

Location **The Brookdales Bridge Lane London NW11 9JU**

Reference: **21/6800/FUL** Received: 29th December 2021
Accepted: 5th January 2022

Ward: Hendon Expiry: 2nd March 2022

Case Officer: **Dominic Duffin**

Applicant: Mr M Bishop

Proposal: Erection of 6 new houses and alterations to the existing garages with associated refuse/recycling and cycle shelter and amenity space

OFFICER'S RECOMMENDATION

Approve subject to conditions

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

- 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:

475118/11 - Existing Site Plan
475118/12 Rev A - Proposed Site Plans
475118/13 - Proposed Floor Plans
475118/14 - Proposed Elevations and Sections
475118/15 - Existing Location Plan
475118/16 - Proposed Location Plan
475118/17 - Proposed Site Plan and Streetscene
475118/18 - Existing Elevations
475118/19 Rev A - Refuse Store details

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 The finished levels of the building, roads and footpaths in relation to the adjoining land and highway and any other changes proposed in the levels for the development of the site shall only be as detailed on the approved plans. 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 D3,D4, D8 and G7 of the London Plan 2021.

- 4 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, 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 policy D4 and G7 of the London Plan 2021.

- 5 No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until the tree protection measures as detailed within the submitted documents - Arbol Euroconsulting: The Brookdales, Bridge Lane, Hendon, NW11 9JY Phase II Arboricultural Impact assessment (AIA) and ARBORICULTURAL METHOD STATEMENT (AMS) (Ref. 101 299) Revised 15/12/2021 Ref: 101 679, have been provided on site. No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved

under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition

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 policy D4 and G7 of the London Plan 2021.

6 7. 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) and 5.21 of the London Plan 2016.

- 7 a) Prior to occupation of the development, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy GG3 and S11 of the London Plan 2021.

- 8 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 amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policy D14 of the London Plan 2021.

- 9 No occupation of the development shall take place until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. 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 amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policy D14 of the London Plan 2021.

- 10 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and policies SI.1 and D.14 of the London Plan 2021.

- 11 The building hereby permitted shall not be occupied until the windows on the west elevation facing The Brookdales (Flats 1-18) have been fitted with obscured glazing, of Pilkington level 5 or equivalent, and no part of those windows that are less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 12 Prior to commencement of development works, all existing advertisement hoardings, associated structures and materials shall be permanently removed from the site; and the site shall be left in a condition that does not endanger the public or impair visual amenity and shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety and amenity in accordance with Policies DM01 and DM17 of the Development Management Policies DPD (adopted September 2012).

- 13 The materials to be used in the construction of the external surfaces of the building and hard surfaced areas of the development hereby approved shall be as detailed on the approved plans.

Reason: To safeguard the visual amenities of the building and surrounding area in

accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 14 Prior to the commencement of development, a detailed surface water runoff mitigation and drainage strategy for the site shall be submitted to and approved in writing by the local planning authority. The details should include, but are not limited to: a plan showing the drainage arrangements within the site, outlining the discharge point during demolition, downstream capacity and details of the mechanisms that will be used to limit the rate of discharge and reduce pollution of surface water during demolition. The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Nonstatutory Technical Standards for Sustainable Drainage Systems. The surface water mitigation and drainage strategy shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies SI.12 and SI.13 of the London Plan, and Approved Document Part H of the Building Regulations 2010).

- 15 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies SI.12 and SI.13 of the London Plan, and Approved Document Part H of the Building Regulations 2010).

- 16 Prior to the first occupation of the new dwellinghouses (Use Class C3) hereby approved they shall have been constructed to have 100% of the 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. Each residential phase of 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) and Policy SI5 of the London Plan 2021.

- 17 a) Before the development hereby permitted is first occupied, the enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and other refuse storage containers where applicable, shall be provided as detailed on the approved plans and documentation.

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.

- 18 Demolition or construction works shall take place only between 08:00 and 18:00 on Monday to Friday and between 08:00 and 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

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 SI10, SI1, D13 and T7 of the London Plan (2021).

- 19 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. This shall include the routing of construction vehicles, hours of access, access and egress arrangements, site preparation and construction stages of the development, the provision for the storage/delivery area for all plant and materials, details showing how all vehicles associated with the construction would be properly washed to prevent the passage to mud onto the adjoining highway, methods to be control the emission of dust, noise and vibration arising from construction works, noise mitigation measures for all plant and processors, details of contractor's compound and car parking arrangements, details of car parking management arrangements for the duration of construction, and the details of a community liaison contact. 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 SI10, SI1, D13 and T7 of the London Plan (2021).

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on the west elevation facing The Brookdales (Flats 1-18).

Reason: To safeguard the character and appearance of the host property and surrounding area, the amenities of neighbouring occupiers, the health of adjacent trees and the general locality in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012)

- 21 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to include 12 long stay and 2 short stay cycle parking spaces. Long stay cycle parking must be provided under a covered, sheltered, lockable and enclosed compound while short stay cycle parking can be provided in a covered, secure and lockable environment. The type of stands used must allow both wheels and the frame of the bicycles to be locked.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 22 Prior to occupation of the development, parking spaces shall be implemented in accordance with the approved plans. Thereafter, the parking spaces 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 and policy T.6.1 of the London Plan 2021.

- 23 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 3 of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a

further additional 13 of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

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

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy T.6 of the London Plan 2021.

24 No development (including Demolition, Ground Works, and Site Preparation Works) shall commence within a phase until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority. This is to ensure that any adverse effects are minimised during construction and Mutton Brook and in turn the River Brent is safeguarded. The CEMP shall include:

- a. Site information
- b. Description of works, equipment, and storage
- c. Programme of works
- d. Temporary hoarding and fencing
- e. Temporary works

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse affect on protected species in accordance with Policy DM16 of Barnet's Development Management Policies Document DPD (2012) and London Plan Policy G.7.

25 The following ecological enhancements and mitigation, shall be incorporated into the development and implemented in full, and adhered to throughout the post-implementation process, incorporated into the design, and managed in perpetuity;

o The installation of a minimum of two bird boxes on either mature retained trees or on the developed building will provide additional nesting habitat for birds

o The installation of a minimum of two bat boxes on either of the retained mature trees around the site boundaries or on the developed building will provide additional roosting habitat for bats

Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse affect on protected species in accordance with Policy DM16 of Barnet's Development Management Policies Document DPD (2012) and London Plan Policy G.7.

- 26 No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Any such written confirmation shall be submitted to and approved in writing by the Local Planning Authority beforehand.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse affect on protected species in accordance with Policy DM16 of Barnet's Development Management Policies Document DPD (2012) and London Plan Policy G.7.

- 27 a) No lighting shall be fixed on the external faces of the building hereby approved, unless and until details of external lighting are submitted to and approved in writing by the Local Planning Authority beforehand. Any lighting must be designed and used to minimise impacts on bats and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>.

b) The lighting shall be installed in accordance with the details approved before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse effect on protected species in accordance with Policy DM16 of Barnet's Development Management Policies Document (DPD) 2012 and London Plan Policy G.7.

- 28 a) The mitigation measures as approved in the Environmental Noise Impact Assessment by Acoustic Principles dated, November 2021 shall be implemented in their entirety prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policy D14 of the London Plan 2021.

Informative(s):

- 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. 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 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."

- 4 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- 5 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk
- 6 Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.
- 7 If a concrete pump lorry is operated from the public highway, then the surface of the highway and 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 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 (TfL). 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.

OFFICER'S ASSESSMENT

1. Site Description

The application site is located on the north side of Bridge Lane. It is located on the eastern

end of Bridge Lane, close to the junction with the North Circular Road, within the ward of Hendon.

The site is comprised of two buildings accommodating self-contained flats. To the eastern end of the site are a row of single storey garage buildings which this application relates to. To the north of the site is Metropolitan Open Land, however the site itself falls outside this designation.

To the north is Mutton Brook. Areas of the site fall within Flood Zone 2 and 3 according to the Environment Agency, however the garage building footprint itself falls outside these zones.

To the northern end of the site are several Tree Preservation Orders, close to the boundary of Mutton Brook. Trees on the embankment of the site have been felled since the scheme was refused by the Council. These trees were not the subject of a Tree Preservation Order.

The site is not within a conservation area and does not contain any listed buildings.

2. Site History

Reference: W03281P/07

Address: The Brookdales Ltd Bridge Lane Hendon NW11 9JU

Decision: Approved subject to conditions

Decision Date: 21/11/2007

Description: Rising barrier and gates to parking areas.

Reference: W03281Q/08

Address: The Brookdales Ltd Bridge Lane Hendon NW11 9JU

Decision: Approved

Decision Date: 19.03.2008

Description: Submission of details of Conditions 2 (external appearance and materials) and 3 (access control system) pursuant to planning permission W03281P/07 dated 21.11.07 for rising barrier and gates to parking areas.

Reference: 19/0527/FUL

Address: The Brookdales Ltd Bridge Lane Hendon NW11 9JU

Decision: Refused at committee, allowed at appeal - APP/N5090/W/20/3257641

Decision Date: Committee: 18.02.2020, Appeal determination - 30.06.2021

Description: Two storey extension above existing garages to provide six dwelling units and 16 integral garages. Associated cycle parking and refuse and recycling store and amenity space.

Committee reasons for refusal;

1. The proposed development, by virtue of the resultant felling of existing semi/early-mature trees, would result in the loss of their corresponding contribution to the setting of the existing buildings and street scene of the adjacent North Circular Road and the screening effect which they afford, to the detriment of the character and appearance of the host property and surrounding area and the residential amenity of occupiers of the existing buildings and to air quality and mitigating climate change, contrary to Policies 5.1, 7.14 and 7.21 of the London Plan (2016) and Policy DM01 of the LB Barnet: Local Plan (Development

Management Policies) DPD (2012)

2. The proposed development, by virtue of the siting of private and communal amenity spaces and corresponding felling of existing semi/early-mature trees, would result in a sub-standard acoustic and air quality environment and therefore fail to provide adequate useable amenity space, to the detriment of the residential amenity of future occupiers, contrary to Policies 3.5, 7.14, 7.15 and 7.21 of the London Plan (2016), the GLA: Housing SPG (2016), Policy DM02 of the LB Barnet: Local Plan (Development Management Policies) DPD (2012) and the LB Barnet: Sustainable Design and Construction SPD (2016)

3. Proposal

As detailed above, this scheme follows a recent appeal determination which granted consent for a similar development. The appeal scheme related to;

"Two storey extension above existing garages to provide six dwelling units and 16 integral garages. Associated cycle parking and refuse and recycling store and amenity space"

The report to committee expanded on this to state;

"The six units will form a three storey terrace with ground floor providing integral garages. At ground floor, the building footprint maintains the building line of the existing garages with the upper floors set back from the existing building footprint by 3.5 metres. The buildings have a total height of 10 metres from the existing ground level within the Brookdales site. The ground floor is 4 metres in height with a dummy pitched roof providing a balustrade for the walkway on the roof of the ground floor. The elevation is then stepped in and has a height of 6.4 metres to the eaves (or 3 metres from the roof of the ground floor) before the roof pitches away. The building has a depth of 6.7 metres at ground floor and 8.4 metres at first and second floor. The height of the eaves from ground level on the eastern side is 5.4 metres. The terrace has a total width of 52 metres.

The development description for this scheme states;

"Erection of 6 new houses and alterations to the existing garages with associated refuse/recycling and cycle shelter and amenity space".

Four 2 bed/4 person and two 3 bed/5 person units are proposed. An area of communal amenity space, 16 parking spaces within the integral garages, and a cycle parking are will also be provided. The changes are as follows;

- o The proposed scheme is not as wide (Length wise) as the approved scheme (by 1.8m).
- o The proposed scheme staggers to follow the slight stagger of the existing garages.
- o The proposed scheme is deeper than the extant block (by 1.1m) and the wall facing the existing block of flats has moved closer to it (by 0.85m).
- o The West elevation eaves are higher by 0.75m and as such the pitch of the roof has reduced on both west and east elevations, the ridge level is 0.40m lower
- o The units have been adjusted in layout. Three bed units are now mid-terrace properties.
- o Additional obscured velux windows have been added to the west elevation, at 4 per unit.

A refuse and recycling area would be relocated to the front entrance of the site.

4. Public Consultation

Consultation letters were sent to 100 neighbouring properties.
5no objections have been received, and 1no representation

The objections can be summarised as follows:

- There has been no consultation with residents of The Brookdales.
- There would be a loss of much needed amenity space.
- Overdevelopment
- There would be a loss of parking spaces and additional parking spaces would be required.
- As displayed with the removal of trees, there is a complete disregard for the residents and neighbours - they were an important visual and sound barrier with the noisy A406.
- The new awful-looking and unsightly view of the dual carriageway with the trees no longer, and the immense level of noise pollution (especially at night) intolerable and frankly unendurable.
- Additional accommodation within the curtilage of The Brookdales would require an estate / service charge contribution. This would require a Deed of Variation to each existing lease.
- Request and suggest that any grant for this application agrees significant new planting
- Loss of light/overshadowing/loss of privacy effecting all apartments directly next to the new build
- Concern about impact on residents of Southbourne Crescent, the removal of trees has exposed these properties.
- Additional refuse/recycling units - we are currently at the full capacity, some weeks refuse is overflowing, I believe there is no space to be expanding the current refuse area safely
- Loss of green spaces and surrounding natural habitat.

Representation;

- Where are all these new residents going to park their cars? Also, the people whose garages you are demolishing? Already there is limited parking on the street, there is not room for many more residents' cars.
- What planning is there around the building work? How much and for how long is the road going to be affected by building traffic?

5. Planning Considerations

5.1 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 National Planning Policy Framework (NPPF) 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, is indivisible from good planning, and should contribute positively to making places better for people'. 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 new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

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, CS4, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM06, DM17.

Barnet's Local Plan (Reg 22) 2021

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

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be

consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Planning History of the site
- Principle of the development
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the living conditions of future occupiers;
- Impact on trees/landscape
- Impact on potential flood risk
- Impact on Highways

5.3 Assessment

Planning History of the site

As detailed above, a previous planning application was refused consent at committee, for the reasons highlighted above, and the scheme was allowed at appeal. Any appeal decision is a material consideration of significant weight.

A lot of the concern previously centred around the loss of the tree screen along the North Circular Road, and the impacts this would have on character, existing residential amenity, and the potential noise and air quality impacts that would result from the exposure of the adjoining road to future residents, with particular reference to the quality of the amenity space area.

The Inspector noted that whilst trees had been felled between the committee determination and the appeal, they were not the subject of a Tree Preservation Officer. He then went on to take the new context into consideration as part of the determination.

In that regard it is evident that on matters of character, neighbour amenity and the amenity of future occupants, the Inspector was content that there was either no issue of such weight to warrant a dismissal of the appeal or that matters, particularly on noise and air quality,

could be addressed by scheme characteristics and appropriate conditions. These matters will be discussed in more detail below, but the site currently benefits from an extant consent for a broadly similar scheme, and officers consider the existence of this consent should figure prominently with regards to any new determination under this application.

In essence, the new scheme would need to present new issues, not deliberated under the appeal scheme, in order to ensure defensible reasons at any future appeal.

Principle of Development

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing. The land is located within walking distance of a number of bus stops, is close to local amenities and utilises existing access off of Bridge Lane.

Therefore the principle of this redevelopment is once again acceptable, subject to the proposal being compliant with the relevant development plan policies.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

Policy CS1 of Barnet's Core Strategy (2012) states that will seek the highest standards of urban design in order to generate development proposals of landmark quality. Policy CS5 of the Core Strategy states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-quality design'.

Policy DM01 of the Council's Development Management Policies (2012) states that 'development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets' development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused'.

Under the appeal scheme the officer report to committee recorded the following;

"The Brookdales comprises three purpose built blocks of flats which are of similar form, design and materiality, and appear to be constructed at the same time. The building closest to the proposed development is a five-storey brick built building with a steeply pitched tile roof, external balconies and limited elevational detailing. The south-eastern corner (which acts as the entrance to the building) is partly stepped with a pitched roof set slightly lower.

The proposed development would retain garages at ground floor, with a dummy pitched roof above. The first floor would be simple in elevational design and the roof form would be similar to that of the adjacent building. The design, although simple, takes cues from the main building and its height and scale would remain subordinate to the adjacent five storey building(s). The development would also be set back from the frontage of Bridge Lane.

For these reasons it is not considered that the proposed development would detract or harm the character and appearance of the adjacent buildings at The Brookdales or street scene of Bridge Lane. Furthermore the proposal would also involve the removal of unsightly advertising hoardings from the site along with the provision of a dense belt of planting along the main North Circular road, A406. The removal of the advertisement hoardings and

landscaping/planting etc. would be secured through appropriate conditions.

To the north of the site is Metropolitan Open Land, however the site itself falls outside this designation. In accordance with Policy DM15, due to its distance from MOL land, it is considered the proposed scheme would not have a detrimental impact on visual amenity and would respect the character of its surroundings.

Therefore it is considered that the proposal is acceptable".

It is noted that the committee raised concern that the proposed development, by virtue of the resultant felling of existing semi/early-mature trees, would result in the loss of their corresponding contribution to the local setting and the screening effect which they afford. On this matter the Inspector opined that;

..." The proposed beech hedge and tree planting would strengthen the delineation of the boundary of the site. These measures would assist with the integration of the proposal with the local context. As such, although the recent removal of the tree group is regretful, the proposal would sufficiently offset this loss to the streetscene and would make a positive contribution to the character and appearance of the area".

This scheme does make alterations to the façade of the proposed development, but the proposed raising of the eaves and roof reconfiguration provides a more symmetrical finish and raises no real concerns. The additional rooflights on the western elevation are similarly acceptable and would not detract from the proposed building or wider streetscene. The slight stagger in the elevation to follow the existing stagger to the garages is a minor alteration. The proposed building would continue to be "a subservient addition to the site that would frame the North Circular with build form and would reinforce the perimeter of the site". The alterations are relatively minor and the overall design and replacement landscaping, which can be secured by condition, would ensure an appropriate redevelopment of the site from an aesthetic viewpoint.

Whether harm would be caused to the living conditions of neighbouring residents

In regards to privacy, Barnet's Sustainable Design and Construction SPD (2016) states in Table 2.4 that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden. The development would not meet these requirements, at a distance of 10.80m, moving closer than the previous distance of 11.75m. metres.

However, once again, at ground floor, the building footprint maintains the building line of the existing garages with the upper floors set back from the existing building footprint by 2.75 metres. The first floor would be sited 10.80m metres from the existing windows.

It is again important to note that the proposal shows kitchen and bathroom windows at first floor level facing the Brookdales development, with the kitchen windows being secondary windows. As a result, these windows are proposed to be obscure glazed. Provided obscure glazing is used and secured through condition, no overlooking or loss of privacy would occur.

Whilst the front elevation of the proposed dwellings would be closer to the existing Brookdales building, as a result of the change to the angle of the roof, the overall impact is not considered to result in materially greater harm to outlook from the neighbouring ground floor windows than the previously approved scheme.

As with the appeal scheme, at the second floor, there are no windows facing the Brookdales, only rooflights. The revised second floor roof form is pitched and slopes away from the existing flats. Given the roof angle proposed, it is not considered the proposed rooflights would cause an undue loss of privacy to the adjacent neighbours.

The second floor (roof level) would be sited a similar distance and would angle away. Although views from these windows would be different to what is existing, taking into consideration the distance, it would not be so altered as to materially and adversely affect the visual amenity of these neighbouring windows.

On the matter of neighbour amenity, the Inspector stated;

The Council's Sustainable Design and Construction SPD requires a separation distance of 21 metres between facing habitable room windows. The proposal would be around 11.75 metres from the existing block. However, the elevation of the proposal that would look toward The Brookdales would consist of windows serving kitchens and bathrooms. These could be obscurely glazed by way of condition to prevent overlooking. Furthermore, the rooflights above would only enable oblique views. The proposed development would be to the east of The Brookdales. As a result, the proposal would obscure some morning sunlight. However, due to the limited number of windows on the west elevation of this block, the separation distance and low profile of the proposal the impact of loss of sunlight would be negligible. For similar reasons the effect on access to daylight would also be limited. Accordingly, the proposal would not substantially affect the living conditions of neighbouring existing occupiers with respect to privacy, sunlight or daylight.

It is, once again, accepted there would be some degree of impact to the existing residents of The Brookdales. However, with appropriate conditions in place the proposal is considered acceptable within the context of the previously allowed scheme.

Whether harm would be caused to the living conditions of future occupiers

All residential accommodation is expected to meet the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2021. Table 2.2 of the Sustainable Design and Construction SPD specifies that double bedrooms should provide a minimum floor area of 11.5m² and single bedrooms a minimum floor area of 7.5m², in line with the National standards. The minimum standards as set out in the London Plan for a 3-bedroom 5-person unit over two storeys is 93m². For a 2-bed 4-person unit it is 79m². All the proposed dwellings and bedrooms would comply and exceed the minimum space standards.

All proposed residential development should provide suitable outlook and daylight for future units. All habitable rooms would benefit from suitable outlook and light.

Policy DM02 of the Local Plan requires development to demonstrate compliance with a range of measures, including for outdoor space to be in accordance with the Council's Sustainable Design and Construction SPD (2016). The SPD requires, at table 2.3, for houses with four habitable rooms to have access to 40 sqm of outdoor amenity space and for those with six habitable rooms to have access to 70 sqm. The London Plan's Housing SPG (2016) requires, a minimum of 5 sqm of private outdoor space to be provided for 1-2 person dwellings and an extra 1 sqm for each additional occupant.

The depth of the rear gardens is once again limited at only 4m and the private outdoor areas are below the recommended guidelines (27sq m - 37sq m), however the proposal also provides over 300m² of shared communal amenity space. Furthermore, Brent Park is adjacent to the site. In combination these areas would result in a reasonable provision of external space for new residents associated with the proposal. Therefore, although the proposed outdoor areas would be marginally below the recommended guidelines, the provision is adequate and of sufficient quality within the identified local context. Therefore, the proposal is considered acceptable.

In order to avoid overlooking and outlook issues, the proposed main habitable rooms would face towards the main North Circular Road. The noise impact assessment and the air quality report detail accurate measurements taken on site. These measurements demonstrate that the levels of noise and air quality pollution measured on site are lower than the Council had initially anticipated. In addition, the reports outline mitigating measures to ensure the proposed development provides adequate quality living accommodation within the accepted ranges.

The Inspector was satisfied that acoustic glazing would create effective noise reduction to prevent noise disturbance. A mechanical ventilation system with acoustic trickle vents would also prevent the need to open windows that face the A406. Furthermore, the proposed acoustic fence and landscaping would further mitigate noise impact.

With mitigation by improved acoustic glazing for the habitable residential rooms, passive ventilation to minimise use of opening windows, then the indoor noise levels from traffic, easily adhere to and are better than BS8233:2014 and World Health Organisation Guidelines."

The key air pollution sources are the local roads. The use of passive acoustic ventilation with good acoustic properties, would remove traffic fumes and provide noise attenuation similar to acoustic glazing. The Inspector observed that prevailing winds from the south west would take the majority of vehicle pollution away from the development site. The proposed mechanical ventilation system would provide future occupiers with good quality air and negate the need to open windows. The proposed beech hedge and trees would provide some absorption of nitrogen dioxide NO₂ and other particulates which would moderately improve local air quality. Accordingly, the proposed mitigation measures would reduce the effects of the proximity of the North Circular. Air mitigation measures could be secured by condition.

The proposal has also been reviewed by the council's environmental health team who have raised no objections and recommend a number of conditions relating to contaminated land, noise and air quality.

Accordingly, once again, it is considered that with appropriate conditions which would secure the details of materials and details such as ventilation and glazing the proposed development would provide an acceptable living standard for future occupants.

Impact on trees/landscape

The proposal has been reviewed by the council's tree and landscape officer who has raised no objections. In summary the officer acknowledges the loss of a conifer hedge and self-seeded sycamore trees growing along the boundary. It is acknowledged that the individual value of these trees is low and as discussed, the trees have since been removed, were

deemed low value/quality and do not merit special protection by Tree Preservation Order. 1 unprotected tree will be removed, a sycamore T8 on applicant's plan. This tree has a large cavity on the stem and removal is required regardless of the application. A new TPO protects important trees in close proximity to the development and these will provide some screening to the development from north circular road (A406).

The Inspector concluded that *"the proposal includes the removal of the advertisement hoarding, and the addition of new fencing and landscaping. The proposed beech hedge and tree planting would strengthen the delineation of the boundary of the site. These measures would assist with the integration of the proposal with the local context. As such, although the recent removal of the tree group is regretful, the proposal would sufficiently offset this loss to the streetscene and would make a positive contribution to the character and appearance of the area"*.

The tree officer recommends that the proposed beech hedge should be planted as 'instant hedgerow' at 2m high and the 5 trees along 56m of frontage to the main road is inadequate. There must be a tree planted every 5 meters along the rear fence line to help screen the property from the road and visa versa.

Therefore it is concluded that the loss of low value trees to facilitate the proposal can be offset by the provision of new trees and hedging. Details can be submitted at a later stage to ensure compliance with the local planning policy DM01. These details will be secured through appropriate conditions.

Ecological Considerations

The submission is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech February 2022). This has been reviewed by the ecologist.

The bat report states that 'No bats or evidence of bat activity i.e., droppings or feeding remains were located internally or externally on the survey building' Therefore, no further bat surveys are required.

There is one statutory site, Big Wood and Little Wood (LNR) located 1.22 km east of the site and nine Sites of Importance for Nature Conservation. Mutton Brook is located adjacent to the site's northern boundary and this brook is a tributary of the River Brent which feeds into the Brent Reservoir SSSI. The brook is a 'wildlife corridor' and therefore in accordance with the National Planning Policy Framework (2021) 'plans should identify, map and safeguard' Recommendations for a planning condition to safeguard the river are outlined below.

The development does not fall into an of the categories listed by Natural England that would require consultation under the SSSI Impact Risk Zones - For use by Local Authorities to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England) criteria version 4 (Natural England April 2021

The ecologist has no objection to the application, subject to conditions agreeing an Environmental Management Plan, site clearance outside the bird breeding season, a lighting strategy and ecological enhancements. The application can be conditioned accordingly.

Impact on Highways

The above application is for the erection of six residential units with 16 garages. There are currently 19 garages in situ. The proposed development re-provides garages for parking on the ground floor.

The proposed development is located within a PTAL of 0 and there are few available public transport modes within the calculation area. The surrounding area is not covered by a CPZ.

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) 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 1.5 to 1 spaces per unit for terraced houses.

The re-provided garages are a similar size to a typical parking space (2.4 x 4.8) there for would be suitable for the parking and storage of modern vehicles. Although the provision exceeds the maximum standard, given the low PTAL rating, it is not considered necessary to enforce a reduced number of spaces.

The development provides cycle parking in line with London Plan stated minimum cycle parking levels. Cycle stores are located conveniently and are secure/ weatherproof.

The revised scheme proposes refuse stores close to the boundary of the site which avoids vehicles having to enter the site. The bin stores are a reasonable proximity from the public highway and can be easily accessed by refuse operatives. The design of the refuse store building is acceptable for its purpose.

A minimum of 12 long stay and 2 short stay cycle parking spaces are requested. 12 cycle parking have been indicated but this is not in a fully enclosed compound. Also no short term spaces are proposed. Long stay cycle parking must be provided under a covered, sheltered, lockable and enclosed compound while short stay cycle parking can be provided in a covered, secure and lockable environment. The type of stands used must allow both wheels and the frame of the bicycles to be locked. A cycle parking condition is therefore requested.

Electric vehicle charging points are to be provided in accordance with TfL guidance, with 20% of spaces fitted with active points and the remaining 80% provided with passive infrastructure. For the 16 spaces this equates to 3 active and 13 passive spaces. This is to be secured by way of a planning condition.

Highways officers have raised no objection to the principle of the proposals as there is parking available in association with the application.

The site of the proposed development is less than 60m from the A406 North Circular Road which forms part of the Transport for London Road Network (TLRN). TfL were consulted as the authority is concerned with development impacting the safe and reliable operation of the TLRN.

TfL has advised that the proposed construction works are less than 10m from the TfL retaining structure for the A406. TfL requests that before construction commences, that the developer provides details of their construction methodology.

Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) should be secured by condition which TfL should be consulted on. This should demonstrate how deliveries and construction arrangements. Both these documents should follow TfL guidance.

TfL notes the proposed level of car parking is 16 spaces which is considered contrary to draft London Plan policy. TfL has requested the provision is reduced consistent with the objective to reduce congestion and traffic levels and to avoid undermining walking, cycling, or public transport.

In principle, TfL does not object to the regeneration of this site. However, the proposed car parking exceeds London Plan maximum standards, and therefore does not conform to the Mayors target of achieving 80% of journeys being made through active travel and public transport. Furthermore, the uncertainty regarding the impact the development could have on the TLRN is a concern. Therefore, in its current form, TfL objects to this application.

The comments from TFL are noted however considering the site is in a PTAL 0 area, it is not recommended to reduce the parking provision. Parking provision has not previously resulted in the refusal of consent for the redevelopment of the site for a similar scheme.

Therefore, with the relevant conditions imposed again, the proposal is once again considered acceptable.

Impact of development on flood risk

Although the majority of the site the development is proposed on is within flood zone 1 (low probability of flooding), the area of land adjacent to the Mutton Brook (main river) and within the site boundary is within flood zone 2, 3a and 3b. Therefore a flood risk assessment (FRA) has been submitted in accordance with Environment Agency requirements. The development is not considered to be minor, however, as the proposed location of the residential units lies entirely within flood zone 1, the Sequential and Exception Test are not considered to be required.

The submitted FRA confirms that there will be no change to the impermeable area of the site as the extension will be built on top of existing garages. The development will not increase the site impermeable area and/or footprint of the buildings. The areas within flood zone 2 and 3 will remain soft landscaping; as such it will have no adverse impact on local flood risk. The report confirms that construction will utilise flood resistant materials and services will be placed as high as practicable to reduce impact of flooding. In addition, occupants will sign up for EA Emergency Flood Warning Direct Service; and there would be safe egress to flood zone 1 is available within the site boundaries and safe refuge is available on upper floors.

Surface Water Management (SuDS), would also reduce current surface water run-off rates, with consideration given to soakaways, rainwater harvesting and permeable paving where possible.

The report concludes that the site is considered to be at low overall risk of flooding. No previous records of fluvial, tidal or surface water flooding incidents were found and the proposed development will not increase local flood risk and it will be safe for its residents. Accordingly, with appropriate conditions it is considered the proposal is acceptable.

5.4 Response to Public Consultation

- There has been no consultation with residents of The Brookdales.
- As displayed with the removal of trees, there is a complete disregard for the residents and

neighbours - they were an important visual and sound barrier with the noisy A406.

-The new awful-looking and unsightly view of the dual carriageway with the trees no longer, and the immense level of noise pollution (especially at night) intolerable and frankly unendurable.

Officer Comment: The council has carried out its statutory consultation duties. Whilst it can be good practice to inform neighbours in relation to an application there is no requirement for a developer to do so, and a similar scheme of redevelopment has been granted at appeal. This proposal relates to alterations to an approved scheme, and trees had been removed at the time of appeal and were not worthy of protection. The proposed terrace would in itself provide solid screening for existing residents from the A406.

-There would be a loss of much needed amenity space.

-Overdevelopment

Officer Comment: The scheme largely builds above existing garages and would provide a more regulated amenity space.

-There would be a loss of parking spaces and additional parking spaces would be required.

Officer Comment: The proposal provides in excess of the London Plan/Local Plan parking requirements.

-Additional accommodation within the curtilage of The Brookdales would require an estate / service charge contribution. This would require a Deed of Variation to each existing lease.

Office Comment: This is not a matter that can be considered under a planning application.

-Request and suggest that any grant for this application agrees significant new planting

Officer Comment: New planting will be agreed by condition.

-Loss of light/overshadowing/loss of privacy affecting all apartments directly next to the new build

Officer Comment: Addressed in amenity section above.

-Concern about impact on residents of Southbourne Crescent, the removal of trees has exposed these properties.

Officer Comment: Replacement trees are proposed, however given the distance to Southbourne Crescent, circa 60m, it is difficult to conclude the loss of trees seriously impacts amenity.

-Additional refuse/recycling units - we are currently at the full capacity, some weeks refuse is overflowing, I believe there is no space to be expanding the current refuse area safely

Officer Comment: The scheme proposes new refuse/recycling facilities to serve the development.

-Loss of green spaces and surrounding natural habitat.

Officer Comment: The site is brownfield, will result in its more efficient use in the provision

of housing, and replacement vegetation can be secured by condition.

-Where are all these new residents going to park their cars? Also, the people whose garages you are demolishing? Already there is limited parking on the street, there is not room for

many more residents' cars.

-What planning is there around the building work? How much and for how long is the road going

to be affected by building traffic?

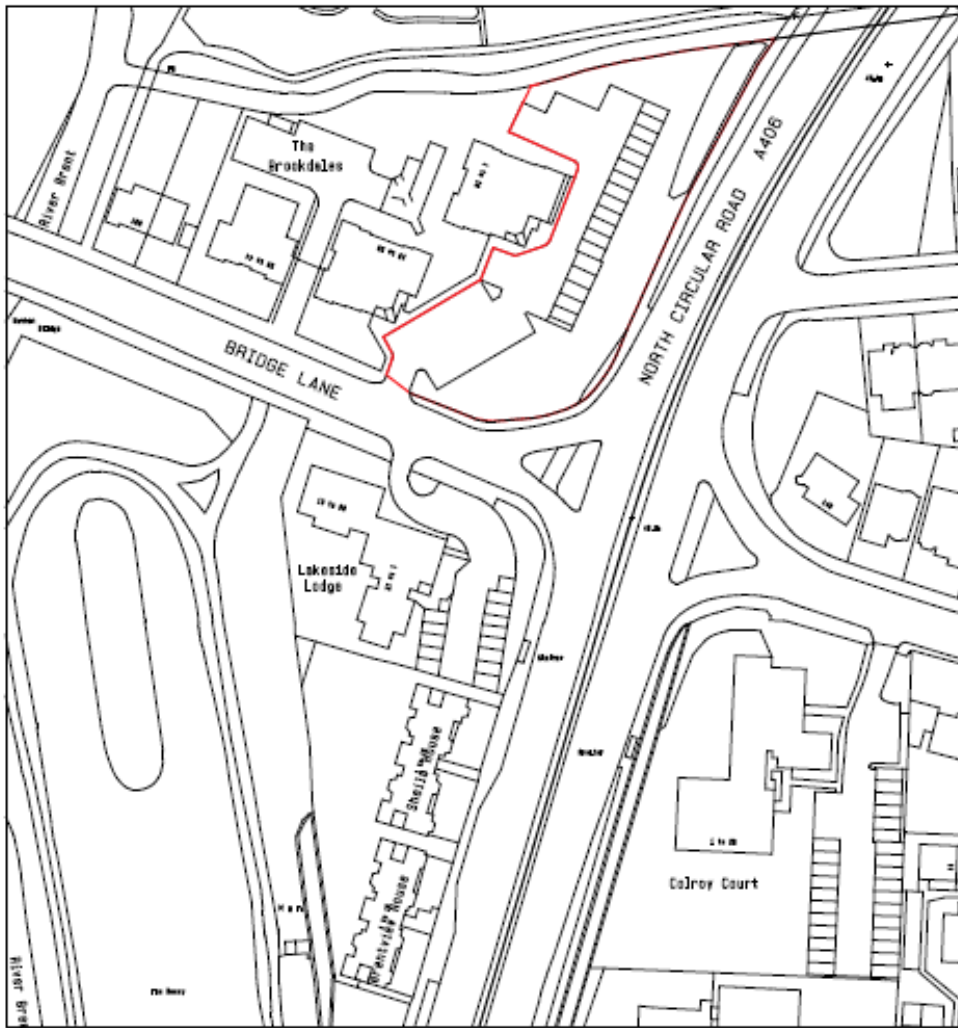
Officer Comment: The proposal has been reviewed by highways who raise no issue subject to conditions, this will include a Construction Management Plan which would reduce disturbance during the construction phase.

6. 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.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed amended development provides minor alterations to the extant scheme and 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.



Ordnance Survey (c) Crown Copyright 2018. All rights reserved. Licence number 100022432