

Location**11 Gruneisen Road, London, N3 1LS****Reference:**

Received: 15.11.2021
21/6029/FUL Accepted: 15.11.2021
Ward: West Finchley Expiry: 14.02.2022

Applicant:

Woolbro Morris Ltd

Proposal:

Demolition of existing buildings and redevelopment of the site to provide two buildings ranging from 3-4 storeys in height, to provide 460sqm of commercial (use Class E) floorspace and 20 residential units (Use Class C3), comprising of 6 x studios; 6 x 1 bed ; 4 x 2 bed (3 bed) and 4 x 3 bed units; 14 x no car parking spaces; cycle storage; communal and private amenity space; refuse and recycling storage.

Recommendation 1:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes 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. Affordable Housing (3 x no shared ownership units) 1 x 1 bed unit at Block A; 1 x 2 bed unit & 1 x 3 bed unit at Block B. The development would be subject to a late stage review mechanism, which will require a re-rerunning of the viability appraisal , once 75% of the units are sold or let.
4. Travel Plan- a financial contribution of £5,000 towards travel plan monitoring in addition to a contribution of £3150 for travel plan incentives.
5. Carbon offsite contributions: This payment would be £54, 750 (£44,726 towards residential element of the development & £10,024 towards the commercial element of the development
6. £15,000 towards a Controlled Parking Zone (CPZ) review
7. £5,000 towards CPZ permit restrictions.

8. "A car free" agreements which restricts future occupiers of both the commercial and residential development from applying for on street car parking permits

9. 20% Local Labour in construction

10. All financial contributions listed above to be subject to indexation.

RECOMMENDATION 2:

That subject to Recommendation 1, the Committee grants delegated authority to the Service Director Planning & Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

Conditions:

1. This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Site Plan: WHO-GRU-HTA-A_0002;
- Proposed Ground Floor Plan WHO-GRU_HTA-A_0100 Rev A
- Proposed 1st Floor Plan WHO-GRU_HTA-A_0101 Rev D
- Proposed 2nd Floor Plan WHO-GRU_HTA-A_0102 Rev C
- Proposed 3rd Floor Plan WHO-GRU_HTA-A_0103 Rev C
- Proposed Roof Plan WHO-GRU_HTA-A_0104 Rev A
- Proposed Elevation WHO-GRU_HTA-A_0200 A-A and B-B Rev A
- Proposed Elevation WHO-GRU_HTA-A_0201 C-C and D-D and E-E Rev A
- Proposed Elevation WHO-GRU_HTA-A_0202 F-F and G-G Rev A
- Proposed Section WHO-GRU_HTA-A_0300 H-H_I-I_J-J Rev A
- Design and Access Statement by HTA Design Limited
- Transport Statement (prepared by Motion Consultants dated 8 November 2021
- Travel Plan (prepared by Motion dated 10 November
- Daylight and Sunlight Assessment (October 2021, Issue 1) by L16 Consultants
- Archaeological Desk Based Assessment dated October 2021 (project number: 07509A) by HCUK Group.

- Employment Land Report prepared on behalf of Woolbro Morris Limited (November 2021)
- Air Quality Assessment by eb7 dated 26 October 2001
- Noise Impact Assessment Report (23514.nia.01) by KP Acoustics
- Phase 1 - Geo Environmental Assessment Report CMG/C4892/10518) dated October 2021 by Brownfield Solutions Limited
- Energy & Sustainability Statement dated August 2022 by JAW Sustainability
- Utilities Statement Report prepared by X CO2 for Woolbro Morris dated November 2021
- Flood Risk Assessment by Lustre Consulting dated November 2021
- Tree Survey and Impact Assessment dated October 2021 by Keen Consultants
- Tree Constraints Plan dated October 2021 by Keen Consultants
- Fire Statement dated 30/1/2021 by London Bridge Association Limited by Iba
- Viability Assessment (Viability response to Viability update March 2022) carried out by Carter Jonas by May 2022
- Archaeological Desk Based Assessment by HUCK Group

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

For major sites, the statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

4. a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

5. a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of:

- (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider;
- (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable; and
- (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented, and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021.

6. a) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long-term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

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

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

7. a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 3 of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 11 of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

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

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

8. 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).

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

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

- b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 10.** (a) Prior to occupation of the development, full details of the Service and Delivery Management Plan for the commercial and residential elements of the development shall be submitted to and approved by the Local Planning Authority.

(b) The Delivery and Servicing Management Plan hereby approved shall be implemented and retained in accordance with the details thereby approved.

Reason: In the interests of highway safety, noise and good air quality in accordance with policies SI 1, SI 7, D14 and T7 of the London Plan 2021; policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

- 11.** a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in policy T6 of the London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 12.** (a) Prior to occupation of the development, full details of the lighting strategy shall be submitted to and approved by the must be designed and used to minimise impacts on bats and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>. Local Planning Authority, in consultation with the Councils Ecology Team.

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

Reason: To minimise the impacts on bats and to ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012); the

Sustainable Design and Construction SPD (adopted October 2016); and, Policy G6 of the London Plan 2021.

13.a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until an ecological survey and proposed biodiversity gains has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.

b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure biodiversity gain onsite, and in nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and, Policy G6 of the London Plan 2021.

14. Within 3 months of completion of the development, the applicant shall be awarded Secure by Design accreditation, in consultation with the Metropolitan Police.

Reason: To ensure that the development is safe and secure for future occupiers in accordance with policies 7.3 of the London Plan (2016); CS5 of the Core Strategy (2012) and DM02 of the Development Management Document (2012).

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

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

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

16. Part 1

The recommendation for intrusive Phase II investigations in the Phase 1 - Geo Environmental Assessment Report CMG/C4892/10518 dated October 2021 by Brownfield Solutions Limited shall be implemented in accordance with the details hereby approved.

Part 2

Prior to commencement of development, 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.

Part 3

Remediation shall be carried out in accordance with the approved detailed remedial method statement 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).

- 17.** The development hereby approved shall be carried out in accordance with the Noise Impact Assessment Report (23514. NIA.01) by KP Acoustics Consultants. The details can be implemented and retained thereafter.

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

- 18.** a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies D4, D5, D8 and G7 of the London Plan 2021; 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).

- 19.** The mitigation measures hereby approved as set in the Air Quality Assessment Report by eb7 Consultants dated 26th October shall be implemented in their 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 (2016), and Policies GG3 and SI1 of the London Plan 2021.

- 20.** 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).

- 21.a)** The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments to the front of block A facing Gruneisen Road, have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

- 22.** Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 30% in carbon dioxide emissions for the residential development; and not less than 38% for the commercial unit when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 23.** The commercial use (use Class E to ground floor at Block B) hereby permitted shall not be open to members of the public before 7am or after 10pm Monday to Saturday; and before 11am or after 6pm on Sundays; bank holiday and Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

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

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 25.** Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use

Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

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

26. (a) Prior to the commencement of development onsite, a Piling Method Statement, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water.

(b) The details hereby approved shall be implemented and retained thereafter.

Reason: To ensure that the development does not adequately impact or cause failures to local underground sewage utility infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), DMO4 of the Development Management Document 2012) the Sustainable Design and Construction SPD (adopted October 2016).

27. a) Prior to Commencement excluding demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives.. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

b. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To enable archaeological investigation and safeguard the archaeological interest on the site in accordance to with paragraph 199 of the National Planning Policy Framework (Revised 2019) policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy HC1 of the London Plan 2021.

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

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

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

29. The development hereby approved shall be implemented in accordance with the Tree Protection Plan (drawing ref: KC-XX-YTREE-TPP01 Rev 0) and retained thereafter.

Reason: To safeguard the health of existing tree(s) 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 (adopted September 2012).

30.a) Prior to the first occupation of the hereby approved development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012).

31 All future occupiers and residents of the 20 hereby approved self-contained flats at Blocks A & B shall have access at all times to all the shared amenity open spaces within the site boundary.

Reason: To ensure all residents onsite have access to adequate and good quality open space onsite, in accordance with policies D6 of the London Plan (2021); DM02 of the Development Management Document (2012) ; and SPD- Residential Design Guidance (2016)

32. (a) Prior to commencement of development, full details of emergency access arrangements for the commercial element of the development shall be submitted to and approved by the Local Planning Authority, in consultation with the London Fire Brigade Authority. The approved details shall be retained thereafter.

(b) Both the commercial and the residential Building shall be installed with water sprinklers, and smoke ventilation to be installed for the stair cores, to be retained thereafter.

Reason: To reduce of damage caused by fire and the consequential cost to businesses and housing providers whilst promoting health and ensure that the health and safety of future occupiers is not unduly compromised in accordance with DM02 of the Management Development Document (2012); Barnet Supplementary Planning Document on Residential Design Standards (2016)

Informatives

1. In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered, and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

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

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.

3. Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

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

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

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

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

5. Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.

6. The applicant is advised that written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs.

7. The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

8. 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.

9. Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

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

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

11. The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be

separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.

12. Various trees, shrubs and hedging are protected as they are shown to be retained or planted as part of the landscaping condition of the planning permission granted for the development of the site. This landscaping condition specifies that any trees or shrubs removed, dying, becoming severely damaged or becoming diseased within five years of the completion of the development are to be replaced with trees or plants of appropriate size and species.

13. The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway, and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost

of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

14. The Applicant is advised to ensure that the proposed plans conform to Part B of approved document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.

15. The applicant is advised to consult Fire Safety Guidance Note (dated 29 January 2019) on Fire Brigade Access similar to that in B5 of the Building Regulations.

16. Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

17. Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Biosecurity, 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."

RECOMMENDATION II1

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 17 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):

- The proposed development fails to provide a legal undertaking to secure affordable housing; obligations towards carbon reductions; travel plan; sustainable modes of transport; Controlled Parking Zone restrictions and review, and a "car free" agreement which restricts future occupiers from applying for car parking permits. The proposal would therefore not address the impacts of the development, contrary to policies E11; SI2; H4; H6; & T4 of the London Plan (2021); policies DM04; DM10; DM14; DM17 of the Development Management Document (2012); and the Planning Obligations SPD (adopted April 2013).

Officer's Assessment

Site Description

The site is currently occupied by a garage/MOT service and includes a number of industrial style buildings, and the street fronting building is a double-height single storey shed with a pitched roof.

The site is accessed off Gruneisen Road, a cul-de-sac entered from Ballard's Lane to the east and two separate access points from Gruneisen Road. The surrounding area is characterised by commercial and residential development, with buildings ranging from 2 to 4 storeys in height. The southern boundary abuts the rear gardens of houses along Wentworth Park. The western boundary runs along the access road between Victoria House and One Way Motors. Directly to the east, is the former Finchley Police Station, which secured planning consent in 2019 for 41 residential units. Planning consent for this development has been implemented onsite.

The site has very good access to Public Transport (PTAL rating of 4) on a scale of 1 -6, where 1 is extremely poor and 6 is excellent.

The site is not located within a Conservation Area, nor is it a listed building.

The site lies in an Area of Special Archaeological Interest.

Site History

11 Gruneisen Road, London, N3 1LS

Ref: CC12207

Description: Use of one service bay of vehicular repair garage for M.O.T testing of cars

Lawful – (17.10.1995)

Site adjacent to the proposal site at former Finchley Police Station, 193 Ballard's Lane, N3 1LZ

Ref no: 19/2079/FUL

Description of development: Redevelopment of the site comprising the erection of two residential buildings of up to four storeys providing 41 no. self-contained flats and 161 sqm of A1 floorspace, including on site car parking for 20 vehicles and 66 cycle spaces, recycling and refuse areas, associated amenity space, landscaping and associated development

Decision date: 12 August 2019

Decision: Approved subject to conditions and a legal agreement

Proposal

The proposal is for the demolition of the existing buildings, including MOT service garages, to redevelop the site to provide two buildings (referred to as blocks A & B on

the proposed drawings, and within this report) ranging from 3-4 storeys in height to provide 20 self-contained residential units (comprising of 6 x studios; 6 x 1 bed; 4 x 2 bed & 4 x 3 bed) and 460sqm of commercial floorspace use class E.

Block A ranges from 3-4 storeys comprising 6 x studios & 6 x 1 bed (2 person)

Block B is a three-storey building, comprising of 460sqm of class E (commercial floorspace) at ground floor level; and 4 x 2 bed (3 person) and 4 x 3 bed units on the upper floors.

The proposal is for 8 x no car parking spaces onsite.

There is a bicycle storage area for 7 cycle spaces (14 stacked) to Block A; and 7 spaces or 14 stacked at Block B.

The proposal makes provision for private amenity space and communal amenity space onsite.

Public Consultation

Consultation letters were sent to 278 neighbouring properties on 22 November 2021.

19 responses have been received, comprising 19 letters in objection, including representation from The Finchley Society.

The objections received can be summarised as follows:

- The height, scale, mass, and design of the proposed development is excessive and out of context with the streetscene and local area;
- The proposal would result in overlooking and loss of privacy to the surrounding residential properties;
- The proposal would result in loss of daylight and sunlight to neighbouring properties;
- Increased pressure on local physical and social infrastructure such as GP Surgeries; schools & on street car parking in the immediate and local area.
- Gruneisen road is very narrow, refuse collection vehicles could damage cars parked on street; Access for emergency vehicle could be a challenge onsite
- Dust; noise; air pollution; and traffic congestion during demolition and construction;
- Further pressure on on-street parking in the immediate area;
- Excessive density and overdevelopment of the site;
- The proposal provides limited public benefit to the community;
- Exacerbate congestion on Gruneisen Road and the local area;
- Lack of affordable housing;
- The quality of life for future occupiers could be compromised;
- Under provision of family units and affordable housing accommodation; and
- Loss of employment- The MOT garage has provided a great service & employment for many years

Support comment from resident opposite the site

- The proposed demolition of the existing building onsite, is welcomed, as they are unsightly, and do not contribute positively to the character and appearance of the area.

All planning matters raised within the representations received from local residents are available to view on the Councils website. These objections have been considered and addressed as part of the decision-making process. All representations have been summarised in the Officers report.

Statutory Consultees

Transport for London (TfL)}

The site has good access to both West Finchley and Finchley Central Underground Stations. There are also frequent bus services on Ballard's Lane. As such, TfL considers that parking ration should be reduced to 0.5 space per unit for the residential, including disabled space, instead of the proposed 0.65 to reflect the site good PTAL rating. The car parking spaces should be allocated to units with 2 beds or above only.

TfL do not raise objections to the proposal subject to the following conditions:

1. Electric vehicle charging points should be provided accordance with the London Plan standards.
2. Details of secure cycle storage provision for the proposed residential amen commercial uses should be secured by way of a planning condition.
3. Future occupiers/residents should be exempted eligibility for local parking permits.
4. A Delivery Service Plan and Construction Logistics Plan should be secured by condition.

Section 106 Agreement

Travel Plan should be secured by s106 agreement.

Historic England- archaeology

No comments were received from Historic England.

Notwithstanding, given that the site lies in an Area of Special Archaeological Interest, a condition would be required which requires no demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and a programme and methodology of site investigation and recordings. This is to enable archaeological investigation and safeguard the archaeological interest on the site

Metropolitan Police

Metropolitan Police support the planning application, subject to a planning condition which requires the applicant shall be awarded Secure by Design accreditation, within 3 months of completion of the development in consultation with the Metropolitan Police. This is to ensure that the development is safe and secure for future occupiers.

London Fire Brigade

The applicant submitted a Fire Statement, which includes a plan showing an indicative location for fire appliance access and an indicative layout for the rising main inlets for both Blocks A and B. The rising main inlets would be no more than 18 metres from the fire appliance access point. The entrance to Block A is approximately 18 metres from this assumed point. The entrance to the stair core for Block B is approximately 36 metres.

London Fire Brigade were consulted on this application. However, no comments were received.

Notwithstanding, a condition would be attached which requires that both the commercial and the residential Building shall be installed with water sprinklers, and smoke ventilation to be installed for the stair cores, to be retained thereafter. This is to reduce the damage caused by fire and the consequential cost to businesses and housing providers whilst also ensuring that the health and safety of future occupiers are not unduly compromised.

Thames Water

Thames Water do not object to the planning application, subject to a planning condition, which requires that no piling works shall take place until a Piling Method Statement (detailing the depth and type of piling and the methodology by which such piling would be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

This is to ensure that the development does not adversely impact or cause failures to local underground sewage utility infrastructure and in the interest in protecting public health and safety.

The Local Lead Flooding Authority

Prior to commencement of development works, other than demolition works, a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Lead Flooding Authority. The

development 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. This is to ensure that the development provides appropriate drainage infrastructure and in the interest of public health and safety.

LBB Highways team

Should planning permission be granted, LBB Highways team recommend the following conditions are attached:

- Emergency access arrangements for commercial element is requested and approval from the Fire Brigade may be required.
- Demolition, Construction and Logistics Management Plan
- Refuse and recycling storage details
- Cycle storage details
- Delivery and Service Management Plan

The following planning obligations should be secured within a Section 106 Agreement

- A travel plan- a financial contribution of £5,000 towards travel plan monitoring in addition to a contribution of £3150 for travel plan incentives.
- 15k towards a CPZ review and
- 5K towards CPZ permit restrictions.
- A car free” agreements which restricts future occupiers of both the commercial and residential development from applying for on street car parking permits

Section 278 Agreement

- The new access layout will require reinstating redundant crossovers to footway and introducing new crossovers and changing the layout of the CPZ in front of the site. This would involve works on the public highway for which a s184/278 Agreement which the Council would need to be entered into with the applicant.

This requirement is covered under Highways legislation, and not planning legislation.

LBB Environmental Health

LBB Environment Health team do not raise any formal objections, subject to the following conditions:

Noise and vibration

- The Noise Assessment submitted should be implemented and retained thereafter. This is to ensure that the amenities of occupiers are not prejudiced by road traffic and/or mixed use noise in the immediate surroundings.

Air Quality

- The proposed air quality mitigation measures are acceptable.

Contamination

- Part 1- The Phase 1 - Geo Environmental Assessment Report (CMG/C4892/10518) dated October 2021 by Brownfield Solutions Limited shall be implemented in accordance with the details hereby approved. 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. This is to ensure that the development can be implemented and occupied with adequate regard for environmental and public safety.

LBB Ecology team

LBB Ecology team raise not objections to the proposal, subject to the following conditions:

1. No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until an Ecological Survey and proposed biodiversity gains has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.
2. Prior to occupation of the development, full details of the lighting strategy shall be submitted to and approved by the must be designed and used to minimise impacts on bats and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>. Local Planning Authority, in consultation with the Councils Ecology Team.

The above conditions are sought to minimise the impacts on bats and to ensure that nature conservation interests are not prejudiced by the development

LBB Arboricultural Team

Should planning permission be approved, LBB Arboricultural Team do not raise any formal objections, subject to the following planning applications:

1. Full details of hard and soft landscaping
2. Landscape Management Plan
3. Details of green roof
4. Adherence to the submitted Tree Root Protection Plan (compliance condition).
5. Details of improvements to biodiversity onsite

Planning Considerations

Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2021

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

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

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

The relevant London Plan policies are as follows:

- E1 Offices
- E2 Providing suitable business space
- E4 Land for industry, logistics and services to support London's economic function

- E6 Locally significant industrial sites
- E11 Skills and Opportunities for all
- D3 Optimising site capacity through the design led approach
- D4 Delivering good design
- D5 Inclusive Design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D10 Basement development
- D11 Safety and resilience to emergency
- D12 Fire Safety
- D14 Noise
- H1 Increasing housing supply
- H4 Delivery affordable housing
- H6 Affordable housing tenure
- H7 Monitoring of affordable housing
- H8 Loss of existing housing and estate redevelopment
- H10 Housing size mix.
- S1 1 Improving air quality
- S1 3 Energy Infrastructure
- S1 4 Managing heat risk
- S1 5 Water Infrastructure
- S1 7 Reducing waste and supporting the circular economy
- S1 13 Sustainable drainage
- S1 17 Protecting and enhancing London's waterways.
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- HC1 Heritage conservation and growth

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.

Core Strategy (2012) CS NPPF; CS1; CS3; CS4; CS9; CS14

Development Management Document (2012) DM01; DM02; DM03; DM04; DM07; DM08; DM10; DM14 and DM17

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging 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 emerging policies and draft site proposals.

Supplementary Planning Documents

- Sustainable Design and Construction SPD (adopted October 2016)
- Residential Design Guidance SPD (adopted October 2016).

Main issues for consideration

The main issues for consideration in this case are:

- The principle of demolition of the existing industrial style buildings onsite to provide a mix use commercial and residential development;
- Whether harm would be caused to the character and appearance of the site; the streetscene; and the local area;
- The impact on the amenity of neighbouring properties;
- The proposed quality of accommodation;
- Dwelling mix and affordable housing;
- Impacts on the local highway;
- Energy and Sustainability;
- Trees and Ecology

Assessment of proposals

The principle of demolition of the existing industrial style buildings onsite to provide a mix use commercial and residential development;

Policy E2 of the London Plan (2021); policy CS8 (Promoting a Strong and Prosperous Barnet) aims to support the growth Barnet's businesses in appropriate locations within the borough. Policy DM14 states that: "*Proposals to redevelop or reuse an existing employment space which reduces the levels of employment use and impacts negatively on the local economy will be resisted.*" Further, this policy stipulates that the loss of a B Class use would only be permitted where it can be demonstrated to the Council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken. Where this can be demonstrated the priority for re-use will be a mixture of small business units with residential use.

With regard to industrial land such as the site, the London Mayor splits this into three categories:

- 1) Strategic Industrial Locations (SIL);
- 2) Locally Significant Industrial Sites (LSIS); and,
- 3) Other Industrial Sites

The site is not locally designated for an Industrial or employment use. Notwithstanding, the existing site currently provides a total of approximately 926 sqm (GIA) of employment space in the form of automotive repair shop (MOT service), with 16 employees, which is considered to be a low-density employment generator. The loss of the existing MOT business onsite would not have an adverse impact on the area in land use terms. At present, there are approximately 12 alternative M.O.T businesses within a 1.4-mile drive of no 11 Gruneisen Road, and thus the customers of the Road Runner Service Centre have numerous local options as to where they can get their vehicles checked and served.

The proposal would provide approximately 460 sqm (GIA) of flexible commercial employment space (use class E) onsite. As such, the proposal would result in the loss of 466sqm of industrial floorspace onsite. However, the proposed new commercial unit is likely to provide a total of 36 new jobs which could result in an uplift of 20 employees on the site.

This is a significant increase and supported by Officer, particularly as the proposed commercial unit would generate a higher employment density yield onsite. The flexible employment space aims to meet the needs of modern creative businesses, in particular, SME's through offering smaller and flexible workspaces.

The development and its associated uplift in jobs would also have a subsequent increase in spending in the local area. This aligns with London Plan policy CG5 'Growing a good economy' and Policy CS8 'Promoting a strong and prosperous Barnet' as it is providing jobs in the right locations whilst also supporting economic development and regeneration. Further aligning with Policy DM14 which states that proposals to redevelop existing employment uses should not negatively impact on the local economy.

Moreover, should planning permission be granted, the applicant is committed to enter into a Section 106 to secure 20% local labour during construction, sourced within the borough.

Principle of Residential development

Policy D6 of the London Plan (2021) states the density of a development should result from a design-led approach to determine the capacity of the site. This should consider site context, its connectivity and accessibility by walking and cycling, existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 stipulates that development that does not demonstrably

optimise the housing density of the site in accordance with this policy should be refused.

The NPPF states that: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

The London Plan and Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The Council recognises that flatted developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land. The proposed introduction of new dwellings is considered to be appropriate given the residential context of the site. Moreover, the residential density is considered acceptable, as the proposal would not present symptoms of overdevelopment of the site, as discussed further within this report.

The site would also make a significant contribution toward the housing need in the Borough and would make the most efficient use of the land, in accordance the London Plan and Local Plan policy.

Design and its' impact on the character and appearance of the existing building; the streetscene and the wider locality

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

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

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

Any scheme for the site is required to respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects.

The borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

Officers have pro-actively engaged with the applicant throughout the planning process and there have been various amendments made to the proposal following the submitted of the planning application.

Height; scale; bulk and massing

The proposed height of block A ranges from 3 storeys fronting Gruneisen Road (which matches the height of the neighbouring building) and steps up to 4 storeys in height to the rear, with a pedestrian link features on the upper floor which adjoins both elements of block A. This detailing adds complimentary visual articulation to the proposed building mass and would not result in overlooking to neighbouring properties.

The scale, and mass of Block B is similar with the footprint and height of the block to the north of the site. Given the siting of the proposal and the distances with the two-storey properties, and the setback on the upper floors ensures that the proposal would provide visual interest and visual relief, whilst ensuring it would not present any overbearing and overlooking concerns. The proposed height at 3 storeys is modest; site appropriate; and responds positively to its context.

The proposed footprint; height; bulk; massing; and appearance would respect the relationship between itself and nearby buildings; and would have a positive impact on the character and appearance of the streetscene, and the local area. Moreover, the proposal would not have an overbearing or harmful impact on the character and appearance of the property and area.

Elevation treatment/materials

Block A adjoins Park Place development which features a distinctive warehouse appearance with grey/brown brickwork and black metal window frames. The terraced housing on the northern side of Gruneisen Road features red and brown brickwork close to Ballard's Lane transitioning to lighter brickwork and render towards the west. Many of the existing buildings located within the site to the rear of the main car garage are expressed in red brickwork. Similarly, and immediately adjacent to the site, Victoria House and the warehouse buildings to the rear are also expressed in red brick with white rendered section at first floor.

In terms of material and elevational treatment, block B articulates itself on the upper part of the facade using the precedents from Ballard's Lane as reference points. These

included both vertical and horizontal expressions utilising banding to create datum points across the facade and infill panels to group elements together.

The appearance and finishing to the commercial use and residential uses on the upper floors are expressed differently, which creating a clear distinction between the class E and residential uses at block B, which are supported by Officers.

The proposed materials include a mix of yellow and red brickwork; aluminium window frames, in keeping with the character and appearance of the area. The applicant would be required to submit detailed samples of the proposed materials to the Local Planning Authority prior to the commencement of works onsite. This would be secured by way of condition.

The proposed development would ensure the commercial use is re- provided; suitable dwelling mix; including 4 x no 3-bedroom units, which would address the need for family housing within the borough and makes provision for 3 x no affordable units.

Overall, it is considered that the development is of high design quality. The proposed footprint; height; bulk; massing; and appearance would respect the relationship between itself and nearby buildings; and would have a positive impact on the character and appearance of the streetscene, and the local area. Moreover, the proposal would not have an overbearing or harmful impact on the character and appearance of the property and area.

Impacts on amenity of neighbouring residential amenity

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

Daylight, sunlight and overshadowing on neighbouring properties

The applicant has submitted a Daylight; Sunlight and Overshadowing report which has been reviewed by Officers, which assesses the proposal in respect of daylight, sunlight and overshadowing matters, having regard to industry standard guidance.

The daylight and sunlight assessment has been undertaken to windows at the following properties:

- Nos 10-18 Gruneisen Road
- Wentworth Lodge
- 43-51 Wentworth Park (Rear)
- Marwood Court

The report sets out in detail the various daylight and sunlight tests and demonstrates that the proposal is in accordance with BRE Guideline standards, which Officers

considered to be acceptable, in accordance with planning policy requirements in relation to daylight and sunlight and overshadowing.

Privacy

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

The Mayor of London's Housing Design Quality Standards SPD stipulates that "guidance for privacy has been concerned with achieving visual separation between dwellings by setting minimum distances between back-to-back homes (typically 18-21m). However, this is a crude measure, and adhering rigidly to these distances can limit the variety of urban spaces and housing types in the city, and unnecessarily lowers density".

A contextual drawings which show the separation distance between the proposed development and surrounding residential development has been submitted to the Local Planning Authority. This drawing demonstrates that the proposal would not result in undue loss of privacy or overlooking to neighbouring properties.

The upper floors have already been set back away from the site boundary to provide visual relief and to avoid any sense of overbearing or overdominance.

With respect to the west facing windows at block B, there is a separation distance of approximately 55.5m from the property directly west at no 20 Wentworth Avenue, and approximately 55.3m from the property at no 22 Wentworth Avenue.

The distance between the western shared boundary wall closest to block B is approximately 6.3 metres. The distance between the southern elevation of block B and boundary shared with no 49 Wentworth Park is approximately 4.3m. However, the distance between windows at block B to the rear habitable rooms at no 49 Wentworth Park is approximately 23 metres, and therefore in accordance with the London Plan and Local Plan policy.

There is no direct intervisibility between the proposed east facing windows at block B and existing properties. Directly south/east of block B is a flatted development at no 1-14 Westworth Lodge. There would be no direct intervisibility between habitable rooms, and the separation distance is approximately 26.5sqm.

The proposed building line of Block A does not exceed that of the neighbouring 3 storey flatted development and is sufficiently set back from the road. The proposed windows and balconies at Block A fronting Gruneisen Road would not result in undue loss of daylight; sunlight; or privacy to occupiers directly across the street.

Design measures have also been adopted to ensure privacy is safeguarded within the development through the use of privacy screens and obscured glazing were required.

Overall, the proposed development would not adversely impact the existing amenity to surrounding resident occupiers and would accord with the relevant policies.

Standard and quality of accommodation proposed

Dwelling mix

Policy H10 of the London Plan (2021) stipulates that developments should generally consist of a range of unit sizes. Policy DM08 relates to dwelling mix and requires all new residential development to provide a mix of dwelling sizes and types to cater for a range of housing needs in the area. LBB set a dwelling size mix requirement for new development in the borough with homes of 3 bedroom or more the priority.

The proposed dwelling mix is for 6 x studios (30% of total); 6 x 1 bed (2 persons) (30% of total); 4 x 2 bed (3 persons) (20% of total) & 4 no x 3 bed units (20% of total).

The proposal provision for 4 x no 3 bed units would assist in delivery much need family housing in the Borough. The overall dwelling mix is considered to be satisfactory, and importantly would ensure the delivery of the development onsite, which also makes provision for 3 x no affordable homes.

Affordable Housing

Policy H4 & H5 of the London Plan (2021) requires all major developments which trigger affordable housing (10 units or above) requirements to provide affordable housing units onsite. A cash in lieu contribution towards off site affordable housing must only be considered in exceptional circumstances.

Policy H6 of the London Plan (2021) addresses affordable housing tenure. The following split of affordable products should be applied to residential development:

- 1) a minimum of 30 per cent low-cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes
- 2) a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership.

Policies CS4 & DM10 of the Local Plan (2012) stipulates that LPA's should have regard to the borough-wide target that 40% of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to viability. The overall tenure split should be 60% social rented and 40% shared ownership units.

The emergency Local Plan Policy HOU01 "Affordable Housing" will seek a minimum of 35% affordable housing from all developments of 10 or more dwellings. For all schemes, the basis of calculations for the affordable housing requirement will relate to the number of habitable rooms or the habitable floorspace of the residential development. Barnet's affordable housing tenure split will expect:

- a) 60% Low Cost Rent products including Affordable Rent

- b) 40% Intermediate including London Living Rent and London Shared Ownership. The Council will:
- c) Assess the capacity of sites under the threshold to ensure development is at an optimum capacity;
- d) Expect affordable housing to be delivered on the application site. Off-site provision will only be accepted in exceptional circumstances

The proposal makes provision for the onsite provision of 3 affordable units, comprising of 1 x no 1 bed on first floor at Block A, and 1 x no 2 bed; and 1 x no 3 bed units on first floor at block B. This equates to 19.5% of the total number habitable rooms; and 15% of the total number of units proposed. The applicants Viability Report has been independently appraised by the Council's appointed professional advisors, who have concluded the affordable housing offer has been optimised with the proposed affordable housing onsite. On this basis officers consider that it is maximum level of affordable housing which can be delivered onsite, so as to ensure continued viability and deliverability of the proposal onsite. The scheme would also be subject to a late stage review mechanism, which will require a re-rerunning of the viability appraisal , once 75% of the units are sold or let, to establish whether further provision of affordable housing can be secured onsite. This review mechanism would be secured in a Section 106 Agreement, in accordance with policy H5 of the London Plan (2021).

Room size standards and layouts

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

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

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

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

Daylight and Sunlight

The applicant has also undertaken a daylight and sunlight assessment to determine the impacts the development would have on itself. The result show that all habitable rooms proposed would receive daylight and sunlight levels in accordance with BRE Guidelines.

Private amenity space

The Council's adopted Supplementary Planning Document entitled Residential Design Guidance requires the provision of 5 sqm of amenity space for each habitable room for flats.

Block A

- 1 bed (2 person) Policy Requirement: 10sqm Proposed 5sqm
- 1 bed (2 person) Policy Requirement: 10sqm Proposed 5sqm
- 1 bed (2 person) Policy Requirement 10sqm Proposed 5sqm
- 1 bed (2 person) Policy requirement 10sqm Proposed 5sqm
- 1 bed (1 person) Policy Requirement) 10sqm Proposed 6.6sqm
- 1bed (1 person) Policy Requirement 10sqm Proposed 7.2sqm
- 1 bed (2 person) Policy Requirement 10sqm Proposed 5sqm
- 1 bed (2 person) Policy Requirement 10sqm Proposed 5sqm
- 1 bed (1 person) Policy Requirement 10sqm Proposed 6.6sqm
- 1 bed (1 person) Policy Requirement 10sqm Proposed 7.2 sqm
- 1 bed (1 person) Policy Requirement 10sqm Proposed 6.6sqm
- 1 bed (1 person) Policy Requirement 10sqm Proposed 7.2sqm

Based on the above figures, the total policy requirement would be 120sqm. The total proposed private amenity space is 91.2sqm.

Block A has a shortfall of 29.8 sqm of private amenity space. The proposed communal amenity space at ground floor is 27sqm, which would offset the lack of private amenity space onsite, and therefore the overall provision for open space is considered to be acceptable.

Block B

- 3 bed (4 person) Policy Requirement 20sqm Proposed 29.2sqm
- 3 bed (5 person) Policy Requirement 20sqm Proposed 16.1sqm
- 2 bed (3 person) Policy Requirement 15sqm Proposed 11.6sqm
- 2 bed (3 person) Policy Requirement 15sqm Proposed 8sqm
- 3 bed (5 person) Policy Requirement 20sqm Proposed 8sqm
- 3 bed (5 person) Policy Requirement 20sqm Proposed 8sqm
- 2 bed (3 person) Policy Requirement 15sqm Proposed 8sqm
- 2 bed (3 person) Policy Requirement 15sqm Proposed 8sqm

As set out above, the total policy requirement for private amenity space for block B would amount to 140sqm. The proposal makes proposed 96.8sqm. As such, there would be a shortfall of 43.2sqm.

The overall communal amenity space proposed on first floor level is 128sqm, which would meet and exceed the shortfall, thus mitigating against the under provision of private amenity space.

Blocks A & B combined

The overall policy requirement for private amenity space is 260sqm, and the overall proposed is 188sqm. As such, the overall shortfall of private amenity space proposed onsite would be 72sqm. The proposed combined communal open space across blocks A & B equates to 155 sqm, which would offset the private amenity space provision. Therefore, the proposal would provide adequate open space onsite for future occupiers in accordance with policy.

A planning condition would be attached which requires that All future occupiers and residents of the 20 hereby approved self-contained flats at Blocks A & B shall have access at all times to all the shared amenity open spaces within the site boundary. This is to ensure all residents onsite have access to adequate and good quality open space onsite, in accordance with policies D6 of the London Plan (2021); DM02 of the Development Management Document (2012); and SPD- Residential Design Guidance (2016)

Impact on Local Highway

The site is on Gruneisen Road, a two-way narrow no-through road with parking on one-side and yellow lines on the other. The road joins Ballards Lane at its southern end. Ballards Lane continues as A1000 to the north and joins Regents Park Road which connects onto the A406 to the south. The road is mainly residential in nature but there are some commercial properties.

The site lies in an area with a PTAL rating of 4, on a scale of 1 to 6, where 1 is poor and 6 is excellent. This indicates that there is good access to public transport. The site is in a CPZ which operates on Mondays -Fridays between 2-3pm. Five bus routes (143, 382, 125, 460, 82) can be accessed from stops within 2-4 minutes walking distance. West Finchley and Finchley Central tube stations are located within 8 and 11 minutes walking distance respectively.

The proposed development consists of demolition of the existing car repair/MOT garage to make way for construction of 20 residential flats and alongside 500 sqm of Class E floorspace.

The site has a good access to Public Transport Accessibility Level (PTAL) rating of 4 (on a scale of 1 -6, where 1 is extremely poor and 6 is excellent). This site is considered to have very good access to public transport.

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 would 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.

Car parking

GLA car parking standards

Policy T6.1 of the London Plan 2021 Residential Parking standards requires that new residential development should not exceed the maximum parking standards. These standards are a hierarchy with the more restrictive standard applying when a site falls into more than one category. Parking spaces within communal car parking facilities (including basements) should be leased rather than sold. All residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces.

Given that the site has good access to both West Finchley and Finchley Central Underground Station, plus frequent bus services on Ballards Lane, TfL considers *“that parking ration should be reduced to 0.5 space per unit for the residential, including disabled space, instead of the proposed 0.65 to reflect the site good PTAL rating. The car parking spaces should be allocated to units with 2 beds or above only”*.

As such, based on TfL comments, the proposal should make provision for 4 x no car parking spaces onsite.

LPA car parking standards

The LPA parking standards differ from the London Plan standards. Policy DM17 states that the council would expect development to provide parking , except in the case of residential development, where the maximum standards will be:

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

According to the Council’s Local Plan Development Management Policy DM17, the proposed development comprising a 20 flats (6 x studios, 6 x 1 bed; 4 x 2bed and 4 x 3 bed) would need to provide between 8 and 24 off-street parking spaces for the residential element of the scheme. Based on London Plan standards for outer London areas, up to 1 space per 100sqm office floorspace is required. The proposed 460 qm of office space should provide a maximum of 5 car parking space. In total, approximately between 13 and 29 spaces should car parking policy standards be rigidly applied, in isolation of the specific site constraints.

Notwithstanding, LBB Highways advice that the provision of 14 spaces for the development would be acceptable given that the site has very good access to public transport. Given the good PTAL score (4) of the site of B1 and the fact that it is in a CPZ and the over 50% of the dwellings are 1 bed units which tend to attract a lower car ownership ration, LBB Highways team accept the provision of 14 car parking spaces of which 2 disabled spaces; (one accessible space for the residential development; and 1 accessible space for the non-residential element) subject to a s106 CPZ permit restriction and a contribution of £15,000 towards Controlled Parking Zone (CPZ) review, and £5,000 towards CPZ permit restrictions.

Electric vehicle charging points must be provided in accordance with new London Plan standards (20 active and 80% passive) which equates to 3 active and 11 passive spaces for the 14 car parking spaces proposed. The ground floor plan does not show details of any charging points. However, this can be secured by way of a planning condition.

Subject to conditions, the proposed provision for car parking spaces onsite is acceptable.

Sustainable modes of Transport

To encourage sustainable and environmentally friendly modes of transport to and from the date, the applicant would be required to submit a Strategic Level Travel Plan and a £5,000 Travel Plan Monitoring Contribution and a £3150 for travel plan incentive would be required to be secured via Section 106 agreement.

Prior to the occupation of the development the owner/developer shall appoint a Travel Plan Coordinator and notify LBB in writing of the name, address, telephone number and email address of the person appointed. Details of any future Travel Plan Co-Ordinator to be provided to LBB by email within 5 working days

The above would be secured a Section 106 (legal agreement).

Cycling Parking

Policy T5 Cycling of the London Plan (2021) requires that "cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.182 Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people".

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

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

The applicant proposes 31 cycles in two internal stores accessed via the residential car park. This meets London Plan standards which require a minimum of 31 spaces and 2 short stay spaces for the residential element of the scheme. For the non-residential element, a minimum of 4 long stay and 1 short stay space is required based on London Plan for B1 office use. Hence, a total of 35 long stay and 3 short stay spaces are needed retail. However, the ground floor plan does not show the any cycle parking for the non-residential element and the location of the short stay spaces.

The applicant would be required to submit an updated plans of the scheme. Internal dimensions of the proposed cycle store and spacing between bicycles must meet London Cycle Design Standards and provision for larger bicycles allowed for. Access to the internal cycle store for the residential is acceptable.

Notwithstanding, before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter. This would be secured by way of a planning condition.

Refuse and Recycling

Policy S1 8 of the London Plan (2021) and policies DM01; DM02 and DM17 of the Development Management Document seek to ensure that all new development makes adequate provision for refuse and recycling facilities in appropriate locations.

The proposal makes provision for the

- Bin store for no 4 x no 23 litre food and waste bins
- Bin store for 1 x no 240 litre mixed recycling bin and 1 x no 240 litre garden waste
- Bin store for 2 no 240 litre mixed recycling bins

The refuse collection areas would be located within 10 meters of the Public Highway on collection days, which is acceptable in highways terms.

Energy and Sustainability

Policy SI 2 of the London Plan (2021) stipulates that major development should be net zero carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy: 1) be lean: use less energy and manage demand during operation 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site 4) be seen: monitor, verify and report on energy performance. Further, A minimum on-site reduction of at least 35 per cent beyond Building Regulations 152 is required for major development

Local Policy (2012) policy DM04 requires all major developments to demonstrate through the submission of an Energy Statement that the scheme complies with the Mayor's targets for reductions in carbon dioxide emissions with the framework of the Mayor's energy hierarchy. London Plan (2021) policy requires major new developments to be net zero-carbon and should reduce greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the Mayor's energy hierarchy. A minimum on-site reduction of at least 35% beyond Building Regulations is required with 10% achieved through energy efficiency measures.

The applicant has submitted An Energy and Sustainability Statement to the Local Planning Authority. The Energy Strategy follows the London Plan Energy Hierarchy: Be Lean, Be Clean and Be Green. The overriding objective in the formulation of the strategy is to maximise the reductions in total CO2 emissions through the application of the hierarchy with a technically appropriate and cost-effective approach, and to minimise the emission of other pollutants.

The proposed development seeks to redevelop the site at 11 Gruneisen Road, London and provide 20 residential units across 2 buildings and 460 sqm (GIA) of commercial floorspace at ground floor. The requirement is to follow the energy hierarchy and incorporate sustainable design and construction measures.

The development follows the energy hierarchy, incorporating passive design measures and energy efficient equipment. The development employs an efficient building fabric, including new insulation and highly efficient glazing, efficient gas heating and heat recovery ventilation to maximise carbon savings for the site, resulting in a 29% saving for the residential aspect and 38% saving for the commercial unit over Building Regulations Part L. Measures are also incorporated to minimise pollution and reduce water use. The development complies with sustainability policy of the London Borough of Barnet Development Policies.

A one-off payment is required into the Carbon Offset Fund in order to satisfy the 100% requirement. This payment would be £54, 750 (£44,726 towards residential element of the development & £10,024 towards the commercial element of the

development) for a shortfall in accordance with GLA guidance on preparing energy assessments.

Trees/Landscaping/Biodiversity/Ecology

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

Sites being considered for development must retain valuable, and protected habitats such as bat roosts or badger setts deliver net bio-diversity gains. Guidance set out within BS 42020 – a code of practice for biodiversity in planning and development. This will inform the level of information required for the authority to evaluate supporting information for example Preliminary ecological assessments and Preliminary Bat roost assessments.

The proposal does not result in the removal of trees onsite, as all trees are outside the boundary. The submitted Tree Protection Plan 1766-KC-XX-YTREE-TPP01 Rev0 indicates that there would be minimal impact on trees growing on adjoining land. Adherence to this plan should be a condition for any approval granted. New tree planting in hard surfaced areas must have cellular systems to provide large rooting volume below the proposed carriageways.

Ecology

LBB Ecologist advice that the proposed developments impacts on the bat roost potential, would be negligible, and therefore no further information on this matter is required. There is a requirement at all policy levels to deliver bio-diversity net gains, which has not yet been demonstrated within the application documents. Details of this can be secured via a planning condition but should include bat and bird bricks appropriately located around the buildings and complement the soft and hard landscape scheme required by specifying 'bee friendly' plants within the landscape scheme.

Before the development hereby permitted commences, the applicant shall submit for approval details of measures to improve biodiversity on the site in accordance with guidance set out within BS42040:2013: Biodiversity – Code of practice for planning and development, and guidance documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval. The development shall be implemented in full accordance with these details.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a planning charge that Local Authorities and the Mayor of London can set on new development to help pay for community infrastructure.

The CIL will apply to all 'chargeable development' defined as: Consisting of buildings usually used by people; Delivering 100sqm or more of gross internal floorspace or the creation of one additional dwelling, even if the gross internal floorspace is <100sqm; or Floorspace that is not exempted under the Act, the Regulations or for a locally defined reason.

In Barnet, as of 1st April 2022, an adopted CIL charge of £300 per sqm (index linked) is applied to residential, including C2, C3, C4 use classes and Sui Generis HMOs and other sui generis residential uses. All other uses and ancillary car parking are set at a rate of £0 per sqm for Barnet CIL.

Employment (including former B use classes and / or B2 and B8 uses). . Proposed amount is £20 per sqm (index linked). A CIL charge of £200.09 per sqm (index linked) is applied to Retail uses (including former A1 to A5 uses).

From 1 April 2012, the Mayor of London started charging CIL on development to help provide £300m towards the cost of delivering the Crossrail project, a strategic priority to support the growth and development in London. From 1 April 2012 to 1 April 2019 all chargeable development in Barnet paid a flat rate of £35 per square metre - *Nil rate for Health and Education uses. The Mayor increased the rate to £60 a square metre for planning permissions granted from 1st April 2019.

As the proposal would result in the creation of new residential units Community Infrastructure Levy (CIL) would be payable.

Response to Public Consultation

The objections and concerns raised from residents has been considered within the evaluation above, and all representations received from residents were fully considered in the assessment of the application during the decision-making process.

The key matters raised with the objections relate to the footprint, scale, and mass, particularly with regards to how the building would be integrated in the surrounding area, as well as, overlooking into amenity space and the impact on neighbouring amenity.

It is considered that the proposal is of high design quality and would have a positive contribution to local character and appearance of the area, whilst also optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development, in accordance with planning policy.

The proposal would not result in overdevelopment or the over intensification of the use onsite. The proposal would have an acceptable impact on the local character of the area; would not unduly compromise the amenity of local residential properties and would not have a detrimental impact on highway safety.

It is not considered that the proposal would set an unwanted precedent for similar scale residential developments within the area. One of the fundamental principles underpinning the planning system is that each planning application must be considered on its individual merits.

With reference to concerns relating to noise, traffic, dust nuisance and disturbance specifically relating to the structure of the building, these relate to the demolition and construction stages of the process, which are therefore temporary in nature.

Concern was expressed that the proposal would increase the pressure on local services such as the local schools and medical centres. The Community Infrastructure Levy (CIL) is a planning charge that the Local Authority and the Mayor of London will set to help pay for community infrastructure, in order to mitigate against the development.

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

The proposal is acceptable on highway safety grounds subject to conditions set out within the report. The applicant would be required to submit a Travel Plan to be approved in writing by the Local Planning Authority and monitored thereafter. This is to encourage both staff and clients to use sustainable modes of transport (i.e walking and cycling) to and from the site.

Moreover, the applicant would also be required to enter into a legal agreement to secure a "car free" development, which would restrict further staff from applying for on street parking on Gruneisen Road and the immediate area.

The proposal is considered acceptable on highway and amenity (noise) grounds subject to conditions as recommended by LBB Highways and Environmental Health teams and set out within this report.

The applicant would be required to undertake a detailed written scheme of archaeological and historic building investigations prior to the commencement of works onsite. These works can be submitted to and approved by the Local Planning Authority in writing (in consultation with Historic England, archaeology) prior to the commencement of works onsite. Any further works must be carried out or mitigation measures implemented. This would be secured by way of condition.

The proposal would provide 4 x 3 bed units, which assists in the Boroughs requirement for much needed family accommodation onsite. Further, the proposal

makes provision for 3 x no affordable units, including one 3 bed affordable unit, which assists in the delivery of affordable housing in the borough. Moreover, the proposed commercial unit is expected to employ approximately 36 full time staff. These proposed public benefits of the proposal would outweigh any concerns residents may have with the proposed development.

Given that there will be no adverse impacts from the proposed development that would outweigh the benefits, there is no conflict with the general presumption in favour of sustainable development.

Equality and Diversity Issues

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

Conclusion

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

Site Location Plan

