

Location Land At High Road (Between East View House And Hilton House) The Grange Estate High Road London N2

Reference: 22/3544/FUL Received: 7th July 2022
Accepted: 12th July 2022

Ward: East Finchley Expiry: 6th September 2022

Case Officer: James Langsmead

Applicant: Barnet Homes

Proposal: Development of the site to provide 8 affordable homes (Class C3) in a 4 storey building, together with associated public realm, landscaping and playspace improvements, and car and cycle parking

OFFICER'S RECOMMENDATION

Approve subject to a Unilateral Undertaking and 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)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation by Unilateral Undertaking and any other legislation which is considered necessary for the purposes of seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Provision of Affordable Housing
Provision of 8no. units (8 x London Affordable Rent).
4. Carbon Offset contribution
Contribution towards the Council's carbon offset fund, where identified as

necessary.

5. Monitoring of Legal agreement

Contribution towards monitoring of the legal agreement.

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director for Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director for Planning and Building Control:

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

- High Road - Existing Block Plan 3729-LB-HR-00-DP-A-102003 Rev. P2
- High Road - Proposed Block Plan 3729-LB-HR-00-DP-A-110004 Rev. P1
- High Road - GA Ground Floor Plan 3729-LB-HR-00-DP-A-120030 Rev. P10
- High Road - GA First Floor Plan 3729-LB-HR-01-DP-A-120031 Rev. P11
- High Road - GA Second Floor Plan 3729-LB-HR-02-DP-A-120032 Rev. P11
- High Road - GA Third Floor Plan 3729-LB-HR-03-DP-A-120033 Rev. P11
- High Road - GA Roof Plan 3729-LB-HR-04-DP-A-120034 Rev. P11
- High Road - Proposed Elevations 3729-LB-HR-XX-DE-A-130030 Rev. P5
- Existing Site Location Plan - High Road 3729-LB-HR-XX-DP-A-101001 Rev. P5
- High Road - Demolition Plan 3729-LB-HR-XX-DR-A-158030 Rev. P2
- High Road - Existing Section 3729-LB-HR-XX-DS-A-104003
- High Road - Proposed Section 3729-LB-HR-XX-DS-A-140030 Rev. P3
- High Road Tree Removals BA017-GW-HR-DR-L-301 Rev. P2
- High Road Levels Plan BA017-GW-HR-DR-L-302 Rev. P3
- High Road GA Plan BA017-GW-HR-DR-L-303 Rev. P3
- High Road Planting Plan BA017-GW-HR-DR-L-304 Rev. P3

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).

2 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.

3 a) No development shall commence above ground floor slab level, until details of the materials to be used for the external surfaces of the building 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 The hereby approved development shall be implemented in accordance with the topographical levels details contained within approved drawing no. BA017-GW-HR-DR-L-302 Rev. P3, and retained as such thereafter.

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

5 Before development commences other than for investigative work:

Part 1

a) A site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model within the 'Preliminary Investigation Report' produced by Soils Limited (Doc ref: 18620/PIR_R26; September 2020). 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.

b) 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

c) 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).

6 No site works including demolition or construction work shall commence until a final Demolition and Construction Management and Logistics Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Statement submitted shall include, but not be limited to, the following information:

- 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 provision 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 contractor's 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.
- xi. Provision of a competent banksman.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

7 a) Prior to development above slab level, 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 S11 of the London Plan 2021.

8 Prior to occupation of the development, the accessible blue badge parking spaces as illustrated on drawing no. 3729-LB-HR-00-DP-A-110004 Rev. P1 shall be provided and used only as agreed and not for any purpose other than the parking and 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 T6.1 of the London Plan (2021); 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 a) No development associated with the hereby approved development shall commence above ground floor slab level until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the High Road and any ventilation/extraction plant incorporated within the development, 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.

10 The level of noise emitted from any mechanical ventilation plant incorporated into the development 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.

11 Prior to occupation of the development full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. The active charging points shall be implemented in full accordance with the approved details prior to first occupation and thereafter maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy T6.1 of the London Plan 2021.

12 No works on the public highway including creation or modification of a vehicular access or reinstatement of redundant accesses, signage and lining works as well as new tactile paving at the access as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans. The applicant will be expected to enter into an agreement with the Highways Authority under Section 184/278 of the Highways Act, for these works and reinstatement of any consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on the public highway are carried out to the satisfaction of the highway authority in the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

13 Details of cycle parking including the type of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 18 cycle parking spaces (16 long-stay and 2 short stay) in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy T5 of the London Plan; London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012; and Policy DM17 of Barnet's Development Management Policies (Adopted) September 2012.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy G7 of the London Plan 2021.

15 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016) and the Sustainable Design and Construction SPD (adopted October 2016).

16 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented, as approved, within 3 months of first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway, in accordance with Policy DM17 of Barnet's Local Plan Development Management Policies (adopted September 2012).

17 a) Prior to carrying out works above slab level, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that the hereby approved development can achieve full Secured by Design' Accreditation.

b) Prior to the first occupation of the building a 'Secured by Design' accreditation shall be obtained for the building.

The development shall only be carried out in accordance with the approved details.

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012, and Policy D11 of the London Plan 2021.

18 Before the building hereby permitted is first occupied the proposed windows

illustrated to be glazed with obscured glass in the hereby approved plans and shall be installed and permanently retained as such thereafter and shall be fitted with a restricting mechanism that avoids overlooking of neighbouring windows.

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).

19 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved 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 that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016), the Planning Obligations SPD (adopted April 2013) and Policy S4 of the London Plan 2021.

20 No development other than demolition, site clearance and temporary enabling works, shall commence until a Sustainable 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 have been submitted to and approved in writing by the Local Planning Authority.

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 2016) and Policy SI13 of the London Plan 2021.

21 The development shall be implemented and the refuse and recycling facilities provided in full accordance with the refuse and recycling strategy provided within the hereby approved plans and design and access statement, before the development is first occupied.

The development shall be managed in accordance with this strategy in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of

the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

22 Prior to the erection and installation of photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and constructed in accordance with the approved details.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan (2012).

23 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 Barnet's adopted Development Management Policies DPD (2012) and Policy SI1 of the London Plan 2021.

24 a) Notwithstanding the details submitted with the hereby approved documents and plans, a final scheme of hard and soft landscaping, including details of replacement trees, 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.

Tree and shrub species selected for landscaping/replacement planting must provide long term resilience to pest, diseases and climate change. A 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 immediately 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.

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 G7 of the London Plan 2021

25 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 G7 of the London Plan 2021.

26 Prior to the occupation of the hereby approved development, details of a Biodiversity, 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 Biodiversity, Landscape & Ecological Management Plan shall include details of long-term design objectives, management responsibilities, maintenance schedules, replacement planting provisions for existing retained trees, species enhancement measures (including bat roost and bird boxes, and log pile) and any new soft landscaping to be planted as part of the approved Biodiversity Net Gain scheme.

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

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

Reason: To ensure that biodiversity and ecology is preserved and enhanced in accordance with Barnet's Local Plan (2012) Development Management Policies DM01 & DM16; Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan (2021) and the Environment Act 2021

27 Prior to completion of works 2 x Vivara Pro Woodstone Bat or similar brand alternative and 2 x Woodstone Nest Box or a similar shall be installed onto a mature tree (or building) located at least 5m high on the S, SE, or SW orientation, ideally and with enough space for bats to fly under the box easily in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)'. Photographs of the bat boxes/bricks shall be submitted as evidence of compliance which shall be 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: In the interest of enhancing biodiversity on site and preserving ecology for the wider area, in accordance with Barnet Local Plan (2012) Policy DM01, Policies CS5 and CS7 of the Local Plan (2012) Core Strategy DPD and Policies G6 and G7 of the London Plan 2021.

28 Prior to works above ground floor slab level, details of a Sensitive Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for the project, including during the operational phase, 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.

The scheme shall be implemented in full accordance with the approved details, prior to occupation of the development.

Reason: In the interest of protecting bats, in accordance with Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

29 Prior to occupation of the development the details of the location, dimension, orientation of at least two dead log piles, designed with the input of a suitably qualified and experienced ecologist, shall be submitted to and approved in writing by the Local Planning Authority. The log piles must not be constructed of non-native wood or chemically treated woods.

These dead log piles shall be installed and maintained onsite, in accordance with the details approved under this condition for the lifetime of the project.

Reason: To ensure that the development enhances, preserves and protects protected species in accordance with Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

30 Prior to occupation the hereby approved development shall be constructed and maintained thereafter in full accordance with the details set out in the Fire Safety Strategy (Report Ref: SO128545R - Issue 01 - 23/06/2022 - produced by Warringtonfire Consulting Ltd) submitted with the application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that sufficient precautions have been taken with respect to fire safety of the building, in accordance with Policy D12 of the Mayor's London Plan (2021).

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

b) 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 the development 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).

32 Prior to the first occupation of the development, the dwellings 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) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. 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 DM03 of Barnet's Local Plan (Development Management Policies) DPD 2012 and Policy D7 of the London Plan 2021.

33 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the wholesome water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of

the Barnet Core Strategy (2012), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

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

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

- The upwards extension, by virtue of adding additional stories, to the building.

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

35 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).

36 Notwithstanding the parking layout submitted with the planning application, prior to above ground works, a revised parking layout plan showing the exact dimensions of the existing/proposed crossovers and proposed 24 off-street parking spaces including 2 disabled spaces within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the 24 off-street parking spaces shall be provided and used for no other purpose than the parking and 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.

37 The hereby approved development shall be carried out in accordance with the Travel Plan Statement (ref: 20045 d9a; dated: 28th June 2022) produced by Lime Transport).

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policies DM17 and CS9 of the Barnet Local Plan Core Strategy and Development Management Policies DPD (2012)

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 and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

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

We believe that your development is liable for 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. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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.

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 While it is understood that there is a risk that nesting birds maybe negatively impact by the proposed vegetation 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.

5 Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be

required. Should you require further information please refer to our website.
<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.thameswater.co.uk%2Fdevelopers%2Flarger-scale-developments%2Fplanning-your-development%2Fworking-near-our-pipes&data=05%7C01%7CJames.Langsmead%40Barnet.gov.uk%7C68750a6c03644d1a689208da6af402ec%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C637939893487886611%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=%2Buzyp3gUz0txaLhjqEG%2F4n9GFJ0JFu2WdoF7IQ%2FxpQpc%3D&reserved=0>

6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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

8 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.

9 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.

10 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.

11 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.

12 Informative: If a concrete pump lorry is operated from the public highway, 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.

Informative: 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.

RECOMMENDATION III:

That if the above agreement has not been completed has not been submitted by 31st December 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):

1. The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing and carbon off-set. The proposal would therefore not address the impacts of the development, contrary to Policies CS5 and CS9 of the Local Plan Core Strategy (adopted September 2012), policies DM01, DM04, and DM10 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that

development proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

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

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

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

Revised National Planning Policy Framework and National Planning Practice Guidance

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

The Revised National Planning Policy Framework (NPPF) was published on 20 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 Revised 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 Revised NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2021

The London 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 2041. 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 development in London achieves growth that is socially and economically inclusive and environmentally sustainable.

The following Policies are relevant:
GG2 (Making Best Use of Land),
SD1 (Opportunity Areas),

G5 (Urban Greening),
G6 (Biodiversity and access to nature),
G7 (Tree and woodlands),
D1 (London's form, character and capacity for growth),
D2 Infrastructure requirements for sustainable densities,
D3 (Optimising site capacity through the design-led approach),
D5 (Inclusive design),
D6 (Housing quality standards),
D7 (Accessible housing),
D8 (Public realm),
D11 (Safety, security & resilience to emergency)
D12 (Fire safety)
D14 (Noise),
H1 (Increasing housing supply),
H4 (Delivering affordable housing),
H5 (Threshold approach to applications),
H6 (Monitoring affordable housing),
H10 (Housing size mix),
S4 (Play and informal recreation),
T5 (Cycling),
T6.1 (Residential Parking),
SI1 (Improving air quality),
SI2 (Minimising greenhouse gas emission),
SI5 (Water infrastructure),
SI12 (Flood risk management),
SI13 (Sustainable drainage),
DF1 (Delivery of the plan and Planning Obligations).

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 (Adopted 2012):

CS NPPF (National Planning Policy Framework - Presumption in favour of sustainable development)
CS1 (Barnet's Place Shaping Strategy - Protection, enhancement and consolidated growth - The three strands approach)
CS3 (Distribution of growth in meeting housing aspirations)
CS4 (Providing quality homes and housing choice in Barnet)
CS5 (Protecting and enhancing Barnet's character to create high quality places)
CS7 (Enhancing and protecting Barnet's open spaces)
CS9 (Providing safe, effective and efficient travel)
CS11 (Improving health and wellbeing in Barnet)
CS12 (Making Barnet a safer place)
CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Relevant Development Management Policies:

DM01 (Protecting Barnet's character and amenity)
DM02 (Development standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM08 (Ensuring a variety of sizes of new homes to meet housing need)
DM10 (Affordable housing contributions)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Barnet's Local Plan (Reg 22) 2021

The Council is in the process of reviewing and updating the Borough's planning policies in a document, known as the Local Plan. It forms a 15-year strategy which emphasises Barnet's many strengths as a place to live, work and visit. The Local Plan sets out a vision for how the Borough will change as a place over the next 15 years.

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.

Supplementary Planning Documents

- Delivery Skills, Employment, Enterprise, and Training from Development through S106 SPD (October 2014)
- Green Infrastructure SPD (October 2017)
- Planning Obligations SPD (April 2013)
- Residential Design Guidance SPD (April 2016)
- Sustainable Design and Construction SPD (April 2016)
- Affordable Housing SPD (February 2007)

PLANNING ASSESSMENT

Site Description

The application site is located within the Grange Estate, located within East Finchley, to the west of the High Road (A1000) and to the south of the North Circular (A406). The Grange Estate is a housing estate covering approximately 6 acres along the western side of the High Road. Formerly, the Grange Estate was an industrial factory site, before being developed for residential purposes in the 1930s. The Estate now comprises a mixture of flatted development and houses, ranging from two to four storeys.

The application site is 0.40 hectares, and presents as an infill site between two four-storey blocks (Hilton House and East View House) which sit adjacent to the High Road. There is an existing courtyard that sits in the middle of a number of established four storey flatted

residential developments, including Oak House, Berwick House, Hilton House, East View House and Myddleton House.

The wider surrounding area in the estate and beyond is predominantly suburban and residential in nature, primarily consisting of two-storey terraced housing and three and four storey flatted development.

Further to the south, along High Road and towards the District Town Centre (DTC) of East Finchley there are a range of commercial and retail uses which provide facilities and services for local residents. East Finchley Northern Line London Underground station is located within the DTC.

The area is served by Martin Primary School, and both Bishop Douglass and The Archer Academy secondary schools.

In terms of public transport accessibility, the eastern part of the site has a PTAL of 1b (worst), and the western part has a PTAL of 0 (worst). Notwithstanding, the site is accessibly located to the East Finchley District Town Centre by foot in approximately 8 mins (0.4-0.5 miles) and there are also regular main bus routes servicing the High Road that stop at the DTC.

The Islington and St Pancras Cemetery, a Grade II* listed Park, is located opposite the site on High Road. Additionally, the 'Gatehouses to St Pancras and Islington Cemetery', a Grade II listed structure, is located to the north of the site, at the junction of Exit Road and High Road. Oak Lane Clinic is also designated as a locally listed building. The site is not situated within a Conservation Area.

The site is situated within Flood Zone 1, being at low risk of fluvial floodings, however it is located within a critical drainage area.

Proposed Development

This application seeks planning permission for the erection of a four storey building, to provide accommodation for 8 affordable homes (Use Class C3). In addition, the existing courtyard area will be re-designed to make improvements to the public realm, landscaping, playspace, parking and waste & recycling arrangements.

Car parking alterations and cycle parking provision are also proposed. Of the existing 40 parking spaces provided within the central courtyard's parking area, 24 spaces would be re-provided (including one accessible space for the accessible dwelling). A secure and sheltered cycle store for up to 20 bikes (two-tier), would be provided externally.

Site History

No relevant prior planning history for the site.

Public Consultation

Consultation letters were sent to 217 neighbouring properties. The application was also advertised by Site Notices displayed 13.07.2022.

31 responses have been received, comprising 31 letters of objection.

The objections received can be summarised as follows:

- There are access issues with the site which have not been adequately addressed through the application.
- It will increase traffic on Elmfield Road and King Street.
- Access to the High Road on to Central Avenue should be re-opened – to add with traffic calming and provide safe, accessible and more pleasant routes.
- Increase in parking pressures within the surrounding roads.
- Insufficient parking provision.
- Existing roads are narrow, with lack of safe passing places, leading to congestion and increased collisions/altercations.
- Insufficient regard is given for the transport/traffic safety implications of planning proposals
- Increased incidents of speeding
- Negative impact on the enjoyment and quantity of amenity space for residents and their children.
- The transport implications of the proposal will make it more dangerous for primary school aged children walking to school
- Road safety concerns for children. A child has already been knocked down.
- Increased damage to personal vehicles as a result of lorries accessing the site.
- Any applications for additional housing in this area should be rejected.
- Complaints have been made to the Council's traffic management department about coke dyed roads and road rage, but these have not been taken into consideration.
- Affordable housing is supported, but should not override the need for transport/road safety considerations and the impact on local residents.
- The parking survey information has been falsified to meet the needs of the applicant.
- Office blocks should be converted to residential instead development on the estate.
- Planners have not been transparent in the consultation process.
- Owing to the narrowness of the surrounding roads, vehicles frequently mount the kerb, as a result it is dangerous for pedestrians & kerb stones are frequently being dislodged.
- There are inaccuracies within the submitted travel plan and transport statements – demonstrating a lack of awareness for how the site and surrounding area operates
- In section 3.4 of the travel plan statement the only roads that have been mentioned in the 'description of the local highway network in the vicinity of the site' are the North Circular Road, High Road/A1000 & Oak Lane, none of which can be used to actually gain access directly to the proposed development.
- Bicycles are not allowed to be taken on TFL from East Finchley Southbound.
- There is substantial school traffic within the area, and this will contribute towards that, creating danger for the parents and children
- Negative impacts on utility and safety.
- Insufficient details about how traffic will be handled during construction phase
- Displacement of existing parking to nearby roads is ill considered and will reduce utility for existing neighbours.
- Electric vehicles will not address pollution and congestion on the estate. They require just as much space.
- Narrow streets will make it difficult for the development to be constructed, without damaging cars and creating blockages.
- The Grange needs a parking management strategy, which should form part of a revised application.
- The estate is already densely populated, and the increase in building works and

- residents will have an adverse impact on the amenities of existing residents.
- If the application is approved, then there will be less parking and less opportunities to cross roads safely.
 - Increase in noise pollution.
 - Disruption, nuisance and general disruption during the construction phase
 - The development is very close to key major roads and therefore residents are more likely than in many other areas to be relying on a car to support their lifestyles.
 - There are too many blind spots on the estate, creating danger.
 - Lack of natural light
 - There should be a clothes drying facility as well as a bike shed
 - Overcrowding
 - Insufficient supporting infrastructure
 - Pollution increase
 - The report uses census data from 2011 which is outdated and does not account for changes that have occurred because of COVID.
 - Increase in the number of delivery drivers that create further obstruction and congestion.
 - Lack of pedestrian friendly routes and crossing points in the estate.
 - People who do not live on the estate use it for free parking to access local businesses, services and the tube.
 - There is a lack of understanding of the reality of living on the surrounding roads
 -

Responses from Internal/External Consultees

Environmental Health

No objection, subject to conditions.

Drainage / Lead Local Flood Authority

No objection, subject to conditions.

Traffic and Development

No objection, subject to recommended heads of terms and conditions attached to this recommendation. Further details provided within the parking and highway section of the report.

Waste & Recycling

No objection.

Metropolitan Police Service

No objection, subject to a condition requiring the development achieves Secured by Design accreditation.

Thames Water

No objection, subject to informatives.

Arboricultural Officer

No objection, subject to conditions.

Ecology

No objection, subject to conditions.

London Fire & Rescue Service

No comment.

OFFICER ASSESSMENT

Principle of development

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policies GG2 (Making the best use of land), D2 (Infrastructure requirements for sustainable densities) and D3 (Optimising site capacity through the design-led approach) of the Mayor's London Plan (2021) seek to make the best use of land, optimising density through a design-led approach, to support the delivery of additional homes that are much needed across London. Optimising a site's capacity for additional density means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context (e.g. local character and distinctiveness) and capacity for growth. Policy D6 (Housing quality and standards), inter alia, states that particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure.

Policies H4 (Delivering affordable housing) and GG4 (Delivering the homes that Londoners need) of the Mayor's London Plan (2021) establishes a strategic target that aims to ensure that 50 per cent of all new homes delivered across London are genuinely affordable. H4 further states that public sector land should deliver at least 50 percent affordable housing on each site. Policy H5 (Threshold approach to applications) reinforces this objective. Policy H6 (Affordable housing tenure) seeks to prescribe the tenure of affordable housing provision, being a minimum of 30 per cent low-cost rented homes (either London Affordable Rent or Social Rent), 30 per cent intermediate products which meet the definition of genuinely affordable housing (including London Living Rent and London Shared ownership) and the remaining 40 percent to be determined by the borough as low-cost rented homes or intermediate products based on identified need.

The Council's approach to density is set out in Policy CS3 of Barnet's adopted Local Plan Core Strategy DPD Document (2012) which refers to the superseded density matrix of the London Plan (2016), however, it subsequently states that the Council will seek to optimise

density to reflect local context, public transport accessibility and provision of social infrastructure. Policy CS4 of the Barnet Core Strategy DPD (2012) seeks to ensure the Council secures a mix of housing products in affordable and market sectors to provide choice for all households.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) of the Barnet Development Management Policies DPD (2012) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision.

Both Policy DM10 of the Barnet Development Management Policies DPD (2012) and Policy HOU01 (Affordable housing) of the emerging Barnet Local Plan (Regulation 19 submission draft – current under Reg 22 examination) do not seek affordable housing provision on schemes of less than 10 dwellings.

The site to which this application relates is considered to be previously developed land, given that the development is to be constructed within the curtilage of existing residential developments within the Grange Estate. It would infill an area of land between two established residential blocks which currently comprises of a vehicular hard standing and two small grassed areas either side of this. The finer design aspects of the scheme will be examined in a later section of this report, however, Officers consider that the scheme responds to the context of the site appropriately, being of a size, form and layout, that fits in with the adjacent buildings. In terms of density, eight residential units within a building of this size would not be regarded as out keeping with the prevailing character of the site or surrounding area.

With regards to public transport accessibility, the eastern part of the site has a PTAL of 1b (worst), and the western part has a PTAL of 0 (worst). Notwithstanding, the site is accessible to East Finchley District Town Centre by foot in approximately 8-10 mins (0.4-0.5 miles) and there are main bus routes (a bus stop a short distance to the south on the High Road) leading to the town centre via the High Road. North Finchley Town Centre is also to the north (1.2miles), accessible by main bus routes via the High Road, within 12-13mins. Both East Finchley District Town Centre and North Finchley Town Centre, features an array of public services, shops and transport options making the application site a sustainable location for additional residential development.

Significant weight is attributed to the fact that the site falls below the typical threshold for affordable housing (10 units or more) and the scheme is providing 100% affordable housing in the form of London Affordable Rent, thereby being in excess of London and Barnet strategic objectives. This would be secured by Section 106 agreement, in accordance with local planning policy requirements as set out in Barnet Core Strategy (2012) policy CS15.

In summary the principle of development is considered to be acceptable as the scheme would optimise the use of the site, delivering 100% affordable housing on a previously developed residential estate, that is within reasonable distance of a District Town Centre and Public Transport connections. As such, Officers consider that the proposed development would accord with the objectives of the National Planning Policy Framework (NPPF) 2021; Policies GG2, GG4, D2, D3, D6, H4, H5 and H6 of the Mayor's London Plan 2021; and Policies DM08, DM10, CS3 and CS4 of the Barnet Local Plan (2012).

Housing Quality

Unit Mix / Dwelling Sizes:

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan 2021 Policies H10 and H12; and, the 2012 Barnet Development Management Policies DPD Policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD, 2012) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for other unit sizes.

The development proposes the following unit mix across the application site:

Type	Number of Units	Percentage
1 bed 2 person	1	12.5%
2 bed 3 person	7	87.5%
Total	8	

The scheme provides a limited mix of housing size, notwithstanding, as noted in the 'Principle of development' section above, this scheme would provide 100% affordable housing. Further, Officers consider it both reasonable and appropriate to exercise flexibility on the mix, on the basis that the proposal concerns an infill site within an established residential estate and the scheme has been developed with a design-led focus to optimise the density whilst ensuring that the character and amenities of the site and surrounding neighbours are appropriately preserved.

On balance, Officers consider the proposed dwelling mix to be acceptable and in accordance with the objectives of Barnet Local Plan (2012) policies DM08 and CS4.

Standard of accommodation

In terms of the standard of accommodation for the future occupiers of the proposed development, the Council expects a high standard of internal design and layout in new residential development. The standards expected are set out within Barnet's adopted Sustainable Design & Construction SPD (2016), and these align with the objectives and standards that are stipulated in Policy D6 of the Mayor's London Plan (2021), and Policy DM02 of Barnet's adopted Development Management Policies DPD (2012).

In terms of bed numbers and gross internal floorspace area (GIA) requirements, the scheme would provide the following:

Floor / bedroom numbers	Proposed GIA	Required GIA
Ground Floor: 2 bed 3 person (north)	62m ²	61m ²
Ground Floor: 1 bed 2 person (south)	62m ²	50m ²
First Floor: 2 bed 3 person (north)	61m ²	61m ²
First Floor: 2 bed 3 person (south)	61.5m ²	61m ²
Second Floor: 2 bed 3 person (north)	61m ²	61m ²
Second Floor: 2 bed 3 person (south)	61.5m ²	61m ²
Third Floor: 2 bed 3 person (north)	61m ²	61m ²
Third Floor: 2 bed 3 person (south)	61.5m ²	61m ²

All of the proposed residential units would meet the minimum internal space standards, as set out within the Local and London Plan policies referenced above.

In terms of ceiling heights and addressing the Urban Heat Island affect, as required by Policy D6 of the Mayor's London Plan (2021), all units will have a ceiling height of 2.5m for at least 75% of the gross internal floor areas. This will ensure that the new housing is of satisfactory quality, especially in terms of daylight penetration, ventilation and cooling, and sense of space.

Daylight, Sunlight & Overshadowing:

Policy D6(D) (Housing quality and standards) of the London Plan (2021) states that *"the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context... whilst minimising overshadowing..."*

Policy DM01(e) of Barnet's Development Management Policies DPD (2012) also requires developments to *"be designed to allow for adequate daylight and sunlight... for adjoining and potential occupiers and users"*.

With regards to daylight and sunlight access, the applicant has provided a Daylight & Sunlight report titled: "Daylight and Sunlight Amenity Report in Respect of Residential Habitable Rooms – High Road, The Grange Estate, London N2" (Version 1; Produced by CONSIL; dated: 28 June 2022), which assesses the development against the BRE's site layout planning for daylight and sunlight guidelines.

BRE guidelines state that Average Daylight Factor (ADF) is the primary measure for daylight in new build accommodation. It states that a kitchen should enjoy daylight levels of 2% ADF; a living room levels of 1.5% ADF; and, bedrooms a level of 1% ADF. Reasonably the assessment provided uses an averaged ADF factor of 1.5% for the combined kitchen / living / dining rooms proposed.

The assessment provided indicates that all habitable rooms examined meet, and in most cases exceed the requisite ADF requirements.

With regards to sunlight (Annual Probable Sunlight House - 'APSH') the assessment indicates that of the 8 living rooms which have a main window orientated within 90 degrees of due south, two of these (First-R2 and Second-R2) will receive below the BRE's default recommended level of APSH (16% and 18% APSH, against the BRE's target of 25%). Notwithstanding all living rooms will receive above the BRE recommended level of Winter Probable Sunlight Hours, which is reasonably more important during the darker season on the year. Furthermore, while a small number of rooms receive below the default APSH target, the rooms will still receive a level of sunlight that is typical with an east-west facing property in an urban area; and most importantly, the rooms will also receive good levels of internal daylight.

The assessment report identifies no demonstrably adverse overshadowing impacts to the internal units or garden areas throughout the year.

Overall, Officers are satisfied that the proposed units would receive good levels of day light and sun light with no unacceptable overshadowing impacts.

Outlook, Privacy and Overlooking

Policy D3 (D)(7) (Optimising site capacity through the design-led approach) of the London Plan 2021, requires development proposals to deliver appropriate outlook, privacy and amenity. Policy DM01(e) of the Barnet Development Management Policies DPD (2012) aligns with the objectives of the London Plan in this regard.

The proposed units will have sufficient outlook, featuring dual aspect across all units. Each unit will also benefit from additional light provided from an obscured flank window that faces on onto the neighbouring buildings. The obscuration of these windows will prevent a loss of privacy to the future occupiers of the units, and there would be no undue overlooking and/or loss of privacy concerns from the west or east.

The external balconies' north and southern edges on the upper floors would also be fitted with decorative metal screens with obscured glazing to provide privacy to these external areas also.

On the ground floor the two units would benefit from private garden terraces. It is proposed that these will be screened from the public area a small retaining wall with 1950mm wooden fence above. This is also buffered by planting on the courtyard side. Privacy between the units would also be by a dividing fence of 1.95m in height. Officers consider that it is important to ensure that the quality of these spaces are not unduly impacted by a sense of enclosure, given their size, and thus, consider it sensible to recommend that the details of the fences be required by condition, to ensure that the right screening and boundary treatments are put in place that provide adequate security, but are also sensitive to the design and amenity considerations of the scheme.

Overall, it is considered that subject to conditions the proposed development would achieve a satisfactory standard of privacy in accordance with the objectives of DM01 of Barnet's adopted Development Management Policies DPD (2012).

Accessible and Inclusive Design

Policies D5 (Inclusive design) and D7 (Accessible housing) seek to promote suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children. Amongst various objectives established within these policies, they promote the design of high quality people focused spaces that are designed to facilitate social interaction and inclusion, with no disabling barriers and facilitating independent access without additional undue effort, separation or special treatment. Scheme should be able to be entered, used and exited safely, easily and with dignity for all. A specific requirement of Policy D7 is that at least 10% of dwellings should meet Building Regulation requirement M4(3) 'wheelchair user dwellings'; and, the rest of the dwellings should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Policies CS1, CS4, CS5 and DM02 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012), align with the objectives of the above London Plan policies, seeking to ensure that both homes and public spaces are high quality, attractive, accessible, safe and inclusive to the communities they serve.

The proposed scheme will provide one wheelchair accessible unit (Building Regulations M4(3) compliant) on the ground floor, in accordance with both London and Local Plan standards. The remaining units are also designed in accordance with M4(2) of the Building Regulations, thereby complying with the requirements of the London (2021) and Council's

Local (2012) Plan policy objectives.

As part of the landscaping proposals for the scheme, there will be improvements to permeability and accessibility of the space across the central courtyard, to ensure that it is open, safe and inclusive to existing and prospective residents of the area.

Overall, it is considered that the proposed development would achieve the accessibility and inclusivity objectives of Policies D5 and D7 of the London Plan 2021; and policies CS1, CS4, CS5; and, DM02 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Amenity Space

Policy D6 (Housing quality & standards) of the Mayor's London Plan (2021) and Barnet's adopted Sustainable Design and Construction (SDC) SPD (2016) require that sufficient, functional amenity space be provided for all new homes and flats, wherever possible. Specifically, the London Plan prescribes a minimum of 5m² for 1-2 person dwellings and an extra 1m² for each additional occupant. Further it requires the space must have a minimum depth of 1.5m. The London Plan gives primacy to higher local standards set within Borough Development Plan Documents, if available.

The Council's adopted Sustainable Design and Construction SPD (2016 – referred to hereon as 'SDC SPD') requires 5m² of space per habitable room, but recognises that this is not always achievable in denser forms of flatted residential development. Accordingly some flexibility may be exercised on aggregate, taking account of communal amenity spaces that are part of the development also; or, in some cases a payment in lieu, as established within the Council's Planning Obligations SPD (2013).

In light of the above, there would be an amenity space requirement of 15m² for the 1bed 2 person unit; and 20m² for the 2 bed 3 person units – equating to an overall requirement of 155m² (i.e. 7 x 20m² + 1 x 15m²).

Amenity space for the ground floor units is provided by means of an enclosed garden terrace (24m² each, and >1.5m in depth), thereby meeting the requirements of the London Plan (2021), and the Council's SDC SPD (2016). On the first, second and third floors amenity space is provided to each unit by means of external balconies (circa 12.5-13m² each, and >1.5m in depth). There is a minor shortfall of 7-7.5m² of the amenity space requirement, but it should be noted that all of the units have access to shared communal amenity space in the middle of the courtyard also which provides in excess of 1600m² (mindful of respecting space around existing buildings) of outdoor space. Accordingly, it is considered that there would be an acceptable provision of both private and outdoor amenity space for the future occupiers of the development, in accordance with the objectives of Policy D6 of the London Plan (2021) and the Council's adopted Sustainable Design and Construction SPD (2016).

Playspace

Policy S4 (Play and informal recreation) of the London Plan (2021) establishes the requirement for residential development proposals to provide safe and stimulating children's playspace according to the level of projected child yield. 10m² of children's playspace is recommended per child.

Policy CS7 of the Barnet Local Plan Core Strategy (2012) seeks to protect and enhance

open spaces and further secure improvements, including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space. Policy DM02 of Barnet's adopted Development Management Policies DPD (2012) states that the requirements for children's playspace will be calculated in accordance with the London Plan. The Council's Residential Design Guidance SPG (2016 – referred to as 'RDG SPD', from hereon) states at paragraph 8.19 that playspace will be required for new flatted development that has the potential to contain 10 or more children.

According to the GLA's Population Yield Calculator, the development would yield 7.1 children, and thus, by the Council's policy and guidance threshold set out within the Council's adopted RDG SPD (2016) the scheme would not be required to provide children's playspace. Notwithstanding, the London Plan (2021) establishes no such threshold, and would suggest that 71m² of children's playspace should be provided within the scheme.

In terms of playspace, the scheme proposes to deliver 95m² of new incidental playspace, which would exceed the calculated requirements. The Planning Statement and Design and Access Statement advise that the playspace will comprise of stepping posts, a springer, and play boulders for informal seating. There are no objections to the quantity and 'incidental' style of the proposed playspace, however Officers consider it appropriate to require details of the playspace layout and equipment by planning condition, in the event of a recommendation for approval, in order to ensure that a high quality and functional design outcome is achieved with regards to this space.

Overall, Officers are satisfied that the development can deliver playspace in accordance with the London (S4) and Local Plan (CS7 & DM02) policies.

Overheating

Policy SI4 (Managing Heat Risk) of the London Plan (2021) requires development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.

Policy CS13 of the Barnet Local Plan Core Strategy (2012) sets out the Council's expectation with regards to delivering developments that demonstrate exemplary levels of sustainability, and which mitigate and adapt to the effects of a changing climate.

The application is supported by the submission of an 'Overheating Risk Report' produced by Thornley & Lumb Partnership Ltd (Revision B; Doc ref: C7776; dated: 27.06.2022). The risk of overheating has been shown to be low using CIBSE TM59 Overheating Risk assessment methodology with dynamic thermal modelling building simulation. Numerous mitigation measures, including whole house mechanical ventilation with summer bypass to remove high internal gains, have all worked together to minimise the risk of overheating in the modelling of the proposed development.

The Council's Environmental Health team have considered the content of the report and have raised no objections on the grounds of overheating. Notwithstanding, due to some concerns raised about noise and air quality (potential for exposure occasional exposure to poor air quality and road noise) at the front of the building, as covered later in the environmental considerations section of this report. Conditions requiring further information have been recommended to address the air quality and noise matters, however the outcome of the findings may identify the need for alternate means of ventilation to the front

facing rooms of the development and this may consequently result in the scheme not being carbon neutral – thereby requiring a carbon off-setting financial contribution towards the Boroughs Zero Carbon fund. This would not be a matter that would warrant the application's refusal and can be dealt with by a legal obligation through the Unilateral Undertaking process.

Officers are therefore satisfied that the scheme, subject to a legal obligation, would adequately minimise and manage heat risk in accordance with the objectives of Policy SI4 of the Mayor's London Plan (2021) and Policy CS13 of the Barnet Local Plan Core Strategy (2012).

Safety & Security (Secure by Design)

Policy D11 (Safety, security and resilience to emergency) of the London Plan (2021) requires Development proposals should maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather, fire, flood and related hazards. Development should include measures to design out crime that – in proportion to the risk – deter terrorism, assist in the detection of terrorist activity and help mitigate its effects.

Policies CS5 and DM01(d) of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012) stipulate that proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime. They recommend that the principles set out in the National Police initiative, 'Secure by Design' should be incorporated into the development proposals.

The application has been consulted on with the Metropolitan Police Service's Design Out Crime Unit, and they have advised that they have no objection in principle to the proposed development, but recognise that East Finchley has a moderate record of anti-social behaviour, violence & sexual offences, vehicle crime, theft and burglary offences. In light of this, they have recommended a condition requiring that the development must achieve Secured By Design accreditation, prior to occupation. Officers consider that this would be both reasonable and necessary to ensure the safety and security of the development, and thus, a condition is attached to this recommendation, should the scheme be recommended for approval.

Subject to condition, Officers are therefore satisfied that the scheme would be both safe and secure for the existing neighbouring residents and future occupiers of the development, in accordance with Policy D11 (Safety, security and resilience to emergency) of the London Plan (2021); and Policies CS5 and DM01(d) of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Impact on the character of the area

Design / Layout:

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. High quality design underpins the sustainable development imperative of the NPPF and Policies D1, D3, D5, D6, D7, and D8 of the London Plan (2021).

Policy CS5 of Barnet's Core Strategy (2012) seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-

quality design. Policy DM01 of Barnet's Development Management Policies DPD (2012) states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces, and streets. This broadly aligns with the principles of the National Design Guide (2021).

The development proposed is a four storey building (15.2m in height, as measured from section drawing no. 3729-LB0HR-XX-DS-A-140030 Rev. P3), situated between two existing four storey buildings identified as Hilton House (to the north) and East View House (to the south). The other neighbouring properties – Berwick House (north-west), Oak House (west) Myddleton House (south-west) – are all arranged in a courtyard formation, around a central communal area which currently provides parking and an area of open communal green space. Officers are satisfied that the proposed building is of a footprint that fits naturally in this courtyard formation, between Hilton House and East View house. Due to the proposed development's compliance with modern building standards, particularly with regards to internal ceiling heights and the incorporation of a lift, the building is slightly taller than the two neighbouring buildings (circa. 1.5m above Hilton House; 2.05m above East View House). Notwithstanding, owing to it being sited in the middle of the two existing buildings, and being approximately half a storey / two thirds of a storey taller in height (relative to Hilton House / East View House), Officers consider that it would have a comfortable visual relationship with these two neighbouring buildings. The spacing, relative-scale and consistent form of the building would maintain a satisfactory degree of symmetry and massing across the three buildings. In addition, its height would relate well to that of the other buildings within the courtyard which also feature a mix of ridge heights (Berwick House 2m taller / Oak House 3.65m lower, but 43m away), different separation distances and varied topographical characteristics (i.e. the land slopes up to the West) with the proposed development – as demonstrated within the section drawings provided (Drawing no. 3729-LB0HR-XX-DS-A-140030 Rev. P3).

The architectural style proposed is a more modern contemporary take on the immediately adjacent neighbouring buildings. The detailing, articulation and roof form follows a very similar, logical approach which responds well to the established identity of the immediately adjacent buildings and wider developments that form part of the courtyard.

In terms of materials, the scheme will include a mixture of light and dark-red brick, as well as a pitched metal roof, to reference key features of the existing buildings on the estate. The use of two brick types and metal cladding will help to create definition, variety and articulation in the façades. The architectural style, combined with the appropriate type and palette of materials will help to ensure that the visual perception of the building's massing is in keeping with the space within which it sits and in context with its immediate surroundings.

Notwithstanding the above assessment, it is recommended that further details of the final materials to be used in the external elevations are required to be submitted to, and agreed in writing by the Local Planning Authority, through a planning condition. This is to ensure that an acceptable palette of materials is selected that will achieve a satisfactory visual appearance for the building upon its completion, and for the future to come.

Overall, in terms of layout, scale, massing and design, the proposed development is considered to be of high quality and accords with the objectives of the National Planning Policy Framework; Policies D1, D3, D5, D6, D7, and D8 of the London Plan (2021); Policies CS5 and DM01 of Barnet's Local Plan 'Core Strategy' and 'Development Management Policies' (2012); and the National Design Guide (2021).

Impact on Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the decision maker to consider the effects of development on listed buildings and their settings – specifically, having special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Paragraph 194 of the National Planning Policy Framework 2021 requires applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraph 195 require Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Further, Paragraph 199 goes on to state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Aligning with the statutory duty and principles of the above, Policy HC1 (Heritage conservation and growth) of the Mayor's London Plan (2021) states that "Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings... Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process".

Similarly, Policy CS5 of Barnet's Local Plan Core Strategy (2012) and Policy DM06 of Barnet's adopted Development Management Policies DPD (2012) seek to ensure that all heritage assets will be protected in line with their significance, and that development proposals have regard for local historical context. Development is required to demonstrate, where appropriate, amongst other things, the impact of the proposal on the significance of the heritage asset and how the benefits outweigh any harm to the heritage asset.

The site is located approximately 100m from the St Pancras and Islington Cemetery Grade II* listed Park and Garden, however, there is a four-storey building shielding any views between the site and the heritage asset.

The Grade II listed gatehouses to the north, along Exit Road, are approximately 180m from the site; however, by virtue of its location to the north and the site being positioned immediately to the south of Hilton House, a four-storey building, the site is entirely shielded from views

In light of the above, it is considered that the proposed development would accord with the heritage and conservation objectives (i.e. equating to no harm to the significance or setting of any designated heritage assets) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Section 16 of the NPPF (2021); Policy HC1 of the Mayor's London Plan (2021) and Policies CS5 and DM06 of Barnet's adopted Local Plan (2012).

Impact on the residential amenities of neighbours

Part of the 'Sustainable development' imperative of the NPPF 2021 is pursuing improvements to amenity through the design of the built environment (paragraph 127). In addition, Policy DM01 of Barnet's Development Management Policies DPD (2012), as well as the Sustainable Design and Construction SPD (2016), provide further requirements and guidance, to avoid and mitigate against harmful impacts on neighbouring residential amenities.

Overlooking / Loss of Privacy

The closest neighbouring residential buildings are Hilton House and East View House to the north and south – separated by 6.5m and 6.6m respectively. The proposed scheme would not unduly overlook any habitable room windows to these neighbouring properties. There are windows on the flanks of the proposed development and also the neighbouring properties. In the first instance, the proposed scheme's windows on these flank elevations are to be obscure glazed to prevent any views, however it should also be noted that the neighbouring flank windows are secondary aspect (second smaller windows serving living rooms) and not a primary means of outlook for the units within. Accordingly, the potential for "perceived overlooking" despite the obscured glazing proposed would not be a demonstrable, material issue. Although it is annotated on the proposed plans, Officers have recommended a condition that the proposed flank windows be obscured and retained permanently in that condition.

Berwick House and Myddleton House are the next closest units to the development however, the separation distances and oblique angles are such that there would be no demonstrable overlooking and loss of privacy for these properties. Oak House, at 43m in distance from the development is also too far away to consider such impacts.

Whilst balconies of neighbouring developments have the potential to be overlooked, it is clear that these are already overlooked by the courtyard (a public space) and other neighbouring developments windows and balconies within the courtyard. Notwithstanding, the proposed plans indicated that decorative metal screens with obscured glazing to privacy level 3 to avoid overlooking and provide privacy to corner balconies will be provided. Accordingly, it is not considered that these balconies will create any unacceptable overlooking or loss of privacy relationships.

Overall, Officers are satisfied that there would be no demonstrable overlooking and loss of privacy to neighbouring properties as a result of the proposed development.

Enclosure / Overbearing / Outlook:

Myddleton House, Berwick House and Oak House are all sufficient distances from the proposed development for sense of enclosure / overbearing / outlook impacts to be an issue. Hilton House and East View House are the closest (6.5m / 6.6m) in distance, however, as noted these properties have no primary outlook on their flank elevations that would equate to their main outlook being unduly dominated by the proposed development. Further, it is both reasonable and logical to suggest that there would be no demonstrable sense of enclosure or overbearing for the occupiers of this neighbouring property. The proposed development is considered to be a reasonable and proportionate form of development that adheres well to the established pattern of development, and thus, no part of it would dominate the front or rear views of the neighbouring properties of Hilton House or East View House.

Sunlight / Daylight / Overshadowing

Policy D6(D) (Housing quality and standards) of the London Plan (2021) states that “the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context... whilst minimising overshadowing...”

Policy DM01(e) of Barnet’s Development Management Policies DPD (2012) also requires developments to “be designed to allow for adequate daylight and sunlight... for adjoining and potential occupiers and users”.

The application is accompanied by a “Daylight and Sunlight Report (Surrounding Properties)” produced by CONSIL (Revision 1; dated 28th June 2022). The report assesses the effect the proposed development will have upon the levels of daylight and sunlight received by the surrounding residential properties. It identifies Hilton House and East View House as being within sufficient proximity and orientation from the Site to be assessed for potential loss of daylight and/or sunlight. The other properties within the courtyard are considered to be sufficiently far away not to be affected by the proposed development.

28 windows were tested across the 2 properties for changes in Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH), and 16 rooms in relation to No Sky Line (NSL) where layouts were known. The technical analysis identifies several windows at Hilton House and Eastview House experience reductions in VSC that exceed default BRE Report guidance. These relate to the smaller secondary flank windows (facing the proposed development) serving the living rooms of the neighbouring properties. It is identified that there would potentially be a noticeable loss of daylight from these windows, however, the BRE’s guidance is clear that VSC should be assessed on the “main” window serving a room. In this case the main windows in both neighbouring buildings face west into the courtyard, where there would be no change in NSL as a consequence of the proposed development. Given that it would neither hinder the front or rear aspects of the neighbouring units, Officers agree with the findings of the report that it would be of minor significance, and would therefore not warrant a reason for refusal.

The assessment report concluded that all main living rooms of the neighbouring properties would continue to receive levels of Annual Probable Sunshine above the default recommended levels in the BRE’s Guidelines. Accordingly, loss of sunlight to neighbouring properties as a consequence of the proposed development would not be a material concern.

The report does not consider overshadowing, however, owing to the siting, orientation (relative to the tracking of the sun), the height of the proposed building, the height of established buildings with the courtyard, and the results of the daylight and sunlight report, Officers consider it unlikely that the scheme would create overshadowing conditions that would demonstrably harm the amenities of the neighbouring buildings to an extent that would warrant a reason for refusal.

Overall, Officers are satisfied that the proposed development would not adversely impact the amenities of neighbouring residential occupiers, in accordance with Policy DM01 of Barnet’s adopted Development Management Policies DPD (2012) and Policy D6 of the Mayor’s London Plan (2021).

Highways / Parking

Policy T4 (Assessing and mitigating transport impacts) of the London Plan (2021) requires that the highways related impacts and opportunities which arise as a result of development proposals are identified and assessed so that appropriate mitigations and opportunities are secured through the planning process. It is important that development proposals reduce the negative impact of development on the transport network and reduce potentially harmful public health impacts.

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

Residential car parking

It is recognised within the Barnet Local Plan policies that the residential parking standards will be applied flexibly based on different locations and issues related to public transport accessibility, parking stress and controls, ease of access by cycling and walking, and population densities. Appropriate parking for disabled people should always be provided.

Barnet's Local Plan (2012) and the Mayor's London Plan (2021) recommend a range of parking provision for new dwellings based on the site's Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision as follows:

- four or more bedroom units - 2.0 to 1.5 parking spaces per unit -
- two and three-bedroom units - 1.5 to 1.0 parking spaces per unit -
- one-bedroom units - 1.0 to less than 1.0 parking space per unit

These are maximum standards (not minimum) and the objective of this policy is to promote more sustainable transport modes i.e. to meet a significant proportion of travel needs through high quality public transport and improvements to walking and cycling facilities.

The Local Plan (2012) policy further states that residential development may be acceptable:

- i) With limited or no parking outside a CPZ but only where it can be demonstrated through a survey that there is sufficient on street parking capacity;
- ii) With limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the application will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

Based on the requirements of Policy DM17 of the current Local Plan, the proposed development has a maximum parking requirement range of 5 - 9 parking spaces. The

application site is located within an area with a PTAL rating of 1b/0, although as noted in the principle assessment section of this report, it is close to bus routes (e.g. 263) which access East Finchley District Town Centre and North Finchley District Town Centre from bus stops within 2 minutes walking distance of the site. Furthermore, the site is within reasonable walking distance of East Finchley London Underground Station (approximately 0.8 miles - circa 15 min walk).

Also of note, 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 is currently undergoing Examination by the Planning Inspectorate. 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 draft Local Plan responds to the Mayor's adopted London Plan (2021) parking standards, by adopting similar standards for residential car parking. Owing to the draft nature of Barnet's Regulation 22 Local Plan, only limited weight can be afforded to its policies, and this is therefore of limited significance to the assessment of this scheme. The London Plan's (2021) policies, being more up to date in context with section 38(5) of the Planning and Compulsory Purchase Act 2004, therefore hold more primacy over the current and draft Local Plans.

The London Plan (2021) states that the accessibility of each site should be taken into consideration, including the PTAL, local population density and vehicle ownership, access on foot and by bike and other relevant transport considerations. The standards are also maxima but are lower than those in Barnet's current Local Plan (2012).

For Outer London locations with a PTAL of 0 - 1, Table 10.3 of the London Plan (2021) indicates that the maximum standard should be up to 1.5 parking spaces for 1 and 2 bed units. This would equate to a requirement of 10.5 spaces in the current scheme. Owing to the draft nature of Barnet's Regulation 22 Local Plan, only limited weight can be afforded to this policy, however, such weight can be afforded nonetheless, and the London Plan (2021) standards are regarded as current.

The Highways Authority have commented that:

"...based on Policy DM17, a maximum allowable parking provision of 7-12 spaces are required. Given the PTAL rating of the site is 1b/0, the provision of 10 parking spaces would be acceptable. No additional parking is proposed for the new development hence an overspill of 10 cars. There are currently approximately 40 informal parking spaces provided within the central courtyard parking area and as part of the development, it is proposed to re-design this parking court and reduce parking by 16 spaces, with 24 formally marked out spaces re-provided (including one accessible space for the new accessible dwelling). The loss of 16 spaces plus the potential overspill of 10 vehicles from the development adds up to a total displacement of 26 vehicles. However, overnight parking surveys carried out by the applicant shows that there are 318 spaces available within 200m of the High Road site, of which 193 were used and 125 available during the night (parking stress of 61%). This shows that any potential parking overspill from the development can be accommodated on-street. However, the increase in on-street parking demand may encourage drivers to park in obstructive locations. Hence parking restrictions in the form of yellow lines should be introduced at junction and on bend within the estate to deter this".

The Highway Authority have recommended that a parking management plan should be required by planning condition and that yellow lines be put in place (secured by legal

agreement) to deter and manage illegal and obstructive parking. There are currently no parking restrictions throughout the estate. Putting restrictions on the site (i.e. by means of a Parking Management Plan), that prevents residents outside of the site from parking there, but conversely allowing any overspill of parking associated with the residents of the site to park freely elsewhere within the Grange Estate would not be conducive to good neighbourly relations and the overall fairness parking provision. Given the size of the scheme (8 small residential units), the Local Planning Authority has neither the scope nor remit to reasonably address existing parking provisions across the wider Estate through this application. Planning obligations and conditions are intended for the purpose of mitigating and/or compensating for the relative impacts of proposed development, where it is considered that there will be substantive impacts as a consequence of their implementation. Officers consider that substantive impacts would not arise from this development, and thus, for reasons set out above, a parking management plan condition for managing the site's parking arrangements would not be considered appropriate.

Overall, there is no in principle objection to the parking proposals of the scheme.

Electric vehicle charging points are required to be provided at 20% active and an additional 80% passive infrastructure for all of the parking provision/reprovision proposed - as required by the London Plan (2021) policy T6.1(C) (Residential Parking). The Highway Authority have also requested details of the specific type of charging points to be installed. These provisions and information can be secured by planning conditions, as attached to this recommendation.

Cycle Parking

Cycle parking is to be provided in accordance with Policy T5 (Cycling) of the London Plan (2021).

Use Class		Long stay (for residents)	Short stay
C3-C4	Dwellings (all)	<ul style="list-style-type: none"> • 1 space per studio or 1 person 1 bedroom dwelling • 1.5 spaces per 2 person 1 bedroom dwelling • 2 spaces per all other dwellings 	<ul style="list-style-type: none"> • 5 to 40 dwellings: 2 spaces • Thereafter: 1 space per 40 dwellings

Based on London Plan standards (above), a minimum of 16 long and 2 short stay cycle spaces are required. The development will provide 22 cycle parking spaces (20 long term and 2 short term). Long stay spaces will be provided in the form of a secure cycle shelter adjacent to the developments south-west corner next to the new open air clothes drying facilities. The exact details of this shelter will be required by planning condition, as attached to this recommendation. The two visitor spaces (short stay) will be provided to the front (facing the High Road) of the development, in the form of Sheffield cycle stands.

Existing cycle stores within the area are to be relocated between Oak House and Myddleton House, as illustrated within Section 16.0 (pg. 65 - Transport Strategies) of the submitted Design & Access Statement.

Subject to conditions the proposed cycle storage provisions are considered to be acceptable, in accordance with Policy T5 of the London Plan (2021).

Trip Generation / Travel Plan

A TRICs trip rate assessment has been provided in support of the application, which identifies the proposed development could generate four vehicle movements in the AM peak (8am-9am) and three in the PM peak, with a total of 31 vehicle movements throughout the day. The Highway Authority do not raise objection on the grounds of trip generation associated with the development and agree that the development would have a negligible impact on the local highway network.

A draft travel plan has been submitted by the applicant, although the application falls well below the threshold to secure any of its suggested measures by legal agreement. Officers are broadly in agreement with the measures set out within the document, and consider that it makes suitable suggestions for managing travel-related impacts of the development. However, given that there is no reasonable policy basis for securing measures by legal agreement, Officers consider that the Highways Authority's request for a £5000.00 monitoring contribution would be unjustified.

Internal layout, Access and Servicing

The existing vehicle access to the site is from Central Way but there are several pedestrian access points and footpaths leading to the site. The applicant has submitted swept path drawings which show that cars and refuse/emergency vehicles will be able to enter and exit the site in forward gear which is considered to be acceptable by the Highways Authority.

The internal access roads to the site are not proposed for adoption and no stopping up of footpaths or the highway is anticipated. The Highway Authority have requested that double yellow lines are installed at junctions and other locations to deter obstructive parking. Officers consider this to be unnecessary, as previously noted on the parking section above, the scheme is relatively minor in size and scale and would not warrant unreasonable conditions and financial / non-financial legal obligations to address highway related matters that are established existing issues.

The Highway Authority have recommended a Delivery and Servicing Plan condition for the development, however, Officers consider that the development, at only 8 residential units in size, within an established residential area, would not require such a condition.

Overall, there are no objections to the internal layout, access and servicing arrangements proposed.

Refuse & Recycling

The Council's Waste Management Department have been consulted on the scheme, and is satisfied that adequate refuse and recycling provisions have been provided - i.e. refuse: 1x 1100l, 1x 240l; and, recycling: 1x1100l, and 1x 240l. They have also considered the waste strategy details set out in the design and access report and the planning statement and are satisfied with the approach to the refuse and recycling management.

Construction Management

A draft construction logistics plan ('Construction Management Logistics Note' produced by

Potter Raper - Ref: B9569 – THE GRANGE ESTATE; undated) has been submitted by the applicant. The Highway Authority has commented more detail is required as it is likely to have an impact on the surrounding roads during the construction phase. Accordingly it is considered appropriate to request a final Construction Management and Logistics plan by a suitably worded planning condition.

In addition the Highway Authority have also requested that a “before and after” condition survey is requested and for this is to be secured by way of a planning condition, in order to ensure that the roads are maintained and/or restored to satisfactory condition, where they may be damaged during the construction phase.

Overall, Officers consider that the proposed scheme would have an acceptable impact on the local highway network in accordance with Policies DM17 and CS9 of the Barnet Local Plan (2012) Development Management Plan Policies and Core Strategy; and Policies T4 and T6.1 of the Mayor’s London Plan (2021)

Drainage / SuDs

Policies SI12 (Flood risk management) and SI13 (Sustainable drainage) of the London Plan (2021) require development proposals to take account of flood risk – minimising and mitigating this along with any residual risk. Further, the policies require development proposals to aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible – opting for sustainable green drainage features over grey features, ensuring that they are designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.

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

The application site is in Flood zone 1 and the scheme is accompanied by a Flood Risk Assessment, storm sewer drainage calculations and surface water drainage strategy drawings. These have been assessed by the Council's appointed drainage specialists who, following the submission of further details, have raised no objection to the development, subject to a condition requiring details of further Sustainable Urban Drainage provision.

If permission were granted, a condition securing the submission of further details of the surface water drainage scheme is attached. This is considered both reasonable and necessary, in the interest of preventing on-site and off-site surface water flooding, in accordance with Policies D3, SI12, and SI13 of the London Plan 2021; and, Policy CS13 of the Barnet Core Strategy (2012).

Consultation with Thames Water raised no objections. They have advised that proposed development is located within 15 metres of our underground waste water assets, and the development could cause the assets to fail if appropriate measures are not taken. Notwithstanding, they do not consider there is a need to refuse permission or require a condition to be attached to the permission. They have requested that the applicant get in contact with them prior to commencing works. In accordance with Thames Water advice

an informative has been attached to this Officer recommendation.

Environmental Considerations

Policy DM04 of Barnet's adopted Development Management Policies DPD (2012) seeks to reduce and mitigate against the impacts (i.e. noise, air pollution, and land contamination) of development which have an adverse effect on the health of the surrounding environment and the amenities of residents and businesses alike. This is consistent with the objectives of Section 15 of the National Planning Policy Framework (2021), which seeks to ensure that planning decisions conserve and enhance natural environment and avoid significant adverse impacts on health and quality of life.

Contaminated Land:

Policy DM04 of Barnet's Local Plan Development Management Policies DPD (2012) requires that proposals on land which may be contaminated should be accompanied by an investigation to establish the level of contamination.

The application is accompanied by a 'Preliminary Investigation Report' produced by Soils Limited (Doc ref: 18620/PIR_R26; September 2020). The report takes a desktop and conceptual model based approach which is consistent with the Council's standard planning conditions. Based on the information obtained during the compilation of this Preliminary Investigation and the preliminary conceptual site model, a potential for a very low to moderate risk of contamination has been identified. It therefore recommends that an intrusive investigation is necessary to further quantify the risks identified.

The Council's Environmental Health team have considered the contents of the report and agree with the recommendations set out within it. They have recommended a planning condition be attached requiring the further intrusive investigation of the site, and where identified as necessary, a remedial strategy to deal with any areas for concern. Accordingly, Officers consider it both reasonable and necessary to recommend a suitably worded pre-commencement condition requiring these further details.

Subject to a pre-commencement condition requiring further details and, remediation where identified necessary, the scheme would accord with Policy DM04 of Barnet's Development Management Policies DPD (2012).

Air Quality:

Policy SI1 (Improving air quality) of the Mayor's London Plan (2021) aligns with the principles of DM04 of Barnet's adopted Development Management Policies DPD (2012), in that it seeks to ensure emission risks associated with development - i.e. air pollution, both existing and as a consequence of the proposed development - are identified, and that a suitable scheme of mitigation is established to mitigate the impacts for the existing environment and receptors (residents/public) as well as future receptors (residents of the development); and, that all new development meet the GLA's Air Quality Neutral benchmarks.

The application is accompanied by an 'Air Quality Assessment' produced by IDOM (Doc ref: AQA-22417-22-186 REV A; dated: 28-06-22). The report concludes:

- Concentrations of NO₂, PM₁₀ and PM_{2.5} are expected to be below the relevant

AQOs with the exception of a very narrow band along the eastern boundary of the site (directly adjacent to High Road) where concentrations of NO₂ may exceed the annual mean AQO.

- No buildings are proposed in areas where exceedances of the AQO are potentially occurring (immediately adjacent to the eastern boundary of the site). As a result, no specific mitigation measures are considered necessary to reduce future occupants' exposure to air pollution and the site is considered to be suitable for the proposed use.
- The risk of dust impacts is considered to be 'low' during all phases of construction. Recommended mitigation measures are outlined in this report and should be incorporated into a future DMP or wider Construction Environmental Management Plan (CEMP).
- The net daily increase in vehicle movements associated with the proposed development on any given road link is below screening thresholds which would trigger the requirement for detailed consideration of traffic impacts.
- The proposed heating strategy is based on an ASHP technology therefore no emission sources will be introduced as part of the proposed development.
- The scheme has been assessed as 'Air Quality Neutral'. No further action is required in terms of on-site mitigation or offsetting.

The Council's Environmental Health Team have considered the assessment and its conclusions and are satisfied that, subject to adherence to the report's recommended mitigation (for the construction management phase) the scheme during its construction phase would not amount to an unacceptable adverse impact on Local Air Quality. They have advised that the proximity of the proposed development to the High Road/A1000, which is known to be congested at times, is likely to have some adverse impact on the amenities of the future occupiers, and have suggested that some air pollution mitigation be incorporated within the development. Accordingly, this concern is not sufficient grounds for the refusal of application, and thus, Officers consider it both reasonable and necessary to recommend a planning condition to provide additional details of this, in event of the scheme's approval.

Accordingly, subject to conditions the proposed development would ensure that adverse air quality impacts are minimised and mitigated appropriately in accordance with Policy S11 of the London Plan (2021); and, Policy DM04 of Barnet's Local Plan Development Management Policies DPD (2012).

Noise:

Policy D14 (Noise) of the Mayor's London Plan (2021) recognises that the management of noise is important to promote good health and quality of life, within the wider context of achieving sustainable development. The policy stipulates that mitigation should be a part of the design through the use of distance, screening, layout, orientation, uses and materials. Policy DM04 of Barnet's Development Management Policies DPD (2012) broadly aligns with the objectives and design principles of London Plan (2021) policy D14.

In support of the application an 'Acoustic Assessment Report (Planning)' produced by RBA Acoustics (Revision 1; Doc ref: 11655.RP04.AAR.1, date: 16 June 2022). The Council's

Environmental Health Team have reviewed the document and commented that the noise measurements were taken relatively close (approx. 100m) to the location of the proposed development, however, the proposed development is closer to the main source of road traffic noise (High Road / A1000), than the location from which the noise survey was conducted. They consider that the noise report is therefore not sufficient to assess the full impacts of road noise on the development. Consequently, they would request that the assessment is revised to address the specific location of the proposed development. Subsequent Officer discussions with the Environmental Health team concluded that this could be required by planning condition, particularly as there is established precedence for residential developments along the High Road / A1000, and thus, there is likely to be a form of suitable mitigation to address road source noise concerns. As such, in the event of a recommendation for approval Officers recommend a suitably worded planning condition to require that a revised survey is conducted along with the production of an assessment report that analyses the impacts and makes suitable recommendations for mitigation, if and where necessary.

Overall, it is considered that the proposed development, subject to conditions, could achieve satisfactory internal noise levels, in accordance with the objectives of Policy DM04 of Barnet's adopted Local Plan Development Management Policies DPD (2012), and Policy D14 of the London Plan (2021).

Management of Construction-related Pollution

The applicant has supplied a 'Construction Management Logistics Note' produced by Potter Raper (Ref: B9569 – THE GRANGE ESTATE; undated). The document addresses how construction associated activities and vehicular movements will be managed in the interest of preventing pollution and risks to the safety, function and convenience of the local highway network.

This has been considered by both the Highway Authority and the Environmental Health Team who have suggested that more details are required. Accordingly, in the event of a recommendation for approval, it is considered both reasonable and proportionate to recommend a condition requiring a final Construction Management and Logistics Statement to be submitted to and agreed in writing in consultation with both Highways and Environmental Health. This will ensure that a holistic approach is taken to the management of pollution during the construction phase of the development, in accordance with Policies S11 and D14 of the London Plan (2021) and Policy DM04 of Barnet's Development Management Policies DPD (2012).

Sustainability

Water Consumption

Policy S15 (Water infrastructure) of the London Plan (2021) seeks to ensure that development minimise the use and wastage of mains water, water supplies and resources. Policy CS13 of the Barnet Local Plan 'Core Strategy' (2012) also aligns with this objective – recognising that it is important to minimise waste and ensure efficient use of natural resources.

In terms of water consumption, a condition would be recommended in the event planning permission is granted to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to facilitate the objective of minimising the level of water used by the future occupiers and development in general, to

ensure the proposal accords with Barnet's Core Strategy (2012) Policy CS13 and Policy SI5 of the London Plan (2021).

The proposed development, subject to conditions, would therefore meet the necessary sustainability and efficiency requirements of the Barnet Local Plan (2012) and London Plan (2021).

Landscaping, Trees, and Ecology / Biodiversity

Landscape:

London Plan (2021) Policy D8 (Public Realm) states that development proposals should explore opportunities to create new public realm where appropriate. Proposals should also ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable.

Policies CS4, CS5, CS7, DM01, DM02 and DM15 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012) align with the principles of the above London Plan policy – i.e. recognising that high quality, open and attractive outdoor public and communal spaces provide many leisure, recreational and health benefits thereby being essential to healthy, sustainable places and communities. The benefits are further reinforced the Council's Green Infrastructure SPD (2017).

The proposed development will provide new and enhanced amenity space through the rationalisation of the existing central courtyard, and will therefore result in an improvement in the quantum of green space – reducing the level of hardstanding. The proposals will increase the total amount of amenity space on the site by 117m², from 1,933m² to 2,050m².

It is important to note that the existing and proposed public space will be fully accessible for the benefit of existing and future residents but also the residents on the wider estate. Thus, the physical and visual enhancement of this space will have widespread benefits beyond the site itself, particularly for those living on the estate who may use it as a cut through to reach their destination.

The proposed rationalised central courtyard will be of a high-quality design, consisting of attractive planting and hard and soft landscaping. The proposals seek to deliver new wildflower meadows, species rich wildflower lawns, hedges, trees, shrubs, wildlife features, and play facilities. The details of this have been provided within a planting schedule drawing (Drawing No. BA017-GW-HR-DR-L-304; produced by Groundwork London, 16/05/2022, Rev. P3).

A 'Preliminary Ecological Appraisal' (Doc ref: 551515JB21JUN22DV01_PEA_High_Road; dated: June 2022) document has been submitted with the application to address the biodiversity and ecological impacts of the scheme, which is considered later in this report, however it does demonstrate that the scheme will achieve an Urban Green Factor score of 0.48. This score exceeds that of the UGF target of 0.40 outlined in the London Plan (2021). The provision of species rich lawn and wildflower meadows and the retention of all the urban trees onsite will ensure adequate urban greening of the site in the urban environment of East Finchley.

The Council's Trees and Landscape Officer has considered the proposed landscaping, and has no objections in principle, however, they recommend that a final landscape design proposal/planting schedule is required by planning condition to ensure that the visually scheme optimises green enhancement of the site with appropriate native species. Officers consider this to be both reasonable and proportionate, being in the interest of maximising the enhancement of the character and amenities of the site and surrounding area. Accordingly, subject to conditions it is considered that the development will deliver the objectives Policy D8 of the London Plan (2021); and, Policies CS4, CS5, CS7, DM01, DM02 and DM15 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Trees:

Paragraph 131 of the National Planning Policy Framework (2021), Policies G5, G6 and G7 of the London Plan 2021; and Policy DM01 of Barnet's adopted Local Plan Development Management Policies DPD (2012) all recognise the importance of green infrastructure in the enhancement of biodiversity, sustainable urban drainage, responding to climate change, and enhancing both character and amenity of places, collectively delivering sustainable development.

Policy G7 of the London Plan 2021 seeks to ensure that wherever possible, existing trees of value are retained, and where 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 removed, determined by the CAVAT valuation system. Further it recommends that planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

The application is accompanied by an 'Arboricultural Impact Assessment Survey & Report' (Rev 2; Doc ref: BG20.217.3; dated: 26 June 2022) and 'Arboricultural Method Statement' (Rev 1; Doc ref: BG20.217.4; dated: 26 June 2022) both produced by Brindle & Green Ltd. The report recommends that one tree is removed (identified as T16 – a mature Category B sycamore tree) as its root area sits largely within the footprint of the development and it could not be feasibly implemented with the tree in situ. The report recommends mitigatory replanting to offset the loss of the tree which is welcomed. A planting plan (Drawing No. BA017-GW-HR-DR-L-304; produced by Groundwork London, 16/05/2022, Rev. P3) for the site details the replanting locations, stock specification and species selection.

The Council's Tree & Landscaping Officer has considered the arboricultural documents and the replacements for T16 within the planting plan, and has advised that the details provided are broadly acceptable, however, they suggest that the replacements should be agreed and secured through a landscaping condition attached to this recommendation.

In light of the Tree & Landscaping Officer's comments, it is considered that subject to conditions, the scheme would satisfy the objectives of Paragraph 131 of the National Planning Policy Framework (2021), Policies G5, G6 and G7 of the London Plan 2021; and Policy DM01 of Barnet's adopted Local Plan Development Management Policies DPD (2012).

Ecology / Biodiversity:

Policy G6 (Biodiversity and access to nature) of the Mayor's London Plan (2021) requires

development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain.

Policies DM01 and DM16 of Barnet's Development Management Policies DPD (2012) seek to ensure that developments incorporate landscaping and measures that facilitate the retention, enhancement and the creation of biodiversity, broadly aligning with the London Plan policy above.

The application is accompanied by a 'Preliminary Ecological Appraisal' (Doc ref: 551515JB21JUN22DV01_PEA_High_Road; dated: June 2022) produced by Greengage. The appraisal identifies that the site has low value for foraging bats, but high potential for nesting birds. Nevertheless, it concludes that the development would not be unacceptably harmful to ecology if the appropriate mitigation measures are put in place.

The Council's Ecologist has reviewed the submitted document and undertaken a site visit. They concur with the appraisal's findings and recommendations - commenting that there is low risk to bats and that the risk to nesting birds can be removed by avoiding any vegetation clearance during the active bird season.

The document also contains a Biodiversity Net Gain (BNG) assessment which concludes that assuming all necessary mitigation and recommended enhancement measures are incorporated (to greens walls/screens, species rich grassland, wildlife planting, invertebrate features and bird and bat boxes) into the development, then a BNG score of 10.99% (net gain) could be achieved. The Council's Ecologist concurs with these findings, advising that it would exceed the soon to be mandatory 10% BNG score of the Environment Act 2021.

The Council's Ecologist recommends that *"the semi-mature hazel (Corylus avellana) that will be lost with the section of species poor hedgerow should be replaced with an identical planting elsewhere on site, as hazel is a species of high value to biodiversity including nesting and foraging birds, pollinating insect and mammals."* They also suggest that *"further details will be required on the detailed wildflower meadow and species rich specification should be included on the detailed planting schedule. Reference to the Boston Seed Low Growing Wildflower Meadow seed BS12P is welcome for the proposed species rich lawn due to its 10% Yellow-rattle (Rhinanthus minor) which within 2 years of planting would suppress the abundance highly competitive plant species such as nettles, thistles and dock which thrive on disturbed and sown soil. Likewise, the proposed use of Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 is also appreciated given 70/30 ratio of native wildflower to grass species and that all the flowering plant species included are of high value to pollinating insects including bees, butterflies and moths"*. These details can be secured by planning condition i.e. requiring a final planting schedule to be submitted prior to occupation of the development.

Officers agree with the recommendation of the submitted appraisal, that an ecological management plan should be secured by planning condition to secure greater detail on biodiversity and ecological mitigation measures in accordance with BS42020:2013 Biodiversity. Further, the Council's Ecologist has also recommended conditions, which are attached to this recommendation, which will ensure that the development will meet the ecological and biodiversity net gain objectives of the Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

Fire Safety

Paragraph 3.12.1 of the Mayor's London Plan (2021) states that fire safety of developments should be considered from the outset. Although such matters are covered by Part B of the Building Regulations, Para 3.12.2 further states that it is necessary that development proposals achieve the highest standards of fire safety, to reduce risk to life, minimise risk of fire spread, and provide suitable and convenient means of escape that building users can have confidence in. In essence, the fire safety should be integral to the design process of development, before it has obtained planning permission and thereby before any building control application is made.

The applicant has provided a Fire Safety Strategy (Report Ref: SO12855R - Issue 01 – 23/06/2022) produced by Warringtonfire Consulting Ltd in support of the application.

The statement confirms that the development is designed to achieve high standards of fire safety in accordance Approved Document B, Volume 1, 2019 (as amended May 2020).

Officers have no reason to doubt that the strategy has been produced by a suitably competent and qualified body, giving sufficient regard for the scheme's design in respect of fire safety, and therefore, Officers consider that it should meet the objectives of Policy D12 of the London Plan (2021).

Utilities

Policy D2 of the London Plan states that boroughs should work with applicants and infrastructure providers to ensure that sufficient capacity will exist at the appropriate time. London Plan Policy SI 6 requires development proposals to provide sufficient internet and mobile connectivity for future users.

A Utilities Report, prepared by Laser Surveys, has been submitted to accompany this application. It outlines the utilities affected by the proposed development. Officers consider that sufficient consideration has been given to the utility requires and impacts of the proposed scheme, in accordance with Policies D2 and SI6 of the London Plan (2021).

Statement of Community Involvement

The application is accompanied by a 'Statement of Community Engagement' (dated: June 2022) produced by Instinctif which details the scope and methods used for the pre-application consultation and engagement with local communities and stakeholders about Barnet Homes development proposals for 8 new homes, in a four-storey building on The High Road site at The Grange Estate. It also provides details of the outcomes of the consultations and how the proposed development has been influenced through community and stakeholder feedback.

5.4 Response to Public Consultation

Several objections and comments were received in response to the application's publicity via letter and site notice, and these have been considered and addressed, where relevant, through the main body the Officer's assessment of the scheme above. The applicant has also submitted a letter response (dated: 18th August 2022; ref: 31896/A3/AK; re: Re: "Land at High Road... Application ref:. 22/3544/FUL...") to comments, which Officers broadly concur with. Matters that have not been addressed by Officers or that require further clarification are responded to below:

The recurrent themes evident within many of public objections received relate to:

- the levels parking provision;
- the existing constraints, conditions and functional operation of the roads, both in and around the site, which could lead to accidents and conflicts between both road users and pedestrians (adults and particularly children);
- inaccuracies and validity of the documents supporting the application;
- lack of suitable traffic management strategy for the estate in general.
- the level of consultation and lack of transparency over the development of the scheme;
- capacity of existing infrastructure (transport, utilities and social);
- overcrowding;
- lack of facilities (clothes drying area / bike sheds) for residents;
- impacts on natural light, privacy and overlooking – i.e. residential amenity impacts
- increased pollution and noise, obstruction and general disruption during the construction phase.

The Council's Highway Authority has given consideration to the matters of parking and functional operation of the road network on and around the site, and they have not raised any significant concerns with regards to these matters. They are satisfied with methodology used to survey the parking stress within the area, and are further satisfied that there would be sufficient parking provision, within reasonable distance of the respective properties that may be affected. Officers acknowledge that the proposals will bring about changes to the current parking arrangements of the site and its vicinity, however, this is with a view to providing additional enhancements to existing communal areas, which will provide amenity benefits to both the existing and proposed residents.

As noted within the Highway section of the report, the Council's Highway Authority has not raised any concerns with respect to the development and its potential to increase vehicular, cyclist and/or pedestrian conflict. Whilst it is acknowledged that there may be some constraints to the local highway network (e.g. narrow roads), the scale of the proposal is such that it would not create a significant impact on the existing situation. The scale of the proposal is also such that it would not be reasonable to secure further monetary / non-monetary contributions towards more substantial improvements of wider estate's local highway functionality, beyond the obligations and conditions recommended with this report.

Owing to its scale, the scheme is considered unlikely to generate a population yield that would place undue pressure on the social infrastructure (GP Practices, hospitals and schools) or utilities infrastructure to an extent that would warrant a reason for refusal. A Community Infrastructure Levy (CIL) financial contribution will be delivered as part of this application, which can be used to secure improvements to infrastructure where required and identified by the Council.

Sufficient information has been submitted to the Local Planning Authority in order for an informed and proper assessment of the scheme to take place. The Highway Authority are satisfied with the level of information on parking. Whilst the use of 2011 Census data has been objected to, it is not the primary evidence basis for determining planning applications. The estimated demand for parking is calculated based on relevant adopted planning policies, and it has been demonstrated through the parking survey that an overspill of five cars could be accommodated within the parking area at the northern end of Central Avenue (which will be re-opened), Tarling Road and Oak Lane.

The Local Planning Authority has exercised its duty to publicise the application for planning permission in accordance with the statutory requirement. Letters were sent to neighbouring residents and three site notices were displayed adjacent to the site. Accordingly, the level of public consultation on the planning application is considered to be appropriate. In terms of pre-submission consultation, the applicant has undertaken public consultation exercises and detailed how this has influenced the design and scope of their proposals within their 'Statement of Community Engagement' submitted with the application. Officers are satisfied that it demonstrates that an adequate approach to community engagement and involvement was taken.

Improved outdoor drying facilities are to be relocated within the central courtyard area, along with a new cycle store. Accordingly, there will be no loss of these facilities.

With regards to the matter of overcrowding and loss of amenities (loss of light, overlooking and loss of privacy) these have been considered in depth in the above "Impact on the residential amenities of neighbours" section of this report.

As with any construction project, minor inconvenience and disruption to the residents of neighbouring properties are reasonably to be expected. Notwithstanding, these are not long-term issues, and are therefore not a material reason that would warrant an application's reason for refusal. Construction related inconvenience and disruption can be mitigated, managed and minimised by adhering to a comprehensive demolition, construction and logistics management (DCLM) plan, which is enforceable by the respective authorities (i.e. Environmental Health, Planning Enforcement and the Highway Authority). Accordingly, a DCLM plan condition has been recommended, requiring the submission of a final document to be agreed in writing, in consultation with the relevant consultees, by the Local Planning Authority.

6. Equality and Diversity Issues

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

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

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

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

Officers have in considering this application and preparing this report had regard to the

requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

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

A minimum of 10% of units will be wheelchair adaptable.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces. Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are therefore considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

Overall, it is considered that 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. Planning Balance

The proposed benefits of the scheme are:

- Redevelopment of previously developed land (brownfield) for a high quality building that delivers 8 new residential units - 100% affordable housing, secured by unilateral undertaking;
- Improvements and enhancement to landscaping and public open space, improving the physical and visual quality of the wider site; and, providing childrens playspace;
- An uplift in the site's biodiversity and urban greening values which further, in turn, improve the sustainable urban drainage capacity of the site

After an assessment of the proposed development, Officers consider that the development is acceptable overall, having regard to the relevant national, London and local policies. The proposed development would provide a high-quality residential development, that would have an acceptable impact on the character and appearance of the site and wider locality. Whilst it is noted that there will be a loss of parking and a minor increase in the number vehicular and pedestrian movements within the locality, the Highway Authority do not consider that there is insufficient on-street provision within the vicinity of the sites to serve existing and prospective residents. Further they have not raised concern with the number of vehicular and pedestrian movements, thus, it is considered that the harms are not such that they outweigh the benefits of the scheme.

Accordingly, in considering the above-mentioned benefits and the need to make the most efficient use of the of borough's limited land and the development of a brownfield site, the package of public benefits is considered to be of importance and attracts positive weight in the decision making.

8. Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, APPROVAL is recommended subject to conditions as set out above.

Site Location Plan:

