-environmental Preliminary Risk Assessment by Capita dated July & September 2021, also contain information of previous reports that showed areas of elevated contaminations across the site (WS104 (0.2), WS106 (0.1), WS103 (0.1), WS101 (0.3), WS104 (0.5), WS105 (0.5), WS106 (0.3)).

The report recommends that further to the risks highlighted in the report, an intrusive ground investigation should be done "to enable a more detailed site-specific assessment to be made". This will also contain the measures that are required to mitigate contaminants found in the soil; these would need to be applied and the

council will expect a remediation method statement and a verification report which shall contain *in situ* testing at the bases and sides of the infill of clean soil plus certification. The Council shall also expect all due care to be taken during construction. Therefore it is advised and agreed that a full detailed contaminated land report condition shall be included in this case.

### **3.5 Transport / Highways**

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

The application was accompanied with a Transport Assessment which has been reviewed by the council's transport highway officers who have provided detailed comments as set out below. Officers conclude that the development is acceptable on transport grounds subject to planning conditions.

#### Existing Conditions

TfL's WebCAT tool indicates that the site has a PTAL value of 2 which is a below average level of accessibility. Taking this into account, measures that seek to improve the public transport accessibility and active travel credentials of the site should be a priority in order to deliver a sustainable development in transport terms.

The site is currently used as a car park which has 31 spaces. Site access is at the junction with Fuller Street. There is low visibility to the left from the car park (approx. 45m) due to the curvature of the road, 90-degree bend, park cars and the position of a national grid station. Actual speed surveys have not been undertaken to establish 85<sup>th</sup> percentile speeds.

Parking occupancy surveys were undertaken with the following noted:

- June 2020: average occupancy 72%
- October 2020: average occupancy 85%
- March 2021: average occupancy 54%

The area has changed from having no parking regulation (June and October 2020) to a Controlled Parking Zone (CPZ) in February 2021.

#### Baseline Transport Data

The Personal Injury Accident (PIA) review that has been provided is based on the "Crashmap" database and therefore does not provide sufficient details as to the exact nature of the incidents and possibly does not contain the most current data. The TA concludes that "the data does not suggest that there are any safety issues that need to be taken account of and resolved as part of the re-development proposed for the

site.” LBB cannot verify this based on available data and have requested a more detailed PIA review.

### Proposed Development

The proposals seek to move the Hendon PDSA (People’s Dispensary for Sick Animals) from its site on Prince of Wales Close to Fuller Street car park (100m to the east). The PDSA will provide approx. 500 sqm of floor space and include 10 car parking spaces (5 staff, 5 visitor including 1 disabled).

The current access will be moved 7m to the south (closer to the 90-degree bend of the road).

It is proposed for the existing 31 car parking spaces to be relocated elsewhere in the Fuller Street (additional 30 spaces) and Prince of Wales estate (additional 1 space). Plans should be provided in order to demonstrate this aspect of the proposals alongside details of the changes in traffic orders / restrictions.

### Car Parking

It is proposed to provide a total of 10 car parking spaces as follows:

- 5 staff spaces
- 5 visitor spaces (1 disabled)

The provision of disabled parking spaces (for all land uses) and electric vehicle charging points (20% active and remaining passive) in accordance with the London Plan should be demonstrated and conditioned.

The proposed low levels of parking would only be supported by the LB Barnet Transport Team subject to the following:

- Satisfactorily provision of sustainable transport and active travel measures / improvements;
- Implementation of a Travel Plan (to be conditioned);
- Protection of the local amenity from potential overspill parking via review of the Controlled Parking Scheme (CPZ);

It is considered that the proposed development should help enable a further review of the CPZ scheme in order to address the above concerns. LBB to request a financial contribution towards a CPZ review / upgrade (secured via s106 agreement).

### Cycle Parking

A total of 4 cycle parking facilities are proposed. It should be demonstrated that the proposed levels of cycle parking proposed complies with the minimum standards set out within the London Plan (e.g. confirmation of staff numbers).

Details of cycle parking provision / facilities should be in accordance with the London Plan and London Cycle Design Standards. The London Plan confirms that the site should have at least one long stay and two short stay cycle parking spaces, therefore providing at least four spaces will exceed minimum standards. This requirement should be conditioned as part of the planning consent.

### General Layout

The vehicle / pedestrian and vehicle / vehicle visibility splays should be shown on plan to demonstrate that there would be no obstructions to visibility requirements

(based on 85th percentile speeds) and that the required safety requirements are met. It is noted that the proposals bring the access closer to the 90-degree bend of the road which could impair available visibility (forward stopping distance as well as left splay exiting the site).

The site layout plan should be fully dimensioned to help with the review process with swept path analysis provide were appropriate (e.g. servicing areas, carriageway / aisle / access / footway widths, car parking bays etc.).

Any improvement works / physical changes are proposed to the highway infrastructure as well the need for a s278 agreement to be agreed with the planning authority prior to commencement of the development.

#### Car Parking Design and Management Plan

A Car Parking Design and Management Plan should be conditioned as part of the planning consent. This would detail how the surrounding car parking supply will be designed / controlled / managed.

#### Delivery and Servicing Management Plan / Refuse Collection Strategy

Details of servicing, delivery and refuse arrangements for all land uses proposed have not been provided. This may need to be supported by swept path analysis. The swept path analysis should show vehicles being able to successfully pass standing refuse / delivery vehicles at locations that appear to be geometrically constrained. The swept paths of the large delivery vehicles entering / leaving each of the access points should be provided.

All servicing / delivery requirements should be accommodated within the confines of the site as opposed to relying on the public highway.

A Delivery and Servicing Management Plan should be conditioned as part of the planning consent. The maximum size of vehicles anticipated to use the site should be confirmed and controlled via a Delivery and Servicing Management Plan.

#### Construction

A Construction Logistics Plan (CLP) along with a Construction Worker Travel Plan (CWTP) should be conditioned as part of the planning consent. This should take into account the cumulative impacts of works in the surrounding area.

#### S.106

- CPZ Monitoring contribution

#### Proposed Conditions

- A Servicing and Delivery Plan
- A Construction Logistics Plan
- Car Park Management Plan
- Refuse & Recycling Strategy
- EVCP provision to London Plan Standards
- Cycle Parking to London Plan Standards provided on site
- Swept Path analysis
- Prior to commencement of the development the vehicle / pedestrian and vehicle / vehicle visibility splays should be shown on plan to demonstrate that there would be no obstructions to visibility requirements (based on 85th percentile speeds) and that the required safety requirements are met.

- Prior to the commencement of the development, details of any highways to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and agreed with the Local Planning Authority.

### **3.6 Landscaping, Trees and biodiversity**

The “sustainable development” imperative of NPPF includes enhancing the natural environment and improving biodiversity. London Plan 2021 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

The existing car parking will be re-surfaced in a “Grasscrete” product to reduce the impact of the hard standing on the surrounding area. A proposed wild flower meadow is proposed underneath the existing trees, improving the biodiversity of the area. Planting is also proposed around the perimeter of the building wherever possible. The submission confirms a 57% biodiversity net gain figure is proposed for this scheme.

An Arboricultural Impact Assessment has been prepared to support the application. This assessment concludes that all 5 existing trees are to be retained on site.

The proposed development has been reviewed by the Council’s Arboriculturalist who has no objections to the scheme. The proposed development on the existing car parking area will not have a significant impact on trees growing on a grass verge around the site. This has been clearly demonstrated within the applicant’s arboricultural report. An arboricultural method statement and tree protection plan will need to be submitted as pre-commencement condition as recommended by their arboriculturist. This must also include a method for any planting and landscape works close to trees.

It is suggested that the inclusion of additional planting along the western boundary, adjoining the disabled parking bay, would help demarcate the edge of site from the pavement edge and help screen the car parking, thus visually improving the setting. Therefore it is agreed that the details should be secured through conditions including for example a landscape management plan.

#### Ecology

The Council’s Ecology Consultants have reviewed the submitted Preliminary Ecology Appraisal Report and have raised no objections. Their comments are set out below.

The development does not impact on any habitats or species of Principal Importance, or protected species. The site of the proposed development is of low value to nature conservation and within the local area. Therefore, with the proposals for enhancement and a net gain for biodiversity of 57.09% (0.30 baseline, 0.47 post-dev), the scheme is considered to be sustainable and adds value to the local environment.

The applicant has taken sufficient measures to ensure that ecological receptors are safeguarded within the design and operation of the site and therefore I consider the application should be consented to with the following recommendations.

### Biodiversity Enhancement Recommendations

In line with the National Planning Policy Framework (NPPF 2019) in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006 we recommend following recommendations:

1. Bat roosting provision should be incorporated into the fabric of the new structure.
2. Inclusion of bird nesting provision in the form of bird boxes. Install three Schwegler bird boxes on retained trees on site e.g. Schwegler 1B nest boxes Schwegler 2H. Robin nest boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Small-hole boxes are best placed approximately 1-3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole.

We request that a condition for integrated bat and bird boxes with a plan showing the siting and specifications should be applied to further enhance the building, in line with section 6.3.16 of the Green Infrastructure Supplementary Planning Document (October 2017), and evidence supplied to the LPA of their implementation.

### Proposed Planning Permission Conditions

#### Lighting

Please attach a condition on lighting strategy that it must be designed and used to minimise impacts on bats and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>. The lighting strategy should be submitted to the LPA for approval.

Accordingly, it is considered that the proposal is acceptable in ecological terms and appropriate details can be secured via conditions.

#### Archaeology

As the submission conforms, the application site does not lie within an Archaeology Priority Area (APA) but is close to both APA 15a, which lies approximately 20m to its west and 15b which lies approximately 50m to its east. A Desk-Based Archaeology Assessment was produced to identify the archaeological potential of deposits on the application site and consider the proposed scheme's likely impact on them.

Accordingly, the Greater London Archaeological Advisory Service (GLAAS) was consulted on this application and they have confirmed there are no objections and have requested an archaeological condition which could provide an acceptable safeguard. This will therefore be included.

### **3.7 Flood Risk / SUDS**

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

managed as close to its source as possible subject to local geology and groundwater levels”.

A Drainage Statement prepared and reviewed by the council. The council's drainage team have confirmed that the proposed details are acceptable in principle and therefore the details would be secured via condition.

#### **4. Community Infrastructure Levy (CIL)**

The proposed development would be liable for charge under the Barnet Community Infrastructure Levy (CIL) at a rate of £135 per square metre. As noted in SPD para 2.2.11, the purpose of Barnet's CIL is to secure capital funding to help address the gap in funding for local infrastructure. The money raised by Barnet's CIL will be used to pay for infrastructure required to mitigate the impact of development across the Borough.

Pursuant to the Table 3: Mayoral CIL Charging Rates of the Mayor's April 2013 SPG 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy', a flat rate charge of £35 applies to all relevant chargeable developments.

#### **5. Equality and Diversity Issues**

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

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

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

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

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

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

the site. The existing PDSA site is located at 2-4 Church Terrace, less than 150m directly to the west from the new location.

The development includes level, step-free pedestrian approaches to buildings to ensure that all occupiers and visitors of the development can move freely in and around the public communal spaces. Lift is also provided to provide step-free access between the ground and the upper levels. Dedicated parking spaces for people with a disability will be provided in convenient locations.

As the access section in the applicant's DAS states, the hard and soft landscaping design is based on a strategy to deliver a robust and functional landscape treatment. This includes the use of durable, firm non-slip hard landscape materials that benefit not only disabled users but also older people and children. Pedestrian routes around the development, in both public and private areas are designed to not exceed 1 in 20, in order to constitute a "level approach" under Building Regulations ADM.

Internally, entrances have been designed to allow for ambulant disabled and wheel chair access. Circulation of the entrance areas, toilet accommodation and entrances into the consultation and specialised spaces will be fully compliant with building regulation requirements.

Officers conclude that overall there is no adverse equality impact from this application. The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all. Officers conclude that the proposed development will overall contribute to the objective of the legislation

In addition, officers have also considered the proposal in terms of the Human Rights Act 1998 (HRA 1998) and in particular but not only, articles 8 (respect for home and family life) and 14 (non discrimination) of the European Convention on Human Rights (ECHR). Officers consider that granting planning for this development proposal would not breach the ECHR or the HRA 1998.

## **6. Crime and Disorder**

Section 17 of the CDA requires local authorities to consider the crime and disorder implications of their decision. As specified earlier in this report, the crime prevention officer of the metropolitan police was consulted on this application and responded advising that the application has taken designing out crime into account in the design of the proposal. The Secured by Design Officer raises no objections to the proposal subject to appropriate conditions and the applicant securing final secured by design accreditation. These matters have therefore been carefully considered and are secured by condition to ensure the proposal is in full accordance with Section 17 of the CDA.

## **6. Conclusion**

Overall, having taken all material considerations into account, it is considered that the proposed development is acceptable and would not be in conflict with the

development plan as a whole. The development would re-provide the PDSA, an important local community facility, within a contemporary purpose-built development. There are no material considerations against the proposal which would outweigh the presumption in favour of the grant of planning permission. Indeed, in addition the site forms part of the Hendon Hub Regeneration Project which aims to deliver a number of wider benefits which are material to the consideration of this applications also set out below:

- Maximising the reuse of previously developed land for housing and social infrastructure – as part of the wider regeneration project.
- Optimisation brownfield sites to help deliver a total 565 student units with 50% affordable (equal to 226 conventional housing units towards the council's 5YHLS).
- As part of the wider of regeneration project, significantly enhanced teaching space and ancillary facilities. The University is one of Barnet's largest employers, employing c.1,500 local and London-based staff.
- Re-providing improved community space and allowing for the release of site for redevelopment. Including the rehousing of Hendon Library and SLRS into significantly improved modern facilities.
- 100% 'affordable' purpose-built supported accommodation.
- Enhanced landscaping across the whole masterplan area.
- Public Access to be formally secured for both the existing Hendon Library and new modern facilities such as the ACI (Arts and Performance Theatre).
- S106 contributions
- Economic effects on local and regional economy during construction and operational use, e.g. job creation, wages etc.
- Community Infrastructure Levy (CIL) contributions to improve local infrastructure – as part of the wider regeneration project.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development overall accords with the relevant development plan policies. There are no material considerations against the proposal which would outweigh the presumption in favour of the grant of planning permission. It is considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Legal Agreement, **APPROVAL** is recommended subject to conditions as set in Appendix HR1.

## **APPENDIX HR1 – 21/4612/FUL**

### **CONDITION(S) and INFORMATIVES**

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

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

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

S7_500_01	Site Location Redline Plan
S7_500_10	Ground Floor Plan
S7_500_11	First Floor Plan
S7_500_12	Roof Plan
S7_500_18	Existing Streetscape Elevations
S7_500_19	Existing Streetscape Elevations
S7_500_20	Elevations (Sht 1 of 2)
S7_500_21	Elevations (Sht 2 of 2)
S7_500_30	Sections

HHFS-GLH-00-XX-DR-LA-1000 P01	Landscape Plan GA
HHFS-GLH-00-XX-DR-LA-1002 P01	Hard Landscape
HHFS-GLH-00-XX-DR-LA-1001 P01	Soft Landscape
HHFS-GLH-00-XX-DR-LA-1003 P01	Tree Felling & Retention

- Full Set of Planning Submission Drawings
- Landscape Drawings and Strategy Document
- Design and Access Statement
- Drainage Strategy (SuDs) and Foul Water Assessment
- External Lighting Statement
- Utility Infrastructure Report
- Energy Statement
- Ventilation Planning Statement
- Arboricultural Impact Assessment Report
- Air Quality Assessment
- Daylight and Sunlight Report
- Flood Risk Assessment
- Geo-Environmental Desk Study
- Fire Strategy
- Consultation Report
- Desk Based Archaeology Assessment
- Noise Impact Assessment
- Health Impact Assessment
- Preliminary Ecological Appraisal Report
- Transport Assessment

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

September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and The London Plan 2021.

5. a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and The London Plan 2021.

**6. a)** No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the Local Planning Authority.

**b)** No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and The London Plan 2021.

**7. a)** No development other than demolition works shall take place until details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority.

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

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

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and The London Plan 2021.

**9.** Before the development hereby permitted commences, the applicant shall submit for approval details of measures to improve biodiversity on the site as set out within Preliminary Ecological Appraisal Report August 2021 clause 5.5 Biodiversity Enhancements.

This shall be in accordance with guidance set out within BS42040:2013: Biodiversity – Code of practice for planning and development, and guidance documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval. The development shall be implemented in full accordance with these details.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 and G7 of the London Plan 2021.

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

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

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

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

**11.** a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of all of the external and louvred building plant and substation plant and mitigation measures for the

development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policies D13 and D14 of the London Plan 2021.

**12.** The level of noise emitted from all of the external and louvred building plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and The London Plan 2021.

**13.** Part 1 - Before development commences other than for investigative work:

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

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

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

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

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

## Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

**14.** a) Notwithstanding the details submitted with the application and otherwise hereby approved, prior to first occupation, details of:

(i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider;

(ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable; and

(iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021.

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

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

**16.**

Prior to first occupation, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. Location and layout of car parking spaces;
- ii. On site parking controls;
- iii. The enforcement of unauthorised parking; and
- iv. Disabled parking spaces (in accordance with London Plan).

The development thereafter shall only be operated in accordance with the approved parking management plan.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and London Plan Policy T6.

**17.** Before the new building of the development hereby permitted is occupied the associated car parking space(s) shown on the plans hereby approved shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

**18. a)** Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with London Plan Standards (for all Use Classes) and a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy T5 and Table 10.2 of The London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

**19. a)** Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing.

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

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy T6 of the London Plan 2021.

**20.** Prior to commencement of the development dimensions of parking arrangements and swept path analysis shall be submitted to and approved in writing by the Local Planning Authority.

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

**21.** Prior to commencement of the development the vehicle / pedestrian and vehicle / vehicle visibility splays should be shown on plan to demonstrate that there would be no obstructions to visibility requirements (based on 85th percentile speeds) and that the required safety requirements are met.

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

**22.** Prior to commencement of the development, details of any highways to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and approved in writing by the Local Planning Authority.

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

**23.** No development shall take place until a Local Level Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented upon commencement of the development and in line with the provisions set out therein.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies CS9 of the Barnet Local Plan and The London Plan 2021.

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

on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved 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.

**25.** a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 12 and SI 13 of the London Plan 2021.

**26.** No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

**27.** Prior to the occupation of the site an External Lighting Strategy and Assessment together with full details, specifications and plans of any proposed external lighting to be installed as part of the development shall be submitted and approved in writing to the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to the first occupation of the relevant part of the development and thereafter be maintained as such.

Reason: To ensure that appropriate lighting is provided as part of the development in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

**28.** A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

**29.** a) Notwithstanding the details shown and submitted in the drawings otherwise hereby approved, the development is not to commence (other than for Demolition, Groundwork's and Site Preparation Works) until details of the materials to be used for the external surfaces, facing materials/render of the building and hard surfaced areas, permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and Conservation Area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

**30.** Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of all boundary treatments to be installed as part of the development, including any gates and bollards, site vehicular access points and parking spaces.

These details shall include materials, type and siting of all boundary treatments. The development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the future occupiers and in the interests of the appearance of the development, in accordance with policies DM01 and DM02 of the Barnet Local Plan.

**31.** Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) the following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

- The installation of any structures or apparatus for purposes relating to telecommunications on any part the development hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies CS5 and DM01 Barnet Local Plan.

**32.** Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the proposed six windows in the northern elevation are required to be non-opening and set at a minimum height of 1.8m above the internal room floor level.

Reason: To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings in accordance with policies DM01 and DM02 of the Barnet Local Plan.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS5 of the Barnet Local Plan Core Strategy (adopted) September 2012 and DM01 of the Development Management Policies (adopted) September 2012 and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan (2016).

**34.** The new building and premises shall be used as Veterinary Hospital Use Class E(e) and for no other purpose, including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises is for community use only and does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

**35.** The approved E(e) Use Class shall not be used outside of the hours of Monday to Friday 09:00-18:00.

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

**36.** Notwithstanding the details hereby approved, prior to commencement of the development, details and location of bat and bird boxes shall be submitted for approval in writing by the council.

Prior to occupation the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason: In the interests of protecting and enhancing biodiversity in accordance with policies CS7 and DM16.

**37.** No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. Where appropriate, details of a programme for delivering related positive public benefits

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this precommencement condition, please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 205.

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

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

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

Reason: In the interest of good air quality in accordance with London Plan 2021.

## **INFORMATIVES**

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

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

The Mayor of London adopted a CIL charge on 1st April 2012 and updated from 1st April 2019 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

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

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

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

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

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

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

Please visit:

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

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

4. The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

5. Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

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

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

o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

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

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

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

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

**8.** The applicant is advised that written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs.

**9.** Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

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

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

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

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

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

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

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

**11.** 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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk).

Please refer to the Wholesale; Business customers; Groundwater discharges section.

**12.** Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions).

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

**13.** Tree and shrub species selected for landscaping planting should provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the

introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All non-British trees to be planted must have been held in quarantine."

**14.** The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

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.

**15.** The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

The archaeological work should include:

#### Watching Brief

A watching brief involves the proactive engagement with the development groundworks to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.

**SITE LOCATION PLAN – Reference: 21/4612/FUL**

