

**LOCATION:** Former The Quinta Club Mays Lane Barnet EN5 2AP

**REFERENCE:** 21/4613/FUL                      **Received:** 23 August 2021  
**Accepted:** 16 September 2021  
**Expiry:** 11 November 2021

**WARD:** Underhill

**CASE OFFICER:** Hardeep Ryatt

**APPLICANT:** London Borough of Barnet

**PROPOSAL:** Change the use of the Former Quinta Club from Use Class F2 (Local Community) to Use Class F1 (Learning and non-residential institutions) together with the internal and external refurbishment of the building and improvements to access, parking and landscaping

**RECOMMENDATION:** Approve subject to conditions

AND the Service Director of Planning and Building Control or Head of Development Management to Approve the planning application reference 21/4613/FUL under delegated powers, subject to the conditions as set out within this report at HR1.

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 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 G2 London's Greenbelt  
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 and the stage that it has reached limited weight has been given to the draft Local Plan in the determination of this application (see further below).

The sites identified in the draft 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.

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.

Though this site was scoped out of the EIA it was included within the cumulative assessment – this was adopted as a precautionary approach. 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.

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## **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)*

New building to house the re-located PDSA (Pet Hospital).

**21/4613/FUL – Former Quinta Club (this application report)**

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. This site comprises the former Quinta Club which is situated on the south side of Mays Lane opposite the junction with Shelford Road.

The site forms part of open space land in the northern section of the Borough between Chipping Barnet, Totteridge and Mill Hill. The site is located just within the edge of the Green Belt with Mays Lane and the residential development immediately to the north all outside of the greenbelt. Therefore it is immediately adjacent to the settlement/development boundary.

The single storey building is set back some distance from the main road, Mays Lane with the entire area to the front covered in hardstanding. The building has both

existing ground level windows complimented with a set of existing high level windows providing additional natural light into the internal space.

The building itself has been vacant for a number of years and is now derelict and in poor condition. The site is set within a verdant character immediately adjacent to the open space, village green to the east. The site is approximately 0.17 Ha and has a PTAL rating of 1b (poor).

It is understood that the community hall has been vacant since 2006.

## **2.3 Proposed Development**

The application is for the change of use and refurbishment of the building from a community hall to a facility used for the storage, archiving and dispatching of library books predominantly for schools within the London Borough of Barnet. The facility will be used by the Schools Libraries Resource Service (or SLRS).

This application proposes to refurbish the existing building only and does not propose to demolish or extend any part of the existing building. There would be no enlargement of the existing building, however the fabric of the building would be repaired as necessary with key elements such as windows and doors replaced with contemporary / modern elements. The building would remain single storey and for clarity, there is no mezzanine level proposed.

The Schools Libraries Resources Service is a subscription service that supports reading and learning by loaning books and a wide range of resources to local schools. The service curate termly and half termly topic and fiction book loans to schools to support the delivery of the national curriculum in the classroom.

The service offers advice and support on setting up or revamping of school libraries, book corners or reading areas. The service will also offer a range of workshops throughout the year - a training area is proposed within the new building.

The existing hardstanding area will be maintained and improved along with access and landscaping. Whilst public access will be maintained, a secure parking area would also be provided for the SLRS. This comprises of 16 shared car parking spaces and servicing, allocated as follows:

- 5 staff spaces,
- 4 visitor spaces
- Service area for small van, and
- 7 spaces for public use of the Quinta Village Green.

### Land Use

The SLRS service operates from Hendon Library where it has limited and substandard space therefore the proposed development in this location will act as a significant improvement to the service and enable the SLRS to further support local schools by continuing to loan books and a wide range of other resources. This would involve an increase in the GIA from 260 to 421 sqm.

A new Public Library would be relocated and provided on The Burroughs, which forms part of the proposed redevelopment at the Ravensfield & Fenella site, ref: 21/4709/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

There are some old minor planning applications dating back to the 1960s and 70s, as referenced within the applicant's submission. 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, 126 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 one letter of support was received from the Barnet Society which is recorded below.

### **2.6.1 Public Objections:**

None.

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

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

The Barnet Society supports the proposed re-use of this neglected site.

We generally welcome the proposed over-cladding and landscape improvements, but note an inconsistency in the height of the proposed boundary fence. In the Design & Access Statement, Section 4, Landscape, it is described as 1.8m weldmesh, but in Section 5, Access/Secure Through Design as 2.4m high.

It is disappointing, however, to find no reference to environmental standards, either for building or landscape. Compliance with current Building Regulations may be all that is technically required, but represents poor long-term investment and falls well short of Barnet's Local Plan Policy DM01, which requires all development to represent high quality design which demonstrates high levels of environmental awareness.

#### Officer Comment

The applicant has advised that the height of the perimeter fence was increased following comments received from the Met Police Designing out Crime Officer, during separate discussions prior to the formal submission. See Met DoC comments below.

## **2.7 Responses from External Consultees**

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

No objections.

#### **Natural England**

No objection/comments to make on this application.

#### **Affinity Water**

No objection/comments to make on this application

#### **MET Police – Secured by Design**

No objections.

This proposal relates to the change of use and refurbishment of the building and some external areas of the site.

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. 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 the location of this building. It is located within a public park and is fairly isolated in nature, especially during hours of darkness when levels of natural surveillance and legitimate activity will have virtually been reduced to zero. There may also be higher value and community assets to protect within this building, therefore physical security measures will be essential. This includes support for 2.4m high boundary fencing (as opposed to 1.8m high within the DAS) and the incorporation of security-rated products and measures throughout the site.

The current site is very badly damaged and has been grossly misused, therefore reactivating this site with legitimate activity should help to introduce increased levels of legitimate activity and can help to deter those wanting to misuse this area. 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.

#### Officer Comment

These comments are duly noted and have been considered later in this report and details can be secured by condition.

#### **Highways England**

National Highways raises no objection.

#### **Sports England**

Policy:

It is understood that the site forms part of, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

However, as the playing field does not appear to have been used as a playing field for at least five years, the consultation with Sport England is not a statutory requirement. If the Local Planning Authority consider that the playing field has been in use please confirm.

Notwithstanding the non-statutory nature of the consultation, Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 99) and against its own playing fields policy, which states:

“Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.”

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing\\_fields\\_policy](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy)

Sport England' applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago. Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs.

The Proposal and Impact on Playing Field:

The proposal seeks to change the use of the Former Quinta Club building which, given its location, appears to have supported the use of the playing field when it was last used, i.e. provided the ancillary facilities required for effective use of the playing field. The building also falls within Use Class F2 which could allow a range of sports uses to use the site without a requiring a specific grant of planning permission.

Assessment against Sport England Policy:

The application seeks to change the use of the building to a library facility for the Schools Libraries Resource Service (SLRS). In order to align with National Planning Policy, i.e. the NPPF, paragraph 99, and Sport England Policy the Local Planning Authority must be satisfied that the application demonstrates that the facility is surplus since a replacement facility falling within Use Class F2 is not proposed within this application. In this respect, the Planning Statement indicates that the site is surplus and this assessment is based on the site's public transport links, that the site has been vacant and the inability of identifying an occupier. The document then indicates that demand for sports halls will be met by sports halls in Copthall and Hendon Leisure Centres (both of which appear to be 40-50 minutes away by public transport). It should be noted that the application site would not have been a sports hall although sports halls are one of the many facilities that falls within Use Class F2, as are other facilities such as activity/fitness halls, squash courts, gymnastic facilities etc.

Sport England considers surplus to relate to current and future local need which in Sport England's view the application documents does not discuss, i.e. is there a strategically identified demand for any facility falling within Use Class F2 in the locality. This view is different to merely assessing transport, vacancy and identifying new users/uses since these could be based on factors not related to need/demand for a local sports facility. In addition, it is likely that the building did

not fall within the type of facilities examined in the study/strategy mentioned in the documents given its size. Sport England would highlight that it is important for local areas to also have a network of halls/spaces where communities can participate in less formal sport/physical activity or for more formal sport/physical activity that may not warrant hiring an entire sports hall, for example Yoga, Pilates, Zumba etc. This is arguably important in places that have poor accessibility such as the area around the application site as the local community may find it difficult to access other areas in the borough.

In light of the above, Sport England would advise that the Council should be aware of the opportunities that smaller sites can offer to encourage local communities to undertake physical activity, especially for those that are not willing/able to travel far to larger sites and/or are not attracted by the facilities in larger sites. Sport England would also like to highlight that the Council's Playing Pitch Strategy is currently being refreshed which could affect future aspirations for the adjacent playing field that could need ancillary facilities to support it.

#### Conclusion:

Given the above assessment, on the basis that the Local Planning Authority are content that it has been demonstrated that there is not a current or future need for a facility falling within Use Class F2 in this location to service any local sporting/activity need and that the playing field is not prejudiced by, for example, taking away opportunities to use toilets etc. Sport England would not object. It would encourage, however, that the proposed use incorporates elements that encourage physical activity and co-location of facilities to fully make efficient use of the building. Sport England's Active Design Guidance might be of assistance in this regard.

Sport England would like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

#### Officer Comment

The response is duly noted. Officers acknowledge the consultation with Sport England is not a statutory requirement. Officers have also consulted with council's Greenspaces (see below) who confirm the site is not part of the playing pitch strategy.

## **2.8 Responses from Internal Consultees**

### **Greenspaces**

The Quinta Club has not been used as formal playing pitches for a number of years, the site does not appear in the playing pitch strategy as a site that is currently in use or one to bring back in to use as playing pitches as such we have no plans for it to be used for this purpose.

### **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 and method statement
- 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.

*Green Belt. (NPPF 147-151, London Plan Policy G2, Core Strategy CS7, DM15, Draft Local Plan ECC05).*

The site is located in the Green Belt however, as the proposal is to refurbish an existing building in the Green Belt and there are no major alterations proposed to the building or the asphalted area it can be considered to meet the test set out in paragraph 150(d) of the NPPF (2021) “the re-use of buildings provided that the buildings are of permanent and substantial construction”.

*Change of use - Use Class F2 (Local Community) to Use Class F1 (Learning and non-residential institutions)*

Descriptions of Use Class F1 indicates a provision of public access, and provision of learning onsite. From the description of use in the Planning Statement provided with the application the staff may be given training on site but to no greater extent than what would be expected of any other employer and it will not be open to the public. The reasoning for this use class being nominated seems to be that it relates to the distribution of books to schools, however the proposed use is better met by use class B8 which is storage and distribution.

In order to link it to the Barnet Library Service a dual use class of F1/B8 is a better description of the proposed use on site. This would still allow the use to be classed as a community use and therefore meet the requirements of Policies CS10, DM13 and

draft policy CHW01, while better describing the actual proposed function of the building.

### *Design*

As the site is in the Green Belt the refurbishment of the exterior of the building should not result in the building impacting on the openness of the Green Belt. Materials and Landscaping should be agreed by the Design Officer.

### *Sustainable Drainage*

Principles should be considered when refurbishing the parking area and in choosing the paving material on site. All SuDs designs, drainage plans and paving materials should be agreed with the Drainage and Highways Team at the Council.

### *Urban Greening /Biodiversity*

The proposed increase in planting on site is welcomed, in choosing the tree and shrub species for the planting regime 'the right tree in the right place' principle should be used as well as considering which species would benefit local wildlife. Due to it not being a major application neither Urban Greening or the Biodiversity Net Gain (BNG) has been calculated for the site. However there is a as a proposed planting regime, and the Ecological Appraisal includes a list of biodiversity enhancements that could be used to enhance local wildlife, it is recommended that these be incorporated into the finalised landscaping and building detail (e.g. planting appropriate for local wildlife and nest boxes placed on the building)

### *Energy*

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

### *Traffic/Transport*

Please refer to Transport Planner comments

### OFFICER COMMENT:

A proposed B8 use could raise concerns over future possible change of use to an incompatible noise producing land use and therefore a use to a similar type of community use would be more appropriate.

### **Heritage**

No objections raised, does not have heritage implications.

### **Urban Design**

No objections.

#### General:

The building form, mass and footprint will remain unaltered.

#### Height:

2 storeys is in keeping with the area's datum and the changes proposed are inducing activity into an inactive site.

#### Massing:

No enlargement of the existing building is proposed therefore modernisation is welcome

**Architecture:**

The architecture is quite formal and strict. The Fuller street car park proposal is more in line with what we would like to see here.

**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 natural materials where possible is encouraged.

**Views:**

Views into the site from the residential quarters are tested thoroughly. Overall views are not seen as detrimental. The existing green environment is considered so is the local topographic changes.

**Wayfinding:**

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

**Local integration:**

The development height does not harm the area, height is concentrated away from existing residents and placed near a landscaped buffer zone to blend the mass on site.

**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.

**Library Services**

No objections.

We are very supportive of the proposals to provide a new library building in Hendon as this will give us the scope to improve the service provided to the local population and we are excited about the opportunity this represents. We will be able to increase the range of services provided, raise the profile of the library and modernise the offer. The proximity of other community services relocated from the current Meritage centre and the incorporation of the safer neighbourhood team in the library building is also very positive and there are nice synergies which will facilitate better partnership working.

Moving the school Library service to the Quinta Club site will provide much better working space for this part of the library service which in turn will enable them to better respond to the needs of Barnet's schools.

### **3. PLANNING ASSESSMENT**

#### **3.1 Principle of development**

##### Green Belt

The National Planning Policy Framework (NPPF) Paragraph 137 states the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. The Green Belt serves five purposes (para 138):

- i. to check the unrestricted sprawl of large built-up areas.
- ii. to prevent neighbouring towns merging into one another.
- iii. to assist in safeguarding the countryside from encroachment.
- iv. to preserve the setting and special character of historic towns.
- v. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The NPPF goes on to confirm in regards to proposals affecting the Green Belt that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, LPA's should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 149 states that the construction of new buildings should be regarded as inappropriate in the Green Belt unless they fall within certain specified exceptions. These exceptions are listed a-g, with 'b' confirming, "the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it."

In addition, Part 'g' states, "limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development."

Paragraph 150 of the NPPF confirms that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. In particular part 'd' states, "the re-use of buildings provided that the buildings are of permanent and substantial construction."

The London Plan 2021 also strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy G2

London's Green Belt under part A confirms Green Belt should be protected from inappropriate development and proposals that would harm the Green Belt should be refused except where very special circumstances exist. Inappropriate development is harmful by definition. Substantial weight must be given to any harm to the Green Belt (both harm by definition and other harm). The benefits of very special circumstances must clearly outweigh the harm.

In terms of local policy, Policy DM15 reflects both National and Regional policy. It confirms that, "Except in very special circumstances, the council will refuse any development in the Green Belt or MOL which is not compatible with their purposes and objectives and does not maintain their openness."

The proposal seeks the complete refurbishment of the existing building only and does not involve any extensions or increase in the building's footprint or height. The applicant has also confirmed that there would be no increase to the area of hardstanding. Accordingly, it is considered that the proposal meets the green belt requirements in that this development falls into the exception as set out above and therefore is not to be regarded as inappropriate development and is considered acceptable.

It is noted that the redevelopment would require the need for the site to be enclosed and the proposal involves the addition of fencing. This has been increased in height from 1.8m to 2.4m following advice received from the Met DoC officer. This would not be taller than the existing building and from the open fields to the rear, would be seen against the backdrop of the existing building. On balance this is acceptable as it will be contained around the site and would not obstruct any views out to the open fields and green belt land itself. Therefore it is considered that there would be no greater impact on the openness of the Green Belt than the existing development. However notwithstanding full details of the fencing and landscaping including planting details would be required and controlled through appropriate conditions.

### Change of 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. Where there is no demand for continued community or education use, and that the site has been marketed effectively for a continuous period of 12 months.

As detailed earlier in this report, the SLRS currently operates from Hendon Library where it has limited and substandard space. The proposed development in this location will act as a significant improvement to the service and enable the SLRS to further support local schools by continuing to loan books and a wide range of other resources. This would involve an increase in the GIA from 260 to 421 sqm. Library Services are entirely supportive of this move and have confirmed this would improve the service provided to the local population and help increase the range of services provided.

In addition, the applicant has also confirmed that a marketing exercise has been undertaken by the LB Barnet Estates. The sports club has been vacant since 2006. Since 2006 several attempts to find a leisure / sports club operator have failed. Most recently it was marketed from February 2019 at a rent of £70,000 per annum with special terms including one year rent free. The advertised rent was comparable to

other properties in the area also in Use Class D2 (assembly and leisure) (now Use Class F.2). Initial interest was shown by both leisure operators as well as providers within the community and health sectors. However, the significant costs to refurbish and repair the property was the most common reason given for not proceeding.

Part C of Policy S5 “Sports and recreation facilities” of the London Plan (2021) states that existing and recreational facilities should be retained unless an assessment has been undertaken which clearly shows the sports facility to be surplus to requirements. Where published, a borough’s assessment of need for sports and recreation facilities should inform this assessment.

The LB Barnet Indoor Sports and Recreation Facility Study (2018) provides a supply and demand analysis of existing sports facilities within the Borough [including sports halls]. This report also sets out recommendations for sports hall provision and focus for that provision in areas where demand for indoor recreation is high or where there are planned developments that would increase demand in the future. The demand forecasts and scenarios as presented in the report were carried out in consultation with Sport England.

The Study identifies unmet demand for sports halls due to the number of existing sports hall operators not permitting access for the community, which if provided, would result in an over-supply within the Borough. The focus thus being on increasing access to existing facilities rather than providing new facilities.

The projected demand for sports halls is greatest in the western and central parts of the Borough; which Copthall Leisure Centre and Hendon Leisure Centre would meet. The Former Quinta Club’s is in a semi-rural area in the north western part of the Borough, which has been vacant since 2006. This site is also difficult to access for members of the public reliant on public transport, given the PTAL level of 1b.

In summary the findings of the LB Barnet Indoor Sports and Recreation Facility Study (2018) supports the proposals for the change of use from a long-term vacant community hall to an alternative social infrastructure use. The change of use will not prejudice the public’s access to recreational facilities as these are widely available in areas where demand is greatest.

The change of use would also not prejudice the use of the playing pitch which lies adjacent to the Former Quinta Club. As the council’s greenspaces team have confirmed. The Quinta Club has not been used as formal playing pitches for a significant number of years. The site does not appear in the playing pitch strategy as a site that is currently in use or one to bring back in to use as playing pitches. Therefore, they have confirmed there are no plans for the site to be used for this purpose.

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. 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 proposals consist of the refurbishment of the existing building, there will be no demolition, rebuilding or extensions. Therefore, there will be no changes to the footprint, height, or massing of the building.

The proposed development optimises the use of the previously developed site which would help improve and revitalise the site, bringing the vacant derelict building back into use.

#### 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.

It is proposed to render the lower portions with a white insulated render, new black framed metal windows and doors will be installed in existing openings. The upper level is to be overclad in dark grey / black standing seam metal. Whilst some details have been provided further details are required to ensure officers are content the

finish and appearance of the new building would be appropriate. 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.

It is acknowledged that the site is located within in a public park and is relatively isolated especially during hours of darkness when levels of natural surveillance and legitimate activity will have virtually been reduced to zero. Therefore the increased in height to 2.4m for the boundary fencing is on balance accepted in this instance. However full details would be secured through conditions.

### **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 any residential element. There are no immediately adjoining residential properties which would be adversely affected by the proposed development. The closest properties are located to the west over 21m away separated by the existing public footpath and well screened by mature trees.

#### **Environmental Health - 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 Environmental 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. The existing building will be refurbished, there will be no demolition, rebuilding or extensions and excavations. I have read the CAPITA Geo-environmental Preliminary Risk Assessment, dated July 2021 and I concur with their conclusions in section 7. As no ground works are proposed and due to the end use and the setting, the only possible risk which is

associated with using the building for commercial/storage land use is a theoretical low/moderate ground gas risk. However, this arises from the infilling of a small/medium sized pond which were sited close to the Sites boundary. The London Clay geology makes gas migration (should a source exist) unlikely and the buildings floor slabs may act to seal out gas. No conditions are necessary.

### **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

The existing site is in a dilapidated state and has been for the last 15 years. It has large areas of tarmac and green space which has been used for sporting activities and is classified as the 'Village Green.' The former Quinta Club building has total GIA of the site is 500 sqm. The site was used as a community space (D1).

The only site vehicular access to the site is at the Mays Lane / Shelford Road junction. The existing visibility is reported to be poor, more noticeably to the west where the road bends to the south. The visibility splay is reported to be below recommended standards for a 30mph road.

TfL's WebCAT tool has not been used to identify the site's PTAL. A review of WbCAT indicates that the site has PTAL value of 1b which is a poor 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.

#### Baseline Transport Data

The Personal Injury Accident (PIA) review 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 the 'the data doesn't suggest that there are any safety issues that need to be taken account of or addressed as part of the proposed new use for the site. LBB cannot verify this based on available data and have requested a more detailed PIA review.

#### Proposed Development

The development proposes to re-provide the Schools Library Service (SLRS) currently located within Hendon Library to the former Quinta Club. There will be a change of use from community space to F1 use class (learning and non-residential institution). The proposals include a total of 500 sqm GIA change of use with internal and external refurbishment. In addition improvements will be made to the access, parking facilities, landscaping and the provision of a fence / bollards to stop or deter vehicular access to the Quinta Village Green. The site is planned to have a maximum of 5 FTE staff, all expected to access the site using private vehicles.

It is submitted that the bulk of the deliveries for the SLRS currently take place over 12 weeks of the year at the beginning and end of each school half term - this is carried out by a small van. Current figures (Existing Hendon Library): Total of 104 visits by the van each year. Possible future increase of 25% Total of 128 visits by the van each year.

A total of 16 shared car parking spaces and servicing areas are proposed as follows:

- 5 staff spaces
- 4 visitor spaces
- Service area for small van, and
- 7 spaces for public use of the Quinta Village Green

#### Car Parking

The number of parking spaces has not been justified in terms of policy or existing operations (this applies to the staff, visitor, servicing and the Quinta Village Green uses). The provision of 2 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);

#### Cycle Parking

The proposed levels of cycle parking proposed comply with the minimum standards set out within the London Plan. The proposal should provide 15 cycle parking spaces in total, 1 space long stay and 14 short stay.

Details of cycle parking provision / facilities should be in accordance with the London Plan and London Cycle Design Standards. This requirement should be conditioned as part of the planning consent.

#### General Layout

The vehicle / pedestrian and vehicle / vehicle visibility splays (based on 85th percentile speeds) should be shown on plan to demonstrate that there would be no obstructions to visibility requirements. It is noted that the TA report has recognised this as a safety issue however it is not clear how this is to be adequately addressed.

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.).

Clarification is sought as to whether any improvement works / physical changes are proposed to the highway infrastructure as well the need for a s278 agreement. Clarification is required as to whether any sections of the public highway will be subject to a Stopping Up application or if any sections are to be given up for adoption.

#### 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.

#### 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 proposed development has been reviewed by the council's Arboriculturalist who has no objections to the scheme. The proposed regeneration of the Quinta club located in the north west corner of a large open sports field will not impact on existing trees located on the western boundary. However details of tree protection measures will need to be provided to prevent harm from construction activities.

Officers also note that an additional 13 trees are proposed to be planted to the front and rear of the site however the specific species would need to be agreed. Therefore it is agreed that the details should be secured through conditions including for example a comprehensive landscape management plan. Furthermore, the applicant has also confirmed that there would be no increase to the area of hardstanding, which is an important consideration and one which can be controlled through the landscaping conditions proposed.

In addition officers also agree that the building and the scheme would benefit from the introduction of a biodiverse green or brown roof. This would not only help improve the biodiversity of the scheme but also help to 'soften' the views of the refurbished building and assist with assimilating the site within the area. The applicant has agreed to this in principle and therefore an appropriate condition will be added.

#### Ecology

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

There are two statutory sites within 2km; Totteridge Fields Local Nature Reserve is 1.7km south east of the site and Rowley Green Common LNR is 1.85km north east. We are satisfied that the sites will not be affected by the proposal and that the evidence provided by the applicant is sufficient to address potential impacts and implications on biodiversity receptors.

#### Bats

The bat report states that 'The open draughty nature of the buildings internal structure means it is highly unsuitable for roosting bats' Therefore, further bat surveys are not required.

#### Nesting birds

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

#### Badgers and other mammals

Vegetation clearance should be undertaken in a sensitive manner to allow terrestrial mammals to disperse. Any excavations that need to be left overnight should be covered/fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each workday to prevent animals entering/becoming trapped or ensnared.

#### Hedges

The hedge to the north of the site should be retained and protected as part of the development in line with The British Standard "Trees in Relation to Design, Demolition and Construction to Construction - Recommendations" (BS 5837) (2012).

#### 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.

##### Biodiversity Enhancement Recommendations

In line with the National Planning Policy Framework (NPPF 2021) 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 please ensure that the Biodiversity Enhancement Recommendations in Section 5.5 are adhered to and enforced through a suitably worded condition.

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

### **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 however further details are required and would therefore be secured via condition.

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

The proposed development would not 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 and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty 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 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 for both the new use and the public car park.

The Schools Libraries Resource Service (SLRS) is proposed to be relocated to the Quinta Club, which is located circa 6.3 miles away from its current facility in Hendon

Library (or a circa 16-minute drive, depending on traffic). It is a destination use as it will be used specifically by schools and will not be a facility that is generally open to the public. It will provide a far superior facility for the Schools Library Resource Service, who currently operate in cramped conditions in Hendon Library. It will provide larger, fit for purpose accommodation for the SLRS as a designated facility, with better car parking and access for local schools. The accommodation is a Council owned facility and as such will be rent free for the service.

Furthermore the proposal would also provide 7 car parking spaces for public use to access the open space and fields, in addition to the existing public footpath running along the western edge of the site.

Officers conclude that 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 objectives 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) 2 (right to education) 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. 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. 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.
- 100% 'affordable' purpose-built supported accommodation.
- Enhanced landscaping across the whole masterplan area.
- 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. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, **APPROVAL** is recommended subject to conditions as set out in Appendix HR1.

## **APPENDIX HR1 – 21/4613/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:

S11_500_01	Site Location Redline Plan
S11_500_02	Proposed Site Plan
S11_500_10	Ground Floor Plan
S11_500_20	Elevations
S11_500_30	Sections
S11_500_50	Existing Ground Floor Plan
S11_500_51	Existing Elevations

PR1-GLH-00-XX-DR-A-000000 P01 Landscape Plan

- Design and Access Statement
- External Lighting Statement
- Land Contamination Assessment
- Transport Assessment
- Fire Statement
- Statement of Community Involvement
- Planning Statement
- Ecology Appraisal Report
- Utility Infrastructure

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 or brown roof have been submitted to and approved in writing by the Local Planning Authority.

b) The green or brown roof shall be implemented in accordance with the details approved under 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 Policy G1 Green Infrastructure, G5 Urban Greening Factor, SI 13 Sustainable Drainage of the adopted London Plan 2021.

**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.** 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.

**14.** 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.

**15.**

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.

**16.** 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.

**17. 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.

**18. 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.

**19.** 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.

**20.** 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.

**21.** 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.

**22.** 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.

**23. 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.

**24.** 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.

**25.** 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.

**26.** 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).

**27.** 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.

**28.** 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 all gates and bollards at the site vehicular access points.

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.

**29.** 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.

**30.**

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.

**31.** The new building and premises shall operate under Use Class F1(a) and for no other purpose, including any other purpose in Class F1 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.

32. The approved F1(a) 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.

## **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. 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.

**SITE LOCATION PLAN – Reference: 21/4613/FUL**

