

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

2 The development hereby permitted shall be carried out in accordance with the approved plans and documents unless otherwise agreed in writing by the Local Planning Authority

501 Rev P - Site Plan - MEP Utilities

2175 PL-001 P1 - Existing Site Plan

2175 PL-010 P1 - Site Existing

2175 PL-011 P2 - Site Proposed

2175 PL-200 P2 - GA Ground Floor

2175 PL-201 P2 - GA First Floor

2175 PL-202 P2 - GA Second Floor

2175 PL-210 P1 - House 1_Detached_01

2175 PL-211 P1- House 1_Detached_02

2175 PL-212 P1 - House 2_Semidetached

2175 PL-213 P1 - House 3,4,5_Semidetached

2175 PL-214 P1 - House 6_Detached_01

2175 PL-215 P1 -House 6_Detached_02

2175 PL-310 P2 - Sections

2175 PL-DAS A3 NTSC P1 - Design & Access statement
Planning Statement (March 2022)

Flood Risk Assessment (December 2021)

Heritage Statement (December 2021)

Statement of Community Involvement (December 2021)

Sustainability Statement

Ecological Impact Assessment 08/07/2022

The Biodiversity Metric 3.1

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 application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan

3 a) Prior to above ground works taking place details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

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 7.21 of the London Plan 2016.

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

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

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

6 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the 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 safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

7 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.

b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

8 Prior to occupation of the development the proposed parking spaces as shown in drawing no.2175-PL-011 Rev P2, submitted with the planning application and the access to the parking areas from public highway shall be provided and the access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: 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.

10 Prior to the occupation of the development a Waiver of liability and indemnity agreement must be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and 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

11 No development or site works, including clearance and all demolition 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.

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.

12 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policy D7 of the London Plan and the 2021

13 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 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. 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.

14 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 10% 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), Policy SI2 of the London Plan 2021.

15 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).

16 The residential units hereby approved shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and for no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

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

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

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

18 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

19 Before the development hereby permitted is first occupied, details of wayfinding lighting measure of low intensity offering soft, directional lighting or motion sensors so to reduce any ecological impacts shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure on site security measures and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 and CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

20 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/>

Reasons: In the interest of good air quality 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 SI1 of the London Plan 2021.

21 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).

22 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1 no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat

c) To protect a Heritage Asset, boundary fencing is not to be erected between the gated access and crossover at the front of the site.

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM16, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

23 The level of noise emitted from the (_specify machinery_) plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and D14 of the London Plan 2021.

24 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of 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.

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.

25 Prior to commencement of works a Construction & Environment Management Plan (CEMP) for Biodiversity shall be submitted and approved by the planning authority. Details within the CEMP shall include provisions to ensure that habitats, species, and statutory and non-statutory designated site of nature conservation (as applicable) are adequately protected throughout all phases of the development in accordance with Legislation and policy. As part of the CEMP an Ecology Toolbox Talk will be included to be delivered by the project ecologist prior to the commencement of works on site. Details to protect species shall include within the Ecological Mitigation Strategy and Construction Exclusion Zone plan within the CEMP.

Ecological Mitigation Strategy (EMS). The document will outline the methods, responsibilities and timing for all mitigation affecting the protected and notable species including reptiles (Reptile Mitigation Strategy), nesting birds, and hedgehogs. The strategy will ensure compliance with the mitigation hierarchy as described within BS4042: 2014 Biodiversity clause 5.2 Mitigation hierarchy.

Reason: 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), Policy G5, G6 & G7 of the London Plan and 2021 Environment Act 2021

26 Prior to the commencement of works details of a Sensitive Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for project, shall be in accordance with Bats Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series.

Reason: 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), Policy G5, G6 & G7 of the London Plan.

27 Prior to the occupation of the hereby approved development, details of a Landscape & Ecological Management Plan for all areas for a minimum period of 30 years have been submitted to and approved in writing by the Local Planning Authority.

a) The Landscape & Ecological Management Plan shall include details of long-term design objectives, management responsibilities, maintenance schedules, replacement planting provisions for existing retained trees, sedum green roof, and any new soft landscaping to be planted as part of the approved Biodiversity Net Gain assessment.

b) This management plan will ensure compliance with the approved level of biodiversity net gain for the approved development.

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

Reason: 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), Policy G5, G6 & G7 of the London Plan and 2021 Environment Act 2021

28 Prior to the commencement of vegetation clearance, the following measures will need to be in place any tree / vegetation clearance required to be removed during the active nesting bird season and cannot reasonable be avoided, then a nesting bird check must be conducted prior to commencement of clearance by a suitably qualified ecologist. Any active birds' nest that are discovered are to have an appropriate 5m protective buffer is to be place around the nest and the nest is to be retained until such time that the chicks have fledged.

Reason: 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), Policy G5, G6 & G7 of the London Plan and 2021 Environment Act 2021

29 Prior to occupation of the development the details the location, including height, orientation, and make of at least 4 x 1FF Schwegler Bat Box (or alternative brand), 4 x swift boxes and 2 x house sparrow terraces to be installed on the newly constructed building and retained trees nearby in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)', shall be submitted and approved by the local planning authority. These installations shall be maintained and replaced as necessary for the lifetime of the building as directed by an appropriately qualified and licenced bat ecologist.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

30 a) Prior to the first occupation of the hereby approved development, details of the wildlife flower green roofs shall be submitted to and approved in writing by the Local Planning Authority.

b) Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 01st September 2022, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s): The proposed development does not include a formal undertaking to meet the costs of amending the Traffic Management Order. The proposal

would therefore not address the highway impacts of the development or encourage the use of sustainable forms of transport to the site in accordance with policies Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17.

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 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 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.

5 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway. To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least

10 days prior to commencement of the development works.

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.

6 If a concrete pump lorry is operated from the public highway, 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.

7 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 Licences or email highwayscorrespondence@barnet.gov.uk

8 Any gates must open inwards and not out onto the public highway for health and safety reasons.

9 The Air Quality reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance : 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, Jan 2017); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007); 5) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April 2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014

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

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

- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
 - o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
- The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

11 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.

12 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

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

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

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

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

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

13 In the event of a protected species being found works must stop and the project ecologist consulted, and the correct level of additional surveys and mitigation applied including any licences needed as referenced within Construction & Environment Management Plan (CEMP). Following the appropriate level of approval works may resume.

14 While it is understood that any vegetation clearance within the site boundary falls under permitted development there is a risk that nesting birds maybe negatively impact by the proposed clearance works should the works commence during the active nesting bird season. Nesting birds and their active birds' nests are protected from damage of disturbance under the Wildlife and Countryside Act 1981, as amended (section 1). Generally trees, buildings and scrub may contain nesting birds between 1st March and 31st August inclusive. It is considered that nesting birds are likely to be present between the above dates. You are advised to seek the advice of a competent ecologist prior to undertaking any works which could affect nesting birds during the period outlined above.

15 It is advised that any future landscaping for the site include native species rich plantings and night scented plants which would attract invertebrates and thus provide benefit to foraging bats and nesting birds. An extensive list of suitable plant species can be found on the RHS advice page <https://www.rhs.org.uk/advice/pdfs/plants-for-bats.pdf>

OFFICER'S ASSESSMENT

1. Site Description

The application site is located on the southeast side of Park Road and is situated to the rear of an existing residential property 36 Park Road. The site is 'L' shaped and wraps around the rear of properties that front Park Road (no's 28, 30, Tudor Court and 36) and up to the side/rear boundaries of 10-16 Queen Elizabeth Court to the east and Rochester Court to the west. No.5 Gordon Way and the grounds and tennis courts associated with Queen Elizabeth School and King George's Fields are located to the rear of the site (south). This surrounding development comprises in the main residential development, predominantly of detached / semi-detached suburban housing and flatted development.

The site lies within a PTAL 4 zone, which means that there is good public transport accessibility to and from the site. It is located within Flood Risk Zone 1 and in an area of Special Archaeological Significance as defined by the Local Plan proposals map. The site is not located within a conservation area and there are no surrounding properties which are statutory listed. The existing property at 36 Park Road is however a Locally Listed Building. An Oak tree covered by a Tree Preservation Order is located outside but adjacent to the southern boundary of the site.

2. Relevant Site History

Application site:

Reference: 21/8006/QCD
Address: 36 Park Road, Barnet, EN5 5SQ
Decision: Pre-application advice issued
Decision Date: 2 December 2021
Description: 9 residential units.

36 Park Road:

Reference: 21/2838/HSE
Address: 36 Park Road, Barnet, EN5 5SQ
Decision: Pending Consideration
Decision Date: No Decision Made.
Description: Lower ground and ground floor rear extension. New access steps from rear of garage to garden.

Reference: 21/8368/QCD
Address: 36 Park Road, Barnet, EN5 5SQ
Decision: Pre-application advice issued
Decision Date: 2 December 2021
Description: 9 flats

Reference: 22/0033/FUL
Address: 36 Park Road, Barnet, EN5 5SQ
Decision: Pending Consideration
Decision Date: No Decision Made.
Description: Conversion of existing dwelling into 4no self contained flats. Associated refuse/recycling store, cycle store and provision of off street parking

3. Proposal

Planning permission is sought for the erection of 6no. x 4 bedroom residential dwellings with private amenity space, associated access, parking and landscaping (amended plans and proposal) at land to the rear of 36 Park Road. The original submission sought 9no. dwellings.

The proposal comprises 4no. semi-detached dwellings running west to east adjacent to the southern boundary of the site, and 2no. detached dwellings located adjacent to the boundary of the rear garden to 36 Park Road and the rear garden of 30 Park Road. The properties are part two, part three storey and will each comprise private external amenity spaces in the form of private rear gardens.

A total of 1no. car parking space and 2no. cycle parking spaces are proposed for each dwelling with an additional 2 cycle parking spaces allocated for visitors. The parking arrangement for no.36 Park Road remains unaffected.

Vehicular access will be via the existing, albeit widened, crossover to the west of the property at 36 Park Road and a new extended road access with gates between the side elevation of 36 Park Road and the flank elevation of Tudor Court. To the opposite side of 36 Park Road, a pedestrian access of resin bound gravel will be provided from Park Road into the site.

Each property is to be provided with an air source heat pump contained within a wooden enclosure situated within each private rear garden.

4. Public Consultation

Original application for 9no. dwellings:

Consultation letters were sent to 108 neighbouring properties. In response, 17 letters of objection have been received with 3 neither objecting to or supporting the application. A total of two letters have been received from neighbouring occupiers and one from the Barnet Society in support of the application.

The responses are summarised below:

Neither objecting to or supporting the application:

- No Badgers or Muntjacs seen on site
- Derelict site being brought forward for much needed family housing
- High quality design

Objections:

- Constrained site
- overlooking/loss of privacy
- loss of visual amenity
- adequacy of parking/loading/turning
- nature preservation
- loss of mature trees
- noise and disturbance resulting from use
- layout and density of building
- poor road access arrangements
- traffic generation, highway safety and lack of parking provision
- Increased level of pollution
- Muntjacs seen on and in the vicinity of the land
- Destruction of badger setts and a loss of wildlife
- Walkway being used for building purposes
- Installation of street lighting and CCTV will detract from secluded area
- Construction vehicle unable to access site

Application as amended for 6no. dwellings:

A re-consultation was carried out following receipt of amended plans to provide the 6 residential dwellings. In response, 16 letters of objection have been received with 1

neither objecting to or supporting the application.

The responses are summarised below:

- No justification for developing site
 - Overlooking/loss of privacy to immediate neighbours
 - Loss of visual amenity
 - Adequacy of parking/loading/turning
 - Increased traffic movement, access too narrow to support traffic movement
 - Insufficient turning areas for waste vehicles / emergency vehicles
 - Impact on eco-system
 - Site better served as a wildlife conservation area, allotments or a park
 - Affect on the natural and peaceful environment
 - Flooding and sewage concerns
 - Cutting down of established trees and impact on the wildlife
 - Sets a bad precedent for similar development
 - Design, appearance and materials not in keeping with area.
 - Pollution and noise disturbance
 - Proposal is similar to original proposal
- The issues raised by local residents are considered in the main body of this report.

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) was published on 20th July 2021. 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 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.

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 London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

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, CS10, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM06, DM08, DM12, DM13 and DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (2016)

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

Residential Design Guidance SPD (2016)

Part 2 of the SPD sets out the general guidelines for new residential development.

- All new proposed design should relate to its setting and local character and be of an appropriate density;
- All proposals for new development should complement or improve the character of the area through its appearance, architectural detailing, siting, use of materials, layout and integration with surrounding land, boundaries, building lines, setbacks, fronts and backs; and;
- Be designed to ensure the provision of sufficient privacy, minimisation of overlooking between surrounding dwellings and orientation of buildings to maximise sunlight and daylight and do not reduce the amenity value of neighbouring occupiers.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft Local Plan.

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

taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of Development
- Whether harm would be caused to a locally listed building (36 Park Road)
- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether future residents would be afforded a high standard of accommodation.
- The impact of the proposal on trees, landscape features, biodiversity and protected species habitats;
- The effect of the proposal on highway safety and the free flow of traffic;
- Flood Risk
- Refuse
- Archaeological considerations
- Potential for contaminated land

5.3 Assessment of proposals

Principle of development

Located within the High Barnet ward the site is situated within the built-up urban area of the Borough, which is supportive of new residential development. Although the site has not been previously developed the residential nature of the surrounding properties and access to public transport and local amenities means that the principle of providing sustainable residential development on the site is not objectionable on national or local planning policy grounds.

Indeed, both the development plan and national planning policies require the provision of new housing in such locations. Paragraph 60 of the NPPF outlines the Government's objective to significantly boost the supply of housing whilst Paragraph 69 highlights the importance that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The London Plan (2021) sets out a pressing need for more homes in London, setting a minimum ten-year target for the borough of Barnet of 23,640; an annual target of 2,364 homes The Local Plan makes it clear that the Council needs to make the best use of the borough's limited land and resources and promotes the most efficient use of land in the borough. The local plan highlights housing as a priority land use which accords with the governments objective of significantly boosting the supply of housing, as set out in the NPPF.

Conclusion:

The proposal would provide much needed family housing within High Barnet. This is a built up sustainable location within the Borough and therefore the principle of providing residential development on this site is supported by Officers.

Whether harm would be caused to a locally listed building (36 Park Road)

Section 16 of the NPPF refers to conserving and enhancing the historic environment and

requires a consideration to whether the proposal sustains and enhances the significance of the heritage asset, making a balanced judgement having regard to the scale of harm or loss and the significance of the heritage asset (paragraphs 194-198). Paragraph 203 further requires the effect of an application on the significance of non-designated heritage assets, making a balanced judgement having regard to the scale of harm or loss and the significance of the heritage asset.

Core Strategy Policy CS5 seeks to protect and enhance Barnet's heritage including locally listed buildings requiring a site assessment which demonstrates how the proposal will respect and enhance the asset. DMPD Policy DM06 requires proposals to demonstrate the significance of the heritage asset and the impact of the proposal on the significance of the heritage asset and its setting, and states that there will be a presumption in favour of retaining all Locally Listed Buildings in Barnet.

As outlined within this statement the site is not located within a conservation area and there are no surrounding properties which are statutory listed. The existing property at 36 Park Road is however identified as a Locally Listed Building (a non-designated heritage asset) and is described as follows within the local list.

'A large Victorian two storey detached house in London stock brick. Timber sash windows with square bay on ground level and balustrade balcony to first floor. Twin gables to front roofslope each with oriel window and central dormer window to main roofscape'.

It is a large detached Victorian villa, which dates from 1894. It is the earliest building built on the southern side of Park Road and originally sat in more extensive grounds to the rear. It retains its original architectural character and is locally listed.

Presently, a carriage driveway with two entry/exit points serves the house. This driveway and the front garden in which it sits contributes to the open, spacious setting of the house and adds to its significance. The proposal to erect 6 houses to the rear of 36 Park Road will not impact directly on the building, which will remain unchanged, although the development will have some impact on its setting.

House No4 will be visible in views from the road on the eastern side of the house, although being set back 25m from the locally listed building and sitting at a lower level will help to mitigate its visual impact. The western side access point is proposed to be used as the main vehicular access to the housing site at the rear. To retain the open setting and space to the western side entrance of the house, a condition is to be imposed to prevent boundary fencing being erected forward of the proposed gate as shown on the proposed site plan drawing number 2175-PL-011 Rev 2.

Conclusion:

Subject to a condition restricting boundary treatment, Heritage Officers raise no objection to the proposal as it preserves the setting and significance of the locally listed building.

Impact on the character of the area

Paragraph 126 of the National Planning Policy Framework (2021) states:

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

development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

Paragraph 130 of the National Planning Policy Framework (2021) states:

"Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (46); and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

The development plan for Barnet comprises the Barnet's Core Strategy DPD (2012) and Barnet's Local Plan (Development Management Policies) Development Plan Document (2012).

Policy CS5 of Barnet's Core Strategy DPD (2012) 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 Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) states that: "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."

Barnet's Local Plan Supplementary Planning Document: Residential Design Guidance (2016) emphasises that development needs to recognise local patterns of development. This includes the perimeter block structure, which is characterised by the fronts of buildings facing onto the street and private spaces located at the rear, providing a clear distinction between public and private space.

The application site is 'L' shaped and wraps around the rear of properties that front Park Road (no's 28, 30, Tudor Court and 36) and up to the side/rear boundaries of 10-16 Queen Elizabeth Court to the east and Rochester Court to the west. To the rear of the site is a residential dwelling known as No.5 Gordon Way and the grounds and tennis courts associated with Queen Elizabeth's Girls School and King George's Fields. This surrounding development comprises in the main residential development, predominantly of detached / semi-detached suburban housing with many converted to flats.

The proposal is in its amended form follows concerns over the ratio of built form to open space, with 9 dwellings considered to be an overdevelopment of the site, having an impact on the character and appearance of the area including its verdant setting. The proposal as amended proposes 6 dwellings arranged as two pairs of semi-detached dwellings located along the sites southern boundary and 2no. detached dwellings located on the north east and north west boundaries.

The sites typography is such that the two pairs of semi-detached dwellings will be apparent in views gained from the grounds of Queen Elizabeth Girls School. With exception to limited views gained of the site from the proposed access the dwellings will not be clearly evident within the Park Road Street scene.

It is suggested by the applicant that the proposal seeks to create a high-quality design commensurate with the prevailing characteristics of the surrounding and wider area and this is accepted by Officers. The contemporary style adopted with traditional detailing including buff brickwork with slate roof tile is supported by Officers as this design approach responds positively to the existing character and pattern of development surrounding the application site. The scale, height and general layout of the dwellings are generally consistent throughout the site with dwellings 2, 3, 4 and 5 matching the building footprint and orientation of the properties immediately to the north east at 14-16 Elizabeth Court. At a height of two stories with habitable rooms incorporated into the roofspace all dwellings proposed respond to the roof form of development located on the opposite side of Park Road and within Laburnham Close.

Following Officers initial concerns regarding the poor ratio of built form to open space the proposal as amended now provides the necessary space around dwellings for the soft and verdant backdrop to the development to continue to be appreciated with views of open space and mature trees retained. The overall spaciousness of the development including the retention and improvement of landscaping boundary features will also help to soften the impact of the development, particularly when viewed from the main vantage points from the south.

Conclusion:

Overall, the development provides a well-designed scheme that responds positively to the character and appearance of the area, whilst enabling an efficient redevelopment of a vacant site. The proposal is policy compliant in terms of achieving high quality inclusive design and would bring forward much needed family housing in a sustainable location.

Impact on the amenities of neighbours

Section 12 of the National Planning Policy Framework (2021) sets out guidance for 'achieving well-designed places'. This includes in Paragraph 130 of the Framework states that planning policies and decision should ensure that development "...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." (part f)

Policy D3 of the 2021 London Plan seeks to deliver appropriate outlook, privacy and amenity through a design led approach.

Policy CS5 of the LB Barnet; Local Plan (Core Strategy) DPD (2012) and Policy DM04 of the LB Barnet; Local Plan (Development Management Policies) DPD (2012) seek to protect and enhance Barnet's character and identify the environmental considerations for

development. Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. Barnet's Residential Design Guidance SPD (2016) and Sustainable Design and Construction SPD (2016) sets out guidance.

Overlooking:

New residential development is to be afforded a degree of privacy for future and neighbouring occupiers using minimum distances between habitable windows and gardens. Paragraph 2.4 of the Sustainable Design and Construction SPD (2016) provides a minimum separation distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden.

House 1 is located in close proximity to the rear boundary of no.36 Park Road (to the north) and nos. 10 & 12 Queen Elizabeth Court (to the east). The north elevation is windowless thereby protecting the privacy of no. 36 Park Road. The east elevation facing nos. 10 & 12 Queen Elizabeth Court provides windows serving habitable rooms at ground, 1st and 2nd storey level. This elevation is located approximately 11 metres from the rear gardens of these neighbouring properties and approximately 28 metres from rear facing windows serving habitable rooms, thereby protecting privacy. With a separation distance of 11 metres between the principle frontage of House 1 and the communal garden of Tudor Court the privacy of these neighbouring occupiers will also be safeguarded.

House 2 is one a pair of semi detached properties proposed within the north east corner of the site adjacent to the side elevation of nos. 15 & 16 Queen Elizabeth Court (converted house to 2 flats). There are no side windows serving habitable rooms on this neighbouring property and none are proposed on the side elevation of House 2, thereby protecting privacy. Rear facing windows overlook the grounds of Queen Elizabeth School only.

House 3, raises no concerns for loss of privacy as rear facing windows overlook the grounds of Queen Elizabeth School only.

Houses 4 and 5 have their rear (south) elevation facing the neighbours garden of no.5 Gordon Way. Although windows serving habitable rooms are proposed on these rear elevations at ground, first and second storey level, together with a raised decking at ground floor level, they face towards the rear most part of the neighbour's garden and will be obscured by existing and proposed landscaping along the boundary. Both houses have their front (north) elevation facing the rear garden of Tudor Court. Although windows serving habitable rooms at ground, first and second storey level are proposed, Tudor Court is set in extensive grounds containing large outbuildings. The separation distance between Houses 4 & 5 and Tudor Court is well in excess of the minimum 21 metre separation distance required.

House 6 has its side (south) facing elevation facing no.5 Gordon Way, but due to the close relationship of the dwellings no windows are proposed above ground floor level on this elevation. The proposed house is also set back further from the boundary. House 6 has its rear (west) elevation containing windows serving habitable rooms at ground, first and second storey level facing directly towards Rochester Court, a three storey flatted development, and the rear garden of no.26 Park Road. The house is set back from the rear most part of the garden of no.26 Park Road by 10.2 metres, which is in general conformity with the minimum separation distance for preventing overlooking of neighbouring gardens. This in turn will protect the amenity of Rochester Court. No

windows are proposed on the side (north) facing elevation thereby protecting the privacy of nos. 28 and 30 Park Road

Loss of daylight / sunlight:

House 2 has the closest relationship with its immediate neighbour. It is one a pair of semi detached properties proposed within the north east corner of the site adjacent to the side elevation of nos.15 & 16 Queen Elizabeth Court. Both properties have windows on the side elevation facing House 2 but these serve bathrooms only, which are not considered to be habitable rooms for the purposes of assessing loss of daylight / sunlight.

All other Houses proposed raise no concerns for loss of daylight / sunlight due to the significant separation distances that exist with neighbouring dwellings. The east westerly direction of the sun is such that the proposed dwellings will not cast significant shadow over the rear gardens of neighbouring properties.

Noise and Disturbance:

Section 2.14 of The Sustainable Design and Construction SPD identifies noise as having a significant effect on the quality of life and seeks mitigation measures to manage and minimise potential impact.

Environmental health Officers have been consulted and raise no objections to the proposal, subject to conditions requiring a Demolition and Construction Management and Logistics Plan. As the proposed development involves plant (Air source heat pumps) conditions are to be imposed to protect the immediate neighbouring and future occupiers from noise pollution.

Conclusion:

For all the above reasons the amenities of the occupiers of adjoining properties are not prejudiced by overlooking, daylight / sunlight loss or noise and disturbance in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

The amenities of future occupiers

London space standards contained in the London Plan (2021) and Section 2.1 of the Sustainable Design SPD (Oct 2016) set out the minimum gross internal area (GIA) space requirements for residential units. A bedroom measuring 11.5m² and above is calculated as a two-person room.

Internal Space Standards:

The proposed houses are measured as follows:

House 1: 4 bed, 5-person, 3-storey - 186.3m² provided / 103m² required
Houses 2, 3, 4, 5, 4 bed, 5-person, 3-storey - 148.7m² provided / 103m² required
House 6: 4 bed, 5-person, 3-storey - 236.8m² provided / 103m² required

All proposed houses exceed the minimum internal space standards stated above.

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design and

Construction 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 proposed bedrooms meet the above standards.

Floor to ceiling height:

Policy D6 of the London Plan (2021) states that a minimum ceiling height of 2.5 metres is required for at least 75% of the gross internal area of each dwelling.

The appropriate ceiling height has been achieved throughout in compliance with the above standard.

Light/outlook:

Barnet's Sustainable Design & Construction SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and that bedrooms and living rooms /kitchens should have a reasonable outlook with clear glazed windows. It is considered that all dwellings comprising dual aspect would benefit from an acceptable level of outlook and daylight / sunlight provision.

Private Outdoor Amenity Space:

Requirements for external amenity space are set out in Table 2.3 the 'Residential Design Guidance' and 'Sustainable Design and Construction' SPD's that requires up to 70m² of outdoor amenity space for each home with up to six habitable rooms.

All proposed dwellings have private attractively laid out usable gardens that exceed the minimum space standards, but in any event significant public open space (King George's Fields) is in easy walking distance of the site.

To ensure a good standard of outdoor amenity space for the occupiers of dwellings 4 & 5 the amended proposal provides a greater separation distance with the canopy spread of a mature oak tree (protected by Tree Preservation Order TPO/CA/348/T2), located on the site's southern boundary. This will minimise overshadowing impact, and as discussed in the section below will protect the tree from post development pressure for on-going regular pruning, which can impact on amenity value and well-being if the tree. A large proportion of the garden to unit 5 is now outside the tree canopy area.

Conclusion:

Based on the above, it is considered that the proposed development would provide a high standard of accommodation for the future occupiers.

Arboricultural and Ecological Impact

Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment.

London Plan policy G7 states that Development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees.

Policy DM01 of the Adopted Barnet Development Management Policies will be required to include hard and soft landscaping that contributes positively to biodiversity and adequately protects existing trees and their root systems. The policy continues to set out that trees should be safeguarded and that when protected trees are to be felled, they will require replanting with a suitable size and species of tree Core Strategy Policy CS7 seeks to maintain and improve the greening of the environment through the protection of trees.

The proposal includes replacement tree planting to the rear of the site and within the communal area at the front of the site. Boundary treatment in the form of mature shrubs is proposed along the site frontage. Extensive soft landscaping in the form of trees and planting within gardens and between building plots is also proposed.

Trees:

The submitted arboricultural impact assessment and tree constraints plan by Landmark Trees highlights the impact this proposal will have on trees and protected trees located within the site and around the boundaries on adjoining land.

Following initial concerns from the Tree Officer and objections raised by local residents, additional information has been requested and received to alleviate concerns regarding the potential for loss of trees along the side and rear boundaries of neighbouring dwellings. The concern being that the utilities required to serve the application site have the potential to impact on the rooting system of established trees. This is not the case as demonstrated on Drawing no. 501 Rev P, which shows the direction of travel for both electricity and water supply falling outside the tree protection areas.

A further concern identified by the Tree Officer relates to post development pressure for on-going regular pruning of a mature oak tree (T7) located on the southern boundary. The tree is protected by Tree Preservation Order TPO/CA/348/T2. With the reduction in the number of dwellings in this amended scheme a greater separation distance with plots 5 & 6 has been achieved to alleviate these concerns.

Landscaping:

The scheme has specified 'column' hornbeam as a topiary feature within the site, however, *Carpinus betulus* 'Franz Fontaine' is the preferred option as it allows trees to reach their 'natural' expression without significant interventions.

The overall landscaping approach is supported by the Tree Officer, subject to a planning condition seeking compliance with the above landscaping measures.

Ecology & Biodiversity:

An Ecological Impact Assessment (Eight Associates, June 2022), including a Biodiversity Metric has been received and reviewed by the Councils Ecologist Officer.

The proposed development is deemed unlikely to negatively impact any protected species

identified on site e.g., nesting birds, hedgehogs and reptiles. Given the presence of habitats of low to negligible ecological concern and the proposed sensitive mitigation measures outlined with the Ecological Impact Assessment it is considered unlikely that any significant population of the above protected species will be affected by the proposed works.

In terms of Biodiversity Net Gain the score of 15.40% is welcomed as this surpasses the soon to be mandatory 10% biodiversity net gain score outlined under the Environment Act 2021, and was achieved through the reduction of the proposed number of residential units from nine to six. While the proposed works do not satisfy the habitat trading rules e.g., where habitats being lost should be replaced with habitats of equal or higher distinctiveness, the provision of enhancement measures such as green roofs, hardstanding, and grass-crete provides suitable opportunities for further enhancing the site and permit a net gain in biodiversity. The Urban Greening Factor of 0.78 is also welcome given that it surpasses the recommended UFG score of 0.40 for suburban development.

The inclusion of a sedum green roof also provides additional benefits for biodiversity than would otherwise have been there but it has been recommended to and agreed by the applicant to provide an alternative wildlife flower green roof to accord with the guidance of Buglife's Creating Green Roofs for Invertebrates A best practice guide (Gedge et al. 2019). A species rich wildflower green roof would provide suitable foraging opportunity for pollinating invertebrates and this is to be secured by condition.

Conclusion:

The application, as amended, overcomes the original objections raised by the Tree Officer and local residents regarding potential loss of boundary trees and the future impact on the health and visual amenity of a protected Oak tree. Subject to a suite of planning conditions being imposed to enhance landscaping measures and to mitigate against potential impact on Ecology & Biodiversity, Officers consider the application to be acceptable.

Highway Impacts

Paragraph 111 of the National Planning Policy Framework (2021) states:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Policy CS9 of Barnet's Core Strategy DPD (2012) sets out the Council's policies in regard to providing safe, effective and efficient travel.

Vehicular Access:

Both vehicle and pedestrian access to the site will be from Park Road.

There is an existing crossover at the side of No 36 Park Road and this will be upgraded to provide vehicular access to the site. The ground floor plan shows no footways along the access road or within the development, however, Highway Officers do not object to the internal roads being designed as a shared surface. Also, the proposed access road is to be a minimum width of 5.5m, and where perpendicular parking bays are proposed a minimum aisle width of 6m is required. This is achievable and can be imposed by Condition.

Swept path drawings of emergency/service vehicles and refuse lorries turning into site show a need for the access to be widened to accommodate the required turning space. Pedestrian visibility splays of 2.4mx2.4m must be ensured at the site egress. Upgrading the existing crossover will involve works on the public highway for which a s184 licence will need to be obtained. Again, a condition can be imposed to ensure compliance with these standards.

Car Parking:

The site lies within a PTAL 4 zone, which means that there is good public transport accessibility to and from the site.

The applicant is proposing to construct 6 x 4 bed dwellings with the provision of 1no. off-street car parking space per dwelling, including an additional 1 visitor parking space. Dedicated cycle parking is also provided for each unit, located within their respective private gardens. For the existing property at 36 Park Road, the northern most vehicular access and front driveway will continue to provide parking for the existing property.

The applicant has provided a Transport Statement in which they state that they are willing to enter into a S106 Agreement restricting future residents of the proposed dwellings from obtaining on-street car parking permits. This means that any overspill of potential off-street car parking will not affect surrounding streets.

Conclusion:

Highway officers have been reconsulted following receipt of amended drawings and raise no objection subject to a suite of highway related planning conditions and a S106/Unilateral Undertaking agreement with a contribution of £2,392.01 to amend the Traffic Management Order (TMO).

Flood Risk

The Environment Agency's (EA) flood zone map identifies the entirety of the site within Flood Zone 1. The site is therefore in an area with a low probability of flooding.

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This guidance is echoed in the development plan (London Plan Policies SI12 and SI13 and Core Strategy Policy CS13) which advises that development should not increase flood risk and should reduce the risk of flooding where possible. A Flood Risk Assessment and SUDS Report has been submitted with the application which considers flood risk and the drainage strategy for the development. The report demonstrates that the proposed development is not at risk of flooding and will not increase flood risk at the site or elsewhere.

Thames water has been consulted and raises no objections subject to informatives regarding the disposal of surface water drainage and minimising risk of damage to public sewers crossing / or in close proximity to the application site.

Refuse

It is noted that the Council's Waste Collection Team has agreed to service the site subject

to the removal of one off-street parking bay. Fully enclosed refuse stores are requested by condition. A waiver against any damage to the access road caused by refuse vehicles will be required for internal collections.

Archaeological considerations

The application site is located within an area of Special Archaeological Significance as defined by the Local Plan proposals map. The Hendon and District Archaeological Society have been consulted with no objections or observations received.

Potential for contaminated land

A Preliminary Risk Assessment is sought, including mitigation measures to be secured by condition.

5.4 Response to Public Consultation

Local residents have expressed a wide range of concerns, which have been fully considered in the main body of this report. Further objections and observations raised in relation to alternative uses of the site for wildlife conservation are not before the Council for determination.

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 conditions this application is recommended for APPROVAL.

Location Plan

