

Location **1 Albert Road, Barnet, EN4 9SH**

Reference:

21/5554/FUL

Ward: East Barnet

Received: 24.03.2020

Accepted: 24.03.2020

Expiry 19.05.2020

Applicant:

C/O UPP Architects
& Town Planners

Proposal:

Demolition of the existing buildings and erection of a part 4 storey, part 5 storey building to provide 9no. self-contained residential units, together with basement car park, cycle storage, external amenity space and refuse and recycling facilities.

Recommendation: Approve subject to conditions

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

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 and documents:

Drawing numbers

01AR-A-02-001; 01AR-A-02-002; 01AR-A-03-001; 01AR-A-05-001; 01AR-A-06 001; 01AR-A-06-002 ; 01AR-A-001; 01AR-A-02-101; 01AR-A-02-102; 01AR-A-02-103; 01AR-A-02-104; 01AR-A-02-101; 01AR-A-03-103; 01AR-A-03-103; 01AR-A-03-104; 01AR-A-03-105; 01AR-A-03-106; 01AR-A-03-107; 01AR-A-06-101; & 01AR-A-06-102; Tree Protection Plan TH/A3/2947/TPP

- Planning, Design and Access Statement Rev 1 dated October 2021
- Arboricultural Consultancy Ltd by Trevor Heaps (Arboricultural Impact Assessment; Method Statement & Tree Protection Plan) (B.S: 6837 2012) dated 2nd July 2021
- Noise Impact Assessment dated 14th January 2021 (by Venta Acoustics) Report VA3981.220111.NIA (dated 12 January 2022)
- Bat Survey (Eco Assistance) dated 2nd August 2021
- Preliminary Ecological Appraisal by Eco Assistance (Preliminary 01 July 2021
- Transport Statement on behalf of Flex Park Ventures Ltd dated 2021 (Proposed Residential Development) by Crosby Transport Planning

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) 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.

5. a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
 - ii. site preparation and construction stages of the development;
 - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
 - iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
 - v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
 - vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
 - vii. noise mitigation measures for all plant and processors;
 - viii. details of contractors compound and car parking arrangements;
 - ix. details of interim car parking management arrangements for the duration of construction;
 - x. details of a community liaison contact for the duration of all works associated with the development.

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.

6. (a) Prior to occupation of the development, 6 parking spaces and a new and redundant access shall be implemented in accordance with the approved plans.
- (b) Thereafter, the parking spaces and crossover shall be used only as agreed and not for any purpose other than the parking and access/turning of vehicles in connection with approved development.

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

7. No works on the public highway including creation or modification of a vehicular access as a result of the proposed development shall be carried out until detailed design drawings of the proposed access and dropped kerbs in the vicinity of the site have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans. The applicant will be expected to enter into an agreement with the Highways Authority under Section 184 of the Highways Act, for these works and will be liable for the reinstatement of any redundant crossovers to footway and make good any consequential damage to the public highway as a result of the proposed development including renewing of the footway along the site frontage. All offsite highways works must be completed to the satisfaction of the Local Highway Authority prior to occupation of the development.

Reason: To ensure that the works on the public highway are carried out to the satisfaction of the highway authority 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.

8. (a) Prior to commencement of development onsite, full details of cycle parking including the type of stands, internal dimensions and spaces between bicycles stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority. The type of stands used must allow both wheels and the frame of the bicycle to be locked.

(b) Prior to the occupation of the first residential unit hereby approved, a minimum of 17 cycle parking spaces (15 long-stay and 2 short stay) in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards 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.

9. The applicant shall carry out a before and after condition survey of the agreed route to be utilised by all construction traffic. The before survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development.

The after survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the before survey shall be implemented as approved following completion of the development.

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

10. Prior to commencement of the development full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of a minimum of 1 active and 5 passive electric vehicle charging points. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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 6.13 and T6 of the London Plan (2021).

11. (a) Prior to the occupation of the development, a Manufacturer's warranty, Specification, a Maintenance Agreement and repair response times for the operation of the car lifts shall be submitted to and approved in writing by the Local Planning Authority.

(b) The details hereby approved shall be implemented, maintained and retained in perpetuity.

Reason: In the interests 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.

12. (a) Prior to the occupation of the development, a plan showing car lifts, indicator warning lights, remote controlled roll-up shutter shall be provided to ensure that access to the car park is controlled, maintained and monitored at all times.

(b) The approved details of the car lift in accordance with part a, shall be implemented, maintained, and retained in perpetuity.

Reason: In the interests 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.

13. The details hereby approved within the Noise Impact Assessment dated 14th January 2021 (by Venta Acoustics) Report VA3981.220111.NIA (dated 12

January 2022), including all mitigation measures proposed, shall be full implemented and retained thereafter.

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

- 14.** 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.

- 15.** The level of noise emitted from the 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).

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

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

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

Reasons: In the interest of good air quality in accordance with policies SI 1 of the London Plan (2021) and DM04 of the Development Management Document (2012).

17. Part 1

Before development commences other than for investigative work:

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

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

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

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

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

Part 2

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

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

DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

- 18.** 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).

- 19.** 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).

- 20.** Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012).

- 21.** Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the wholesome water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based

approach should be used to determine the water consumption of the proposed development. Any use of grey water and/or rainwater systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 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 pm on other days.

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

- 23.** a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

- 24.** (a) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) for the development has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

(b) Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent any damage to nearby underground utility infrastructure in accordance with policies SI 13 of the London Plan (2021); CS13 of the adopted

Core Strategy (2012) and DM04 of the Managing Development Document (2012).

- 25.** Prior to the occupation of the development, petrol/oil interceptions shall be fitted in all car parking/washing/repair facilities and retained thereafter.

Reason: To ensure that the risk of oil polluted discharges entering the local watercourses in accordance with policies SI 17 of the London Plan (2021); CS12 & CS13 of the Core Strategy (2012) and DM04 of the Development Management Document.

- 26.** Before the development hereby permitted commences, the applicant shall submit for approval details of measures to improve biodiversity on the site 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.

The above conditions would be required, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 and G7 of the London Plan 2021.

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

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

c) Any existing tree shown to be retained or trees 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 7.21 of the London Plan 2016.

- 28.** The details hereby approved within the Arboricultural Impact Assessment , Method Statement Report produced by Trever Heap Associates dated 2nd July 2021 and the Tree Protection Plan (drawing no: TH/A3/2947/TPP) shall be full implemented throughout all development phases.

Reason: To ensure the visual amenities and health of identified trees are protected in accordance with policies DM01 & DM16 of the Local Plan-Development Management Document (2012).

29. (a) Prior to the commencement of works onsite, full details of the Green Wall maintenance Plan shall be submitted to and approved by the Local Planning Authority in writing.
- (b) The details hereby approved shall be full implemented, retained and maintained in perpetuity.

Reason: To safeguard the character and visual amenities of the site and wider area; promote biodiversity; 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), Policies DM01 and DM16 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

Informatives

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a payment under Barnet CIL

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

Please visit

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

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

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

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

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

4. 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.

5. 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.

6. The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
7. If a pump lorry is to be operated from the surface of the public highway, any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
8. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions

During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

9. Tree and shrub species selected for landscaping/replacement planting 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 trees to be planted must have been held in quarantine."

10. The applicant is advised to consult Fire Safety Guidance Note (dated 29 January 2019) on Fire Brigade Access similar to that in B5 of the Building Regulations.
11. Thames Water would advise that with regard to sewerage infrastructure capacity.
12. Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
13. The applicant is encouraged to develop a Voluntary Travel Plan to promote more sustainable forms of travel. Further advice can be sought via developmenttravelplans@barnet.gov.uk or Tel: 020 8359 7603".

Officer's Assessment

1. Site Description

The application site relates to a two-storey detached property which has been converted into 2no. self-contained flats. To the rear of the site is an additional

building which is used as a self-contained dwelling. The property is located on the west side of Albert Road, close to the junction with East Barnet Road. The section of the road of which the site forms a part is a one-way street with cars moving from north to south.

The surrounding area is predominantly by residential development. Directly north of the site is a public house (Building Arms) and further north is a 5-storey flatted development at no 9 Albert Road.

The site has a Public Transport Accessibility of 3, which means it has moderate access to public transport, (on a scale of 1 being extremely poor and 6 being excellent).

The site is not located within a Conservation Area, and there are no listed buildings onsite, or within the vicinity of the site

2. Site History

Ref no: 19/3432/FUL

Description of development: Use of existing two storey building with a rear single storey outrigger as a three- bedroom residential dwelling house with associated internal/external alterations. Associated cycle store, amenity space, refuse and **recycling store**.

Decision: Refused

Decision date: 15/08/2019

1. The proposed dwelling would, by reason of its use, design, siting within close proximity to the rear garden area of No. 1 Albert Road would result in overlooking of and loss of privacy to the existing occupiers of No. 1 Albert Road and future occupiers of No.1A Albert Road contrary to Policy CS5 of the Barnet's Local Plan (Core Strategy) 2012 and Policies DM01 and DM02 of the Barnet's Local Plan (Development Management Policies) DPD 2012, SPD: Sustainable Design and Construction (Adopted 2016) and SPD: Residential Design Guidance (Adopted 2016).

2. The proposed dwelling by reason of the insufficient quantity and quality of private outdoor amenity space would result in a substandard form of accommodation for the future occupiers of this unit. The proposal would be contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (September 2012), Policy DM01 and DM02 of the Development Management Policies DPD (September 2012), the Sustainable Design and Construction SPD (October 2016) and the Residential Design Guidance SPD (October 2016).

3. Insufficient information has been submitted to show that the development can be accommodated without harmfully increasing the demand for on street parking, contrary to policy DM17 of the Development Management Policies

DPD (adopted September 2012), the Residential Design Guidance SPD (adopted 2016) and the Sustainable Design and Construction SPD (adopted 2016).

Ref no: 18/7357/FUL

Description of development: Use of existing two storey building with a rear single storey outrigger as a three-bedroom residential dwelling house with associated internal alterations. Associated cycle store, amenity space, refuse and recycling store.

Decision: Refused on 06/02/2019

Reasons for Refusal:

1. The use of the building as a residential dwelling by reason of its siting adjacent to noise generating uses comprising of two public houses with heavily used external gardens and its close proximity to a railway line at the rear would result in unacceptable level of noise and disturbance and provide poor quality amenity for the future occupiers of this dwelling.
2. The proposed dwelling would, by reason of its use, design, siting within close proximity to facing habitable room windows, result in overlooking of and loss of privacy to the existing occupiers of No. 1 Albert Road and future occupiers of NO.1A Albert Road
3. The proposed dwelling by reason of the lack of adequate outdoor amenity space and failure to provide a reasonable degree of outlook because of its single aspect in nature would result in a sub-standard form of accommodation for the future occupiers of this unit.
4. Inadequate information was submitted to show that the development can be accommodated without harmfully increasing the demand for on street parking.

Ref no: 18/6585/191

Description of development: Two storey building with a rear single storey outrigger.

Decision: Lawful

Decision date: 29/11/2018

Ref no: 18/5973/191

Description of development: Two storey dwelling house with a rear single storey outrigger.

Decision: Unlawful

Decision date: 01/11/2018

Ref no: 18/6585/191

Description of development: Two storey building with a rear single storey outrigger.

Decision: Lawful

Decision date: 29/11/2018

Ref no: 18/5973/191

Description of development: Two storey dwelling house with a rear single storey outrigger
Decision Unlawful
Decision date: 01/11/2018

Proposal

The proposal is for the demolition of the existing buildings and erection of a part 4 storey (Block A- fronting Albert Road) , part 5 storey building (Block B located to the rear of the site) to provide 9no. self-contained residential units, together with basement car park, cycle storage, external amenity space and refuse and recycling facilities.

The application proposes the demolition of the existing building and the erection of a part 4 storey, part 5 storey building to provide a total of 9no. residential units (2 x studio, 3 x 1 bed, 1 x 2 bed and 3 x 3 bed), together with 6no. car parking spaces at basement level, accessed by a car lift, 22no. cycle storage and associated refuse & recycling, private and communal external amenity space.

The proposal is to create two residential buildings of varying building heights (4 storeys at the front and 5 storeys at the rear) which are linked via a central, enclosed stair core.

At basement level, there is 6 no car parking spaces and plant room, which can be accessed internally within the development via pedestrian lift and internal stairway and externally via a car lift, which is accessed off Albert Road at ground floor level.

22 cycle storage spaces and 4 bin store area are located on the ground floor at block A (fronting Albert Road), and to the rear at block B, there is a 1 no 3 bed residential unit and associated private amenity area at ground level.

All remaining 8 no residential units are on the upper floors to blocks A and B. The proposed communal amenity area is proposed at the rooftop of the 4 storey building at block A.

The "link building" in the centre which adjoins both blocks A & B provides direct pedestrian access between both buildings for both future occupiers and for maintainers workers within the building when required.

Public Consultation

Consultation letters were sent to 35 neighbouring properties on 04.11.2021, and advertised onsite (site notice) on 11.11.2021

12 responses have been received, comprising 11 letters of objection, and 1 letter of comment.

The objections received can be summarised as follows:

- The formal submission of the full planning application was not accompanied by a Noise Report.
- Exacerbate existing air and noise pollution in the area.
- The proposal would result in sub- standard accommodation. The proposed rear balconies and habitable windows would be exposed to excessive noise disturbance from the railway and adjacent Public House; some units may experience poor outlook, overheating; poor daylight and sunlight levels; overlooking and sense of enclosure between proposed blocks A and B.
- There is a risk that the proposed green walls may not be retained adequately in the future.
- The location of the communal amenity space area/child playspace area at roof top level is inappropriate; may not be usable; and would have no natural surveillance for parents to oversee and safeguard their children whilst utilising this space.
- Excessive density of residential development onsite, culminating in overdevelopment of the site
- The scale and height of the development is excessive, and not in keeping with the character and appearance of the nearby area
- There is an under provision of family houses proposed with garden space/private amenity areas.
- The proposal would set an unwanted precedent for future residential development of this scale within the immediate and local area, in the future.
- There is an under provision for cycle storage proposed onsite.
- Exacerbate the existing problems associated with traffic congestion on roads of East Barnet/New Barnet/Cockfosters and neighbouring areas.
- The proposal, which includes 6 no car parking spaces would increase traffic on the roads; compromise pedestrian and vehicular highway safety; and would contribute to undue noise and air pollution causing health issues for the local population.
- The proposal does not make adequate provision for electric vehicle charging points and other energy efficiency measures
- The proposal application does not provide sufficient details of landscaping works, including tree replacement at ground/street level onsite.
- Increase pressure on existing social infrastructure, such as schools, hospitals, Doctor GP Surgeries
- The proposed development would significantly compromise the amenity value (loss of daylight, sunlight, overshadowing of the outdoor space to the rear of the neighbouring Builders Arms Public House directly north

of the site. It would have a negative impact on the business financially, and the development if approved, may result in its closure.

All of the above objections received have been considered during the assessment of this planning application and addressed further within this Committee report).

Statutory consultees

LBB Highways comments

LBB Highways team raise no objections to the proposal subject to the following conditions:

- The proposed 6 no car parking spaces, and a new and redundant access shall be implemented in accordance with the approved plans.
- Full details of the design of the proposed access and dropped kerbs in the vicinity of the site have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans.
- Full details of 17 cycle parking spaces ((15 long-stay and 2 short stay), including the types of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the LPA.
- Demolition and Construction and Logistic Management Plan
- A before and after condition survey of the agreed route to be utilised by all construction traffic.
- Full details of the electric charging points to be installed
- A manufacturer's warranty, specification, a maintenance agreement, and repair response times for the operation of the car lifts must be submitted to and approved in writing by the Local Planning Authority.
- Full details showing car lifts, indicator warning lights, remote controlled roll-up shutter shall be provided to ensure that access to the car park is controlled, maintained, and monitored at all times.

(Officers comment: The above conditions would be secured to ensure that there is adequate and satisfactory provision is made for the parking of vehicles and in the interests of pedestrian and highway safety and the free flow of traffic)

LBB Environment Health

LBB have reviewed the proposal, including the submitted Noise Impact Assessment and confirm they have no objections, subject to the following conditions.

- Full compliance with the noise & vibration mitigation measures proposed within the Noise Report
- Demolition and Construction Management Plan
- Full details of ventilation measures and extraction plants
- Compliance with appropriate noise levels for the basement plant room and car lift
- All Non-Road Mobile Machinery used during the course of the demolition, site preparation and construction phases shall comply with the adopted emission standards.
- Full details of the land contamination report, including any mitigation or remediation works if necessary.

(Officers comment: The above will be secured by way of planning conditions).

LBB Trees and Ecology

LBB Arboricultural and Ecology Officers raise no objection, subject to the following conditions:

Trees

1. The development is implemented in accordance with the submitted Arboricultural Method Statement & Impact Assessment; and Tree Protection Plan to development does not compromise the health of the existing trees. This would be secured by way of a planning condition.

Ecology, including Bat survey

The applicant has submitted a Bat survey report which concludes that during the emergence survey no bats were recorded or observed by any of the surveyors or their bat detectors. No bats were observed emerging from the building. No bats were observed at emergence time near to the building. In accordance with local policy DM16, Regional policy G6 and national policy the development must deliver some biodiversity gains. This could include swift or bat boxes within the building

The applicant would be required to submit full details of biodiversity improvements onsite (which may include the installation of bat boxes) prior to commencement of development, in consultation with the Councils Ecology team. This would be secured by way of a planning condition.

Thames Water

Thames Water raise no formal objections to the proposal, subject to the following conditions:

Surface Water Drainage

1.No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling would be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

Waste Water Network and Sewage Treatment Works

2. A compliance condition, which requires that, prior to the occupation of the development, petrol/oil interceptions should be fitted in all car parking/washing/repair facilities to ensure that the risk of oil polluted discharges entering the local watercourses.

(Officers comment: The above will be secured by way of planning conditions).

London Fire Authority

No comments received.

Planning Considerations

Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any

adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2021

The London Plan 2021 was adopted on 02 March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.

The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Borough's Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way and reflects the overall strategy for how London can develop sustainably, which the London Plan sets out.

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

The relevant London Plan (2021) policies are as follows

D1; D2; D3; D5; D6; D7; D8; D10; D11; D12; D13; D14; H1; H4; H6; H7; H10; S3; S4; SI 1; SI 2; SI 3; SI 4; SI 5; SI 8; SI 12; T1; T3 ; T4; T5; T6

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS9, CS13, CS14, CS15.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM07, DM08, DM14, DM16, DM17.

Supplementary Planning Documents

- Residential Design Guidance (2016)
- Sustainable Design and Construction (2016)

Main issues for consideration

The main issues for consideration in this case are:

- Whether the design would cause harm to the openness of the site and character of the area
- Impacts on amenity of neighbouring occupiers and properties
- The standard and quality of accommodation proposed, including environmental impacts
- Impact on the local highway
- Energy and Sustainability
- Trees and Ecology

Assessment of the proposal

Whether the design would cause harm to the openness of the site and character of the area

High quality design underpins the sustainable development imperative of the NPPF and policies D1, D5, D6, D7 and D8 of the London Plan (2021). Policy CS5 of Barnet's Core Strategy (2012) seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-quality design. Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces, and streets.

The Councils adopted Supplementary Planning Documents Residential Design Guidance SPD (2016) sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority.

Policy DM01 states, 'development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

The character of the Albert Road has undergone and continues to be changing, and heights of developments are increasing. Most notably, at no 9 Albert Road, there is an existing 5 storey building which provide 9 self-contained flats, with basement car parking, which was approved in 2017 (Ref no:17/ 6422/FUL)

The siting of the development and footprint onsite is respectful of the site's constraints and context. The front building line is set back and broadly in keeping with the building line of the approved scheme at no. 9 Albert Road. The rear building line has also been amended and would have a distance of approx. 3.2m from the western boundary of the site allowing for a bigger amenity space. There is no clear glazed windows proposed to the southern elevations to ensure

that the development potential of the neighbouring land to the south would not be compromised.

The proposed treatment of height to the three adjoining elements of the overall development is successful as it provides a well design transition, setting the tallest element of the development, further away from the streetscene. Block A which fronts onto Albert Road is four storeys in height which allows for a better integration of the building into the street and the character of the emerging area; the link building steps up in height, and the 5-storey residential building (Block B) at the rear of the site.

The treatment of bulk and massing of the proposal is supported by Officers. The depth of the balconies remains subordinate features within the front and rear elevations, would soften the relationship with the main building and would allow for a softer integration within the façade. Moreover, the proposed variation in materials and layouts of bricks in various parts of the building, would further serve to break up the massing as it would create different elements of the proposal. The upper floors recessed from the front building line would appear more subordinate to the main development, whilst reducing the footprint of the top floors with lightweight materials (glazing to commercial amenity area at rooftop of block A).

The bulk of the building is located away from the main frontage so that the highest part of the dwelling (5 storeys) is located at the rear of the site adjacent to the railway line. The lightweight link which partially connected the two elements of the building has been replaced with a purpose-built structure with 'green' walls. The materials/cladding on the main buildings have also been reconfigured as a means to break up the massing of the building. Additionally, the upper floors of both blocks have been recessed from the main frontages to add to the appearance of subordination.

The rear element (Block B) would be constructed with the same materials as the recessed third floor to the front, creating a continuity within the fabric of the building, whilst the varying building heights would ensure that it does not appear bulky or dominant. The communal terrace and glazing are appropriately set back from all sides which reduces bulk and visibility from street level. In addition, the perception of bulk and massing is greatly reduced by the green external walls of the link building. The proposal also includes a green full height external walls to the link building on both the northern and southern elevations. This would enhance the overall visual appearance and add visual interest to the building, whilst also promoting biodiversity onsite. The applicant would be required to submit a Green Wall Maintenance Plan prior to commencement of works onsite. The details approved would be required to be fully implemented and retained thereafter. In addition, the applicant would be required to submit full specifications of all materials to the Local Planning Authority, prior to the commencement of works onsite. This is secured by way of a planning condition.

Overall, the proposal (including scale, siting, footprint, height, bulk, mass and appearance) is of high design quality; and would contribute positively to the streetscene and in keeping with the emerging character and appearance of Albert Road.

Impact on amenity of neighbouring occupiers and properties

Amenities of Neighbouring and Future Residents Part of the 'Sustainable development' imperative of the NPPF 2019 is pursuing improvements to amenity through the design of the built environment. Policies CS5, DM01, DM02 and DM04 of the Barnet Development Management Policies DPD seeks to manage the impact of new developments to ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

The Residential Design Guidance SPD advises that in new residential development privacy can be safeguarded by achieving minimum window to window or window to balcony distances between buildings of 18-21m between facing habitable room windows, and 10.5 m to a neighbouring garden. These distances relate particularly to typical two-storey development, where first floor windows can overlook neighbouring properties.

The impacts of the scheme have been assessed, in accordance with BRE guidance. The proposal does not include north or south facing windows to protect the privacy of south facing windows at no 9 Albert Road. Moreover, no south facing clear windows are proposed to ensure that the proposal would not unduly compromise the development potential of the neighbouring site to the south.

Public house directly north of the site

The two closest neighbours to the site are Public Houses. The BRE guidance suggests that non-residential neighbours can be assessed if their use that would have a clear need for daylight but does not provide examples of what these uses might be. A public House does not warrant the same level of amenity protection as a residential use. The impact the proposal has on the outdoor amenity space to the rear of the Builders Arms Public House is discussed further under the "response to public consultation" section of this report.

Impacts on No 9 Albert Road- further north of the site

Further north, the site at 9 Albert Road has recently been developed into residential units and the assessment has primarily considered the impacts on this block. The applicants Daylight and Sunlight report has assessed: (a): the existing daylight and sunlight levels to 11 no south facing windows to habitable

rooms (b): the daylight and sunlight levels to these rooms as a result of the proposed development on this subject site.

All windows retain in excess of 80% of their current values, or a VSC in excess of 27%. Moreover, all of the assessed windows retain 25% of the available annual sunlight hours and 5% of winter hours. In other words, the proposed development would not have an unacceptable impact on the daylight and sunlight levels to no 9 Albert Road. The scheme is therefore compliant with BRE recommendations in relation to daylight and sunlight impacts to neighbouring properties.

There are no habitable windows proposed on the northern elevation. The only north windows proposed are to the link building between Block A and B, which would be obscured. These obscured windows serve to provide natural daylight to the internal corridors and hallways only. As such, the proposal would not compromise the privacy of residents at no 9 Albert Road. The proposed has an acceptable distance away and the design of the northern elevation is articulated well with interesting materials and therefore south facing habitable rooms at no 9 Albert Road would continue to receive good outlook, which is welcomed by Officers.

Standard and quality of residential accommodation

Dwelling mix

Policy H10 of the London Plan (2021) requires new residential development to provide a suitable and varied dwelling mix which meets local needs. Moreover, policy DM08 of the Local Plan (2012) relates to dwelling mix and requires all new residential development to provide a mix of dwelling sizes and types to cater for a range of housing needs in the area. LBB set a dwelling size mix requirement for new development in the borough with homes of 3 bedroom or more the priority.

The proposal makes provision for 2 x studio, 3 x 1 bed, 1 x 2 bed (4 [person) and 3 x 3 bed units. Officers welcome the number of 3-bedroom units (33 % of total number of units proposed) which helps deliver much needed family sized accommodation within the Borough, in accordance with DM08 of the Local Plan (2021).

Room size standards and layouts

The Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. The proposal habitable rooms all meet minimum room size standards. Further, the proposal rooms would receive good outlook and generous daylight and sunlight provision to the habitable rooms.

Housing standards are set out in the Nationally Described Space Standards (NDSS), the London Plan and London Housing SPG and Barnet's Sustainable Design and Construction SPD. Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal.

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

All of the proposed residential units would meet or exceed the minimum size standards as set out below:

Unit 1:	3 bed (5 person)	Policy requirement: 86m ²	Proposed 92.5m ²
Unit 2:	Studio (1 person)	Policy requirement 37m ²	Proposed 37.2m ²
Unit 3:	1 bed (2 person)	Policy requirement 50m ²	Proposed 51.3m ²
Unit 4:	1 bed (2 person)	Policy requirement 50m ²	Proposed 63.9m ²
Unit 5:	3 bed (4 person)	Policy requirement 84m ²	Proposed 84m ²
Unit 6:	Studio (1 person)	Policy requirement 37.7m ²	Proposed 37.7 sqm
Unit 7:	1B (2 person)	Policy requirement 50m ²	Proposed 50.8m ²
Unit 8:	3B (4 person)	Policy requirement 84m ²	Proposed 85.7m ²
Unit 9:	2 B (4 person)	Policy requirement 50m ²	Proposed 81.1sqm

As illustrated above, the proposed size of all the residential units are in full accordance with the Councils adopted SPD on Residential Design Guidance.

Private amenity space

The Council's adopted Supplementary Planning Document entitled Residential Design Guidance requires the provision of 5 sqm of amenity space for each habitable room for flats. Where rooms are over 20sqm, they would be considered as two habitable rooms. This applies to one, two, and three bed flats. For houses, the following standards apply:

- 40 m² of space for up to four habitable rooms
- 55 m² of space for up to five habitable rooms (5 habitable rooms are proposed)
- 70 m² of space for up to six habitable rooms

The proposal unit sizes and minimum policy size requirements for the respective units are set out below.

Unit 1:	3 bed (5 person)	Policy requirement: 25sqm	Proposed 57.8 sqm
Unit 2	Studio (1 person)	Policy requirement 5sqm	Proposed 0.0sqm
Unit 3:	1 bed (2 person)	Policy requirement 10sqm	Proposed 0.0sqm
Unit 4:	1 bed (2 person)	Policy requirement 10sqm	Proposed 8.2sqm
Unit 5:	3 bed (4 person)	Policy requirement 20 sqm	Proposed 8sqm
Unit 6:	Studio (1 person)	Policy requirement 5sqm	Proposed 0.0 sqm
Unit 7:	1B (2 person)	Policy requirement 10sqm	Proposed 8.0sqm
Unit 8:	3B (4 person)	Policy requirement 20sqm	Proposed 18.5sqm
Unit 9:	2 B (4 person)	Policy requirement 15sqm	Proposed 22.6 sqm

The two x no studios and one bedroom unit (units 2, 3 and 6) do not make provision for private amenity space, and the private amenity space afforded to unit no's 4,5 & 8 fall below the minimum size standards to varying degrees, with unit 8 marginally falls below the size standards.

Notwithstanding, unit no 1 (three-bedroom unit-suitable for family occupation) and Unit 9 (2-bedroom 4 person) unit-suitable for smaller family occupation) greatly exceeds the minimum standards, and unit no 9 is marginally below the minimum standards. When assessing the overall acceptability of private amenity space on site, Officers must make an on-balance judgement. Combined, the proposed private amenity provided is approximately 123.1 qm, which is above the policy requirement for these nine units, which is approximately 120 sqm.

Furthermore, the proposal makes provision for 39.7sqm integrated child playscape and communal amenity space at fourth floor level (roof top on building fronting Albert Road). This area would be highly usable and would greatly benefit from great daylight and sunlight levels, without concerns regarding overshadowing, a benefit which communal amenity space at ground level may not achieve to the same extent. Moreover, this rooftop amenity space is set back sufficiently from the building line on all sides, which means it would be less visible from the streetcene, and thereby affording future occupiers and users of this space greater privacy. In addition, the boundary treatment with aspect onto Albert Road would include an acoustic glazed wall of 1.7 metres in height to ensure users would not be subjected to undue noise disturbance from traffic along Albert Road, thereby creating a pleasant and tranquil amenity space for occupiers.

Importantly, the benefits of the proposal in its delivery of much need family sized accommodation would outweigh the lack of provision for private amenity space to some of the units, which can otherwise be offset by the high-quality

communal amenity space with integrated play area as showing on the submitted drawings. This is considered to be an asset to the development.

Outlook/privacy/daylight and sunlight

The proposed layouts of these units and associated windows to the western elevation of block A and the eastern elevation to block B would ensure no direct intervisibility of habitable rooms occurs. This is achieved by obscured windows to bathrooms and obscured secondary windows to some of the habitable rooms. As such, the proposal would not result in undue overlooking or loss of privacy to the proposed residential units. Moreover, the majority of the units would have dual aspect, many habitable rooms contain two windows.

The applicant has submitted a Daylight and Sunlight Assessment to determine the quality of sunlight and daylight levels which future occupiers would experience. The Average Daylight Factor (ADF) values have been calculated for all habitable rooms in the proposed new units, in accordance with BRE methodology. The benchmark values for each room type recommended by the BRE Guidance and BS8206 are:

- o Kitchens: 2%
- o Living Rooms: 1.5%
- o Dining Rooms: 1.5%
- o Bedrooms: 1%

The report illustrates that all occupiers of the dwelling would achieve good quality internal daylight and sunlight, in accordance with BRE Guidelines.

Noise and Vibration

The proposed balconies and windows to the rear at block B are set approximately 20 metres from the railing line further west which is considered to be sufficient distance to ensure that future occupiers would not experience undue noise disturbance, subject to planning conditions. The proposed mitigation measures as detailed with the submitted Noise Assessment must be fully incorporated into the design and retained thereafter. The applicant would be required to ensure that All Non-Road Mobile Machinery used during the course of the demolition, site preparation and construction phases complies with the adopted emission standards. Moreover, full details of the proposed ventilation measures; extraction plant, and car lift must be submitted prior to commencement of development on site, to be secured by way of planning conditions.

Impact on the local highway

The site fronts directly onto Albert Road, a narrow one-way, no through road with double yellow lines on both sides to deter obstructive parking. Albert Road connects Victoria Road to the south which joins onto Station Road (A110), and it is flanked by a mixture of residential, light industrial and office premises.

The site lies in an area with a PTAL rating of 3, which means it has moderate/average access to public transport. There are 6 bus routes which can be accessed from stops within 4-5 minutes walking distance of the site. New Barnet Station is within 6 minutes walking distance. The site is not in a CPZ but there are yellow lines and parking bays in the vicinity.

Car parking

Policy DM17 states that the council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms);
- ii. 1.5 to 1 space per unit for terraced houses and flats (2 to 3 bedrooms); and
- iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

The site has a Public Transport Accessibility Level of 3, which means it has moderate access to public transport (PTAL 1 being very poor and 6b being excellent access to public transport).

Based on the proposed dwelling mix (2 x studios; 3 x 1 bed; 1 x 2 bed and 3 x 3 bed), the proposed development consists of 2xstudio, 3x1 bed, 1x2 bed and 3x3 bed. According to the Council's Local Plan Development Management Policy DM17, the proposed development would need to provide between 4 - 11 off-street parking spaces. Based on the PTAL rating for the site assessed as 3 (average), approximately 7 off-street car parking spaces would be acceptable. 6 no car parking spaces are proposed, and LBB Highways team have confirmed they do not object to the quantum of car parking spaces provided onsite.

Vehicular access to a site is via a slightly repositioned crossover which leads to and serves a signal-controlled car lift. The traffic signals would prioritise inbound movement and vehicles leaving the car park will be able to wait in the central aisle of the basement car park to allow inbound vehicles to pass before proceeding. Given the number of car parking spaces proposed the use of a single car lift and priority arrangements for vehicles entering and leaving the basement car park is considered acceptable. However, a manufacturer's warranty, specification, maintenance agreement, repair response times and

details of the traffic light system to be installed are requested by way of a planning condition.

The internal layout of the basement car park is acceptable but the modifications to the access would involve work on the public highway for which a s184 licence would need to be obtained from the Council by the applicant. Minimum pedestrian visibility splays must be ensured at the site access. As such, details of boundary treatment and visibility splay drawing would be required by way of a planning condition.

Electric car parking spaces

Based on minimum London Plan standards, 20% active and 80% passive spaces should be provided. For the 6 car parking spaces proposed, this equates to 1 active and 5 passive spaces. The applicant proposes 2 active and 4 passive spaces which is acceptable. Details of electric vehicle charging points are requested by way of a planning condition

Cycling Parking

Policy T5 Cycling of the London Plan (2021) requires that "cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people".

Table 10.2 of the London Plan (2021) sets out the Minimum cycle parking standards for residential uses. the following cycle storage provision would be required:

- 1 space per studio or 1 person 1 bedroom dwelling
- 1.5 spaces per 2-person 1 bedroom dwelling
- 2 spaces per all other dwellings

Short stay (e.g., for visitors or customers)

- 5 to 40 dwellings: 2 spaces

Based on London Plan standards, a minimum of 15 long stay and 2 short stay cycle parking spaces are required for this development. The applicant proposes 22 internal cycle parking spaces. The cycle storage would be provided by way of two-tier racks. However, the applicant has not provided internal dimensions and spacing between bicycles which is a requirement under the London Plan. . Whilst the number of cycle parking spaces proposed is acceptable, the short stay cycle parking should be separated where possible. The applicant would be required to submit details of the types of stands used to enable both the wheels

and the frame of the bicycle to be locked. This would be secured by way of condition.

Refuse and Recycling

Policies S1 8 of the London Plan (2021) and CS 14 of the Core Strategy (2012) seek to ensure that adequate waste and recycling provision is made for all developments in secure; and accessible locations for days of collection.

It is anticipated that refuse collections will continue take place on Albert Road as existing and the proposed refuse storage is within a 10m distance of the road to facilitate collection. The proposed bin storage location is within the 10m drag distance and thus acceptable. In general, existing servicing arrangements are expected to remain largely unchanged and this is acceptable. A construction logistics plan and a before and after highway condition survey is requested due to the location of the site and both can be secured by condition.

Energy and Sustainability

Policies SI 16 of the London Plan (2021) and policy CS13 of the Barnet Core Strategy (2012) requires residential developments with water saving and other measures to encourage the efficient use of water. Policies SI 1 and SI 2 of the London Plan (2021); policies DM01 & DM02 of the Development Management Document (2012) seeks to achieve specific levels of improvement in carbon dioxide emissions when compared the minimum Target Emission Rate requirements of the 2010 Building Regulations.

In terms of water consumption, it is proposed that all residential units will obtain 100% of their water supply through water metres. Notwithstanding, a condition would be attached to a planning permission to require each unit to receive water through a water meter and be constructed with water saving and efficiency measures to encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy SI 16 of the London Plan (2021).

In order to increase the sustainability of the building it is proposed that photovoltaic panels will be placed on the roof. These panels have been cited in the most appropriate location to ensure the building can maximise the benefits from the solar energy. Green walls are proposed at the centre of the plot, where both residential blocks face each other. Green walls can dampen noise pollution from the neighbouring public houses and railway, as well as improve air quality, while providing aesthetic value to the building.

The new building would be constructed to ensure that it contains carbon dioxide emission reduction measures to achieve an improvement in carbon dioxide emissions A condition would be attached which requires that, prior to the first

occupation of the development, it must be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 25% in carbon dioxide emissions (when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter. This is to ensure that the development is sustainable and minimises carbon dioxide emissions.

Trees and Ecology

The importance of trees, ecology and landscape is recognised at every policy level, Nationally NPPF chapter 15; regionally London Plan policy G5, G6 & G7 of the London Plan (2021) and locally within Barnet Council's adopted policies DM01, DM04, DM15 & DM16 all require developers to consider, trees, ecology and landscape which builds biodiversity. In addition, the following references are also considered; Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System, ODPM, 2005, London Biodiversity Action Plan, London Plan, 2016, London Regional Landscape Framework, Natural England, 2010.

Policy DM01 of the adopted Barnet Development Management advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size, and condition of trees. Trees should be retained wherever possible, and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

Trees

The submitted Tree report and Tree Protection Plan has been reviewed by the LPA Arboricultural Officer who has confirmed that there are no trees of "any significance would be affected by the proposal provided within these documents and plans are fully implemented throughout all development phases. This would be secured by way of condition, to ensure the visual amenities and health of identified trees are protected.

Ecology

The submitted Bat survey report concludes that during the emergence survey no bats were recorded or observed by any of the surveyors or their bat detectors. No bats were observed emerging from the building. No bats were observed at emergence time near to the building. Notwithstanding, in accordance with local policy DM16, London Plan policy G6 and National policy,

the development should deliver some biodiversity gains and should consider including swift or bat boxes within the proposed buildings.

The applicant would be required to submit for approval by the Local Planning Authority, full details of measures to improve biodiversity on the site 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) for approval by the Local Planning Authority and implemented thereafter. This would be secured by way of a planning condition.

Response to Public Consultation

All planning matters raised, including objections and concerns raised from local residents and the community have been considered within the evaluation above, and all representations received from residents were fully considered in the assessment of the application and are available to view online at the Councils website.

Excessive density and Overdevelopment- It is considered that the proposed density is suitable for this site, and the overall design ensures that the proposal would not present any symptoms associated with overdevelopment of the site, such as sub-standard accommodation, inadequate daylight, sunlight levels, poor outlook and privacy to future occupiers and/or loss of amenity to existing residential properties nearby. On the contrary, this Committee reports affirms that the proposal provides good amenity to future occupiers and does not compromise the existing amenities to nearby properties at no 9 Albert Road.

Design Scale and height of the development- Whilst an objector noted that the prevailing heights of buildings generally within East Barnet Ward arranging from between 2-4 storeys in height, the proposed height of this development (part 4, part 5 storeys is not excessive on Albert Road, and the proposed scale, height and footprint is broadly in keeping with the nearby development at no 9 Albert Road, and in also in keeping with the existing and emerging character of both Albert Road and the local area. Overall, it is considered that the proposal is of high design quality and would have a positive contribution to the streetscene, local character and appearance of the area, whilst also optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development, in accordance with planning policy.

It is acknowledged that the scale and height of the proposed development is larger than the neighbouring Public House building (Builders Arms). In design terms, this matter has been fully considered within the assessment of this proposal. The scale of development for residential flatted developments is generally different to the scale of development required to operate a public house. As such, the proposed land use broadly informed the scale of development

proposed onsite, whilst been cognisant and respectful of the site context and constraints. The proposal would not result in a loss of privacy to outdoor space at the rear of the public house. All other amenity considerations on the impacts to the public house have been addressed within this report.

Under provision for family accommodation- The proposal makes provision for 3 no x three-bedroom units, which would provide suitable family accommodation. This equates to 33% of the total number of residential units proposed onsite, which is public benefit and assists in the delivery of much needed family sized accommodation within the borough. In addition, the proposal makes provision for 1 no x two bed (4-person unit). In recent years, 2 bed (4 person) units are increasingly considered to provide suitable accommodation for families and indeed, there is growing demand for this form of family accommodation, as evidenced with the Councils Strategic Housing Needs Assessment. Whilst one family unit would provide private amenity space which doesn't meet the minimum size standards, the other family units provide private amenity space areas which either broadly meet or greatly exceed the minimum size standards. On balance, the overall provision of private amenity and communal amenity space is acceptable onsite, as discussed within the report. Overall, the proposed public benefits of the proposal in its delivery of family sized accommodation would outweigh any concerns residents may have with the proposed development.

Quality of accommodation- The standard of accommodation is supported by Officers and is in accordance with policy. All residential units meet minimum and would receive good outlook, daylight, and sunlight levels, and would not be subjected to loss of privacy or undue noise and air pollution from the railway line (approximately 20 meters away); the neighbouring pub (Builders Arms) and vehicle traffic on Albert Road.

Exacerbate congestion- LBB Highways team do not consider that the proposal, including no 6 cars onsite would unduly exacerbate the existing problems associated with congestion on the roads of East Barnet/New Barnet/Cockfosters and neighbouring areas. LBB Highways have recommended a list of planning conditions to mitigate against the impact on highway safety as set out with the recommendation section of this report.

No electric charging points- A planning condition would be attached which requires that, prior to commencement of the development full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of a minimum of 1 active and 5 passive electric vehicle charging points. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such. This is to ensure that the development makes adequate

provision for electric vehicle charging points to encourage the use of electric vehicles.

Negative Environmental impacts in terms of noise, vibration, traffic and air pollution- Following the formal submission of the full planning application in November 2021, the applicant subsequently submitted a Noise Impact Assessment, which was made available to view on the Council's website on 19th January 2022. This report has been reviewed by the Council's Environmental Health team, and the proposed noise and vibration mitigation measures are considered acceptable. Importantly, it is considered that concerns related to traffic disturbance, noise and air pollution would be sufficiently mitigated against by way of planning conditions as set out within the report.

With reference to concerns relating to noise disturbance specifically relating to the structure of the building, sound insulation is a matter adequately addressed by the Building Regulations. The proposal would not result in an over intensification of the use onsite. It is also considered that the proposal would have an acceptable impact on the local character of the area; would not compromise the amenity of local residential properties; and would not have a detrimental impact on highway safety.

Dust and Air Pollution- The applicant would be required to submit a Demolition, Construction and Logistic Management Plan to be approved in writing by the Local Planning Authority, prior to the commencement of works onsite. This would include details of sustainable and efficient means of suppressing dust, including the adequate containment of stored or accumulated materials so as to prevent it becoming airborne at any time and giving rise to nuisance. Moreover, details of all noise mitigation measures from the operational plant and processors during the demolition and Construction process are required for approval, in the interest of high safety, noise and air quality.

Maintenance of Green walls- The applicant would be required to submit a detailed Maintenance Plan for the proposed green wall to the Local Planning Authority for approval in writing, prior to commencement of development works onsite. The details approved would be required to be maintained and retained thereafter. This would be secured by way of a planning condition.

Roof top Communal amenity space/integrated child play area- The location and quality of the proposed communal rooftop amenity space is considered acceptable, functional, and usable as discussed within the report. It is increasingly accepted and commonplace for flatted developments to locate communal amenity space/ and or child play area (particularly for 0-11 age cohort) at roof top level across London.

Increased pressure on local social infrastructure including schools and GP doctor surgeries- The applicant would be required to make appropriate Levy payments towards local social infrastructure such as schools and doctors' surgeries to mitigate against the impact it would have on existing facilities, in accordance with Community Infrastructure Levy (CIL) requirements and regulations. The CIL is a planning charge that Local Authorities and the Mayor of London set on new development to help pay for community infrastructure.

Specific objection received from the neighbouring Builders Arms Public house, directly north of the site on the following grounds:

- The premises operates from is a lower ground and first floor building. The 5-storey development directly north at no 9 Albert Road, has had a detrimental impact (loss of daylight, sunlight and privacy) on the outdoor amenity space to the rear of the Public House
- The proposed subject development (directly south) at no 1 Albert Road would further result in the loss of daylight and sunlight to the rear garden area, which would further reduce the amenity value of the rear outdoor amenity area for customers at this Public House. As a consequence of this, the continued viability of the business would be significantly compromised financially, which may result in its closure, should planning permission be granted to this subject proposed development.

(Officers response. It is acknowledged that the proposed would reduce the daylight and sunlight levels to this rear amenity space at the Public House, but it would not be significant. In the majority of instances through the year, most people visit pubs in the evening or at night, (outside prime daylight and sunlight hours.) BRE Guidelines regarding daylight and sunlight levels to an outdoor amenity area are not afforded the same material weight as a rear garden to a residential dwelling. This is primarily because occupying a residential development is more "permanent" in nature, in so far as that people spent a considerable amount of time within their dwellings, Conversely, patrons and visitors would occupy an outdoor space ancillary to the public house in a very temporary and transient form of nature.

There are no balconies; habitable rooms, or clear glazed windows proposed to the northern elevation, and therefore the proposal would not result in overlooking or loss of privacy to this space.

There is no evidence or any information submitted within this objector's representation to support the claim that the proposal would have negative ramifications for the continued viability and operation of the public house; which could ultimately lead to its closure. This assertion is unfounded. Conversely, it is likely that the increase in population (as a result of this development) could have a positive contribution to the business as Public Houses within residential

areas are primarily visited by local residents and continue to be in demand as it provides a social facility to the local residential area)

Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene, and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval, subject to conditions.

Site Location Plan

