

Location 12-18 High Road, London, N2 9PJ

Reference: **18/5822/FUL** Received: 28.09.2018
Accepted: 28.05.2019

Ward: East Finchley Expiry 22.08.2019

Applicant: **Safeland Plc**

Proposal:

Demolition of existing buildings and construction of two 4-storey buildings (plus basement) providing 24no self-contained flats and (Class B1a) office space with associated refuse and recycling storage, cycle storage, 2no off-street parking spaces and amenity space

Recommendation: Approve subject to s106

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

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation 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;
 - A contribution of £930,000 towards off site Affordable Housing
 - A contribution of £34,000 towards off site carbon savings
 - A contribution of £10K towards travel plan monitoring
 - A contribution of £7.5k towards sustainable plan measures/incentives
 - A contribution of £30K towards road safety improvements at the junction of High Road/Bishops Avenue
 - A contribution of £2,000 towards the cost of amending traffic order to prevent residents of the development from obtaining parking permits - £2,022
 - Monitoring of the Agreement - £20,270
 - Car club associated with the development

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director for Planning and Building Control approve the planning application subject to the following

conditions and any changes to the wording of the conditions considered necessary by the Service Director for Planning and Building Control:

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

Drawing numbers: HR-H-AE01A; HR-H-AE02A; HR-H-AE03A; HR-H-AE04A; HR-H-AE05A; HR-H-AE06A; HR-H-AE07A ; HR-H-AE08A ; HR-H-AE09A; HR-H-AE10A; HR-H-AE11A; HR-H-AG01B; HR-H-AG02A; HR-H-AG03A; HR-H-AG04A; HR-H-AGP00A; HR-H-AGP01B; HR-H-AGP02A; HR-H-AGP03A; HR-H-AGP04A; HR-H-AGP05A PROJECT REF 19018 DWG NO: 200 REV A

- Transport Assessment dated July 2019 Framework Travel Plan dated July 2019
- Design and Access Statement-September 2019
- Environmental Sustainability Statement by Aecom dated 28.10.2019
- Construction Management Plan dated August 2018
- Daylight and Sunlight Assessment by GLA Hearn (13 November 2018)
- Utilities Assessment Ventilation Strategy Drainage Strategy Waste & Recycling Schedule
- Financial Viability Report
- Planning Statement
- Refuse and Recycling schedule
- Air Quality Assessment dated March 2016
- Tree Impact Assessment and Method Statement dated July 2018
- Planning Statement dated November 2018
- Environmental Noise Report (ref: 128187-AC-2v1 dated 13/03/2018)

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

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 Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

5. a) No development other than demolition work shall take place until details of the location within the development and specification of the 2 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

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

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2016.

6. 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) and the Sustainable Design and Construction SPD (adopted October 2016).

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

8. The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason: To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM06 of the Local Plan Development Management Policies DPD (adopted September 2012).

9. Before development commences other than for investigative work:

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

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

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

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 5.21 of the London Plan 2016.

10. a) No development shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the ground floor office as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016) and 7.15 of the London Plan (2016).

- 11 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016) and Policy 7.15 of the London Plan 2016.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

- 13 The basement and ground floors of block A shall be used for offices and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area, in accordance with Policies DM01 and DM04 of the Development Management Policies DPD (adopted September 2012),

- 14 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwelling houses (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) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 15 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 before the development hereby permitted is commenced.
- 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 2016) and 7.21 of the London Plan 2016.

- 16 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 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

- 17 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted 2016), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan 2016.

- 18 No flat within the development shall be occupied until cycle parking and cycle storage facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority.

The following amount of cycle parking spaces shall be provided, in accordance with the emerging London Plan Standards:

- 45 long stay plus 2 short stay parking spaces to serve the residential element of the development
- 3 long stay plus 1 short stay to serve the office floorspace

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

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

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

- 20 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) and 7.15 of the London Plan (2016).

- 21 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 and 6.11 and 6.12 of the London Plan (2016).

- 22 Prior to the first occupation of the new dwelling house(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency

measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 23 Prior to the first occupation of the development hereby approved, evidence shall be submitted to and approved in writing by the Local Planning Authority to show that the development has been constructed incorporating carbon dioxide emission reduction measures in accordance with the Environmental Sustainability Statement by Aecom dated 28.10.2019. 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), Policies 5.2 and 5.3 of the London Plan (2016) and the 2016 Mayors Housing SPG.

- 24 No parts of the roof of each floor shall be used as balcony, amenity or sitting out area, unless shown as such on the approved drawings.

Reason: To safeguard neighbouring amenity in accordance with Policy DM01 of the Development Management Policies DPD (Adopted) September 2012.

- 25 Prior to the commencement of the development, details of the access and access road(s) shall be submitted to and approved in writing by the Local Planning Authority. Highways Engineering Drawings and detailed Construction Specifications shall be submitted, with a minimum scale of 1:200. The estate road as approved shall be constructed in accordance with the approved details before the site is occupied. For further guidance and contact details please refer to the Development Team, Environment and Operations Directorate.

Reason: To ensure the safe form of access to the development and to protect the amenity of the area and to conform to London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 and 6.11 and 6.12 of the London Plan (2016).

- 26 The buildings shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012; Policy DM17 of Development Management Policies (Adopted) September 2012 and policies 6.11 and 6.12 of the London Plan (2016).

- 27 Before the development permitted is first occupied, details of the gated access system must be provided, including a maintenance agreement, and all equipment for the access barrier system must be installed within the site's boundaries and not encroach on the public highway.

Reason: To control onsite parking in the interest of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and policies 6.11 and 6.12 of the London Plan (2016).

- 28 Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and policies 6.11 and 6.12 of the London Plan ("016).

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

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

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

- i. details of provisions for recycling of materials, the provision on site of a storage/deliver area for all plant, site huts, site facilities and materials;
- ii. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;

- iii. 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;
- iv. noise mitigation measures for all plant and processors;
- v. details of contractor's compound and car parking arrangements;
- vi. Details of a community liaison contact for the duration of all works associated with the development.
- vii. Provision of a competent banksman.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 31 Notwithstanding the parking layout submitted with the planning application, prior to construction of the development; a detailed parking layout plan showing the exact dimensions of the existing/proposed crossovers and proposed off-street parking spaces in the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the off-street parking space shall be used only as agreed and not to be used for any purpose other than the parking and turning of vehicles in connection with the approved development., with one active and one passive electric vehicle charging point.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 and 6.11, 6.12 & 6.13 of the London Plan (2016).

- 32 Before the development hereby permitted commences (Other than for purposes of demolition), full details of the energy measures specified within the Environmental Sustainability Statement by Aecom dated 28.10.2019 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these details.

Reason: To ensure compliance with policy 5.2 and 5.3 of the London Plan (2016) and policy DM04 of the Adopted Barnet Development Management Policies 2012.

- 33 Within 3 months of occupation, a Framework (work and residential) Travel Plan that meets the criteria of the current Transport for London Travel Plan guidance, currently 'Travel Planning for new development in London incorporating deliveries and servicing' and Itrace or TRICS compliant surveys shall be submitted to and approved in writing by the Local Planning Authority. The document shall set out the transport policy to incorporate measures to reduce trips by the private car especially single occupancy and single passenger journeys and encourage non-car mode such as walking, cycling and public transport and to reduce, consolidate or eliminate delivery trips. The Travel Plan Statement should include the appointment of a Travel Plan Champion, SMART targets and a clear action plan for implementing the measures. The Travel Plan should be reviewed, updated and resubmitted in writing for approval in years 1, 3 and 5 in

accordance with the targets set out in the Plan. Monitoring of the travel plan is to be funded by the applicant in accordance with the Barnet's Travel Plan SPD.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012) and Policy DM17 of the Development Management Policies DPD (adopted September 2012), and 6.11 of the London Plan (2016).

- 34 Within 6 months of first occupation, certification demonstrating compliance with Secured by Design standards (or any superseding accreditation) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of community safety in accordance with London Borough of Barnet's Local Plan Policy CS12 of Core Strategy (September 2012) and Policy DM02 Development Management Policies (September 2012), and policy 7.3 of the London Plan (2016).

- 35 No properties shall be occupied until confirmation has been provided that either: - all wastewater network upgrades required to accommodate the additional flows from the development have been completed;

Or

- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents, in accordance with 5.14 of the London Plan (2016).

- 36 No properties shall be occupied until confirmation has been provided that either:- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning.

Reason: The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents, in accordance with policy 5.13 of the London Plan (2016).

- 37 No works on public highway including creation or modification of a vehicular access as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans. The applicant will be expected to enter into with the Highways Authority under Section 278/184 of the Highways Act, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

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

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

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

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

Reasons: In the interest of good air quality in accordance with London Plan policy 7.14 of the London Plan (2016).

- 39 Before development commences, an air quality neutral assessment report shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

a) If the report shows that the site does not conform to the air quality neutral benchmark requirements then a scheme of offset measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development

Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan 2016.

- 40 a) Before development commences, an air quality assessment report written in accordance with the relevant current guidance shall be submitted to and approved by the Local Planning Authority. The report shall include an assessment of the air quality impacts of the demolition, construction and operational phases of the development.

The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan (2016).

- 41 a) Prior to first occupation, details of measures to improve biodiversity across the site shall be submitted to and approved in writing by the Local Planning Authority.

b) The measures shall be implemented prior to first occupation and retained thereafter.

Reason: To enhance biodiversity 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 7.19 of the London Plan.

Informative(s):

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

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £2450.00 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £9450.00 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit

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

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

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

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

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

- 4 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 5 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.

For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 6 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.8 meters.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 7 Damage to public highway 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 minimize 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

- 8 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.
- 9 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 10 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise; 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;

3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;

4) Department of Transport: Calculation of road traffic noise (1988);

5) Department of Transport: Calculation of railway noise (1995);

6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

11. In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014)
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

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

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

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

13 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

14 Prior to commencement of the development a Condition Survey of the existing public highway shall be undertaken and the result submitted to the Local Highway Authority. Within one month of the construction work ceasing a second road condition work shall be undertaken and the results submitted to the Local Highway Authority. Thereafter, any damage to the public highway identified by the two condition surveys shall be rectified by the applicant in agreement with the Highway Authority within one year of the development being constructed.

A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

The applicant shall carry out a “before” and “after” condition survey of the agreed route to be utilised by all construction traffic. The “before” survey shall be submitted to and approved in writing by Local Highway Authority prior to the commencement of the development. The “after” survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Highway Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the “before” survey shall be implemented as approved following completion of the development.

No development shall commence until a highway condition survey 50 metres on either side of the development access has been carried out, and the details have been submitted to and approved in writing by the Local Highway Authority.

15 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.

16 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant’s expense. Please note, reinstatement of redundant crossovers, any

relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works.

- 17 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.
- 18 Prior to the occupation of the development a Waiver of liability and indemnity agreement in relation to the non-adopted roads in each phase within the development must be signed by the developer and be submitted to and approved in writing by the Local Highway Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 31 January 2020 unless otherwise agreed in writing, the Head of Development Management REFUSE the application under delegated powers for the following reason(s):

The proposals would make inadequate provision for off street parking and as a result would generate significant parking pressures on surrounding roads which would result in harmful impact on highway and pedestrian safety. The proposals do not include the provision of the necessary mitigation and as such the proposals would be contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012 and policy CS9 of the Barnet Core Strategy 2012.

The proposals make no provision for necessary highways works which would result in harmful impact on highway and pedestrian safety. The proposals would be contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012 and policy CS9 of the Barnet Core Strategy 2012.

The application does not provide any on site affordable housing or a contribution towards affordable housing in the local area. The application is therefore unacceptable and contrary to policies DM10, CS NPPF, CS4 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.11 and 3.12 of the London Plan (2016), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Documents and the Mayoral Housing Supplementary Planning Guidance.

The proposed development does not include mitigations and provision for appropriate Carbon offsetting. As such, the proposed development would fail to address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Officer's Assessment

1. Site Description

The application site is located at the southern tip of High Road in East Finchley Town Centre, within the London Borough of Barnet. The site, which is 0.14 hectares in size, currently consists of 2 buildings and a large car park, all of which are occupied by GLH, a taxi business operating under a mixed Sui Generis and B1(a) use.

The site generally has a flat topography with a slight upward gradient towards the site's entrance. Although located within East Finchley town centre, the site is not located within the Primary or Secondary Shopping Frontage.

The site adjoins a row of mixed use, three storey terraces to the north which are allocated under the development plan as Secondary Shopping Frontage. These predominately consist of commercial uses at ground floor with residential units or offices above. Directly opposite the site is the East Finchley Underground Station, which extends to three commercial storeys in height.

The site is not listed and not located within a Conservation Area.

2. Site History

Reference: 16/2351/FUL:

Address: 12-18 High Street

Decision: Approved subject to conditions and Section 106 Agreement

Decision date: 08/01/2018

Description: Demolition of existing buildings and construction of two 4 storey buildings providing 21 self-contained flats and 265sqm of B1 office space with associated refuse and recycling storage, cycle store 2 off street parking spaces and amenity space

Reference: 15/06475/FUL:

Address: 12-18 High Street

Decision: Withdrawn on 04/03/2016

Description: Redevelopment of the site to provide 24 apartments and B1 office space within two separate 4 storey buildings

Reference: C00050X/04

Address: 12-18 High Street

Decision: Approved subject to conditions

Decision date: 30/11/2014

Description of development: Change of use from offices (B1) to mixed use, part offices, part control and despatch for private hire vehicles (B1/sui generis)

Reference: C0050W/03

Address: 12-18 High Street

Decision: Approved subject to conditions

Decision date: 11/02/2004

Description: Change of use from Local Government municipal offices to educational facility for a temporary period expiring 31 December 2005 (Approved 11/02/2004);

3 Proposal

The proposed development seeks to provide the same scheme as was approved by planning permission 16/2351/FUL along with an additional 3 dwellings and additional office space at basement level. On this basis, the proposed description of development is: "Demolition of existing buildings and construction of two 4 storey buildings (plus basement) providing 24 self-contained flats and B1 office space with associated refuse and recycling storage, cycle store 2 off street parking spaces and amenity".

The proposed development is split across two blocks; Block A on the western side of the site fronting onto High Road and Block B located on the eastern side (rear) of the site. The blocks are separated by a communal garden.

Block A is four storeys plus basement with office space (487 sqm) at ground and basement level with residential accommodation on the upper floors. Block B is four storeys plus basement; this block is entirely residential.

Vehicular access to the site is gained from an existing crossover from High Road at the northern edge of the site. The proposal includes two car parking spaces located at the end of the access road in front of Block B.

A communal cycle store is provided at the ground floor level of Block A for the benefit of both office and residential occupants. Bin storage is also provided at the ground level of Block A.

Proposed Office Space

- The proposed office space is located in Block A at ground floor and basement level. The offices are accessed from a dedicated entrance fronting onto High Road. The basement office space is accessed by stairs. The proposal comprises of 487 sqm of office floorspace. A ground floor office (B1) of 261m² and a basement office (B1) of 226m² in block A.
- Block A containing 8 residential units (4 x 1 and 4 x 2 bedroom units). Block B contains 16 residential units comprising 4 x 1 bed, 10 x 2 bed and 2 x 3 bed units)

4. Public Consultation

Consultation letters were sent to 192 neighbouring properties. A site notice was published on 04.06.2019 and press notice published 30.05.2019

79 responses have been received, comprising 78 letters of objection, and 1 letter of support.

The objections received can be summarised as follows:

Principle of Development

Density Excessive

Design Issues

- Overdevelopment
- Poor Quality Design
- The height and scale of development is out of keeping with the area.

Highways

- Proposals don't make provision for parking
- Access issues for vehicles for commercial development, deliveries, fire access
- Waste Management Issues
- Access road will cause disruption in Town Centre
- Proposal further exacerbates concerns regarding traffic accidents and congestion □
The design will lead to an increased risk of traffic accidents and congestion □ Road safety is a real concern, especially next to the nursery.
- The lack of adequate parking and turning space on the new site means many of these departures will have to reverse out onto the High Road.
- Refuse collection in Barnet is bad enough already without the addition of further collections

Amenity Issues

- Overcrowding, it would cast long shadows over the main road and the Martins School
- Loss of light
- Loss of privacy
- Noise pollution during construction
- Air Source Heat pumps will cause noise
- Developers frequently exceed working hours and the noise will be extremely disruptive

(Officers comment: All of the above objections were raised in the previous application and addressed within that committee report on 19 January 2017. On balance, Officers consider that the introduction of a basement level to accommodate 4 additional mezzanine units would materially deviate from what was previously approved. The overall height broadly remains the same as the extent consent. The proposal does not propose additional parking spaces. On balance, Officers do not consider that the proposal would not introduce any new material matters which would substantially deviate from what was

previously accepted by Committee Members. The previous Committee reports have been attached for Members attention.

- New documents have been submitted which residents have not been consulted on including a new energy statement
- Previous objections made that the energy statement and carbon emission modelling was still woefully inaccurate as it has been since 2015. –
- it is implausible that Barnet has checked the accuracy of this latest statement - There really can be no justification for keeping this key information from objectors and then not permitting sufficient time for them to be properly scrutinised.

Officer comment: An updated Design and Access Statement was recently submitted, amended to refer to the revised plans that had been submitted previously, and were subject to re-consultation. An Environmental Sustainability Statement has also been submitted. Many of the matters addressed have been submitted in single documents previously. The Energy information is submitted to show that the relevant planning policies can be met. These matters are also the subject of proposed conditions. Officers consider that the documents do not introduce new information of such a nature that formal re-consultation is necessary.

All raised within the consultation responses have been consider by Officers in the assessment of this subject application.

Sustainable Urban Drainage

Prior to grant of permission, the applicant should be required to submit a surface water runoff drainage strategy report and associated information to and approved in writing by the Local Planning Authority prior to the commencement of works onsite.

(Officers comment: This would be secured by way of condition, as with the extant permission).

Transport for London (TfL)

Trip Generation

TfL is satisfied the additional trip rates generated from this development will not result in a negative impact on public transport services and therefore no mitigation is required. The applicant is proposing a car-free scheme which is welcomed by TfL. In total, the applicant is proposing 2 car parking spaces; one car club, and one Blue Badge space (3% of residential dwellings), which is encouraged. TfL requests the applicant passively provide a further 2 blue badge parking spaces to serve the residential dwellings should demand arise, and one further Blue Badge parking space from the outset to serve the commercial floorspace proposed. TfL requests one parking space is provided with electric charging facilities with passive provision for the remainder, in accordance with draft London Plan standards.

(Officers comment: Given the site constraints, it isn't considered appropriate to request further car parking spaces onsite. The extant consent provided two car parking spaces which is considered acceptable).

Access

Access to the site would be controlled by security gates. Details of this gate would be secured by way of a condition.

The applicant is proposing access from High Road. The applicant has provided swept path analysis showing vehicles will be able to enter and exit the site in a forward gear.

Cycle Parking

The applicant notes that the proposed cycle parking is in line with London Housing Design Guide standards; TfL requests the applicant provide cycle parking in line with draft London Plan standards, which accumulates to 45 long stay plus 2 short stay parking spaces to serve the residential element of the development, and 3 long stay plus 1 short stay to serve the office floorspace. TfL requests the applicant ensure the design, location and access of cycle parking is in accordance with London Cycle Design Standards. Cycle parking details should be secured by condition.

Freight

The applicant has provided an outline Construction Logistics Plan (CLP) which appears acceptable. The applicant should provide a detailed CLP, in line with TfL's best practice guidance, and the Council should ensure this is secured by condition. The applicant should also provide a full Delivery and Servicing Plan (DSP), in line with TfL's best practice guidance, and the Council should ensure this is secured by condition.

(Officers comment: The above recommended conditions by TfL would be secured by way of condition).

Thames Water

Thames Water request that a condition is added to ensure that prior to occupation, confirmation has been provided that either all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

(Officers comment: The details would be secured by way of condition).

LBB Highways

Highways raise no objection to the proposal subject to the following s106 obligations and conditions:

- A contribution of £10K towards travel plan monitoring
- A contribution of £7.5k towards sustainable plan measures/incentives
- A contribution of £30K towards road safety improvements at the junction of High Road/Bishops Avenue
- Non-financial obligation to deny residents of the development the right to purchase CPZ permits

(Officers comment: The above contributions would be secured in a S106 Agreement).

The following conditions are recommended to be attached to a planning consent:

- Parking Layout plans

- Cycle Parking Details
- Construction Management and Logistics Plan
- Travel Plan
- Delivery and Servicing Plan (DSP)

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

Environment Health

Environment do not raise any formal objections subject to the following conditions:

- Details of the impact of noise from ventilation and extract plant on development.
- Insulation against internally/externally generated noise
- Restrict noise from plant
- Air quality neutral assessment
- Condition for Air Quality Report
- Contaminated land

(Officers comment: The above would be secured by way of condition)

Metropolitan Police

Metropolitan Police have confirmed that they do not raise any formal objections provided that the development achieve Secured by Design Accreditation, prior to occupation.

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

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

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of

the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

The following London Plan policies are relevant to the subject proposal:

- 2.15 Town centres Policy
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.10 Definition of Affordable
- 3.11 Housing Affordable Housing targets
- 3.12 Negotiating Affordable housing
- 3.13 Affordable Housing Threshold
- 4.2 Offices
- 4.3 Mixed Use Development and Offices
- 4.7 Retail and Town Centre development
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing Noise
- 7.18 Protecting local open space and addressing local deficiency
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodland
- 8.1 Implementation
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS9, CS11, CS12, CS13, CS14, CS15

-Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM09, DM10, DM11, DM13, DM14, DM16, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet. Residential Design Guidance SPD (adopted October 2016).

Main issues for consideration

The main issues for consideration in this case are:

- Context and background of this application.
- Principal of development
- Heritage issues
- Whether the proposed design would cause harm to the character and appearance of the existing building, the street scene and the wider locality;
- Whether the dwelling mix and affordable housing matters are acceptable
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the scheme would provide an adequate standard of accommodation for future residents.
- Highway and parking matters
- Energy and Sustainability
- Trees and biodiversity

Assessment of proposals

Context and background of this subject application

Planning permission was approved on 08.01.2018 for the demolition of existing buildings and construction of 2 no. 4 storey buildings providing 21 no. self-contained flats and 265sqm of B1 office space at ground level to block A with associated refuse and recycling storage, cycle store, 2no off street parking spaces and amenity space.

The subject proposal follows the same design and scale of development as the extant permission. The proposal makes provision for 24 units (increase of three residential units). In order to accommodate these additional mezzanine units, this proposal includes a basement and these three units would be accommodated at the basement and ground floor level.

Most of the key planning matters have already been considered by Members in the extant application. The committee reports are attached as Appendices 1 & 2 for ease of reference.

This subject committee report should be read in conjunction with the previous committee reports (attached as appendices) particularly the sections dealing with consultation responses and material planning considerations. The majority of the material planning matters have

already been considered and approved in the extant consent, the remainder of this committee report will provide an assessment for the additional 3 residential units, additional office space and the excavation to provide a basement.

During the consideration of the current application, amended plans were submitted which amended the layout of the new flats. This followed concerns expressed by officers about the provision of flats solely within the basement. All the units are now duplex, such that bedrooms are proposed at basement level with living rooms at ground floor level. The amended plans were the subject of re-consultation.

Principal of development

The site is currently a minicab and courier business and associated car parking. This is considered to be a Sui Generis use.

Whilst such uses are not protected per se, the existing minicab hire and courier business and associated offices do generate jobs. 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.'*

Compliance with policy DM14 needs to be demonstrated in order to address this issue. It should be noted that the proposals seek to provide 487 sq metres of office space within the town centre and this is considered to address policy DM14.

Heritage issues

Previously consultation responses have referred to the existing building on site and its historic significance within East Finchley. The building appears to be of Victorian era and notable features include its attractive brick façade, sash windows and detailing.

However it must also be noted that the existing building has been altered substantially in the past.

As such, it is recognised that the building is of some historic significance. It is accordingly considered as a non-designated heritage asset. Therefore the loss of the existing building must be considered against paragraph 135 of the National Planning Policy Framework.

This states that: *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

The loss of the building therefore needs to be weighed up against the benefits of the scheme, i.e. provision of housing units and office space and redevelopment of a town centre site. It must be noted that the building has been substantially altered in the past, especially the rear of the building. It is considered that whilst there is some harm resulting from the building being demolished, the significance of the building is moderate. Retention of the building would also be likely to be prejudicial to the redevelopment of the site given its low site coverage and siting.

It was considered during consideration of the extant permission scheme, that the loss of the building was outweighed by the wider benefits of the scheme. This amendments proposed within this application do not change this view.

The site lies opposite the listed underground station. The underground station is a notable listed building within East Finchley Town Centre, which is located opposite the site. Whilst the replacement building forming part of the development is of some presence, it is not considered that it would be overpowering or prejudicial to the setting of this listed building.

Layout, scale and design

The proposed layout, height, bulk, massing and material are the same as approved under the extant consent. The development is considered to result in high quality design as has been approved previously with only minor visible impact resulting from the basement development. Lightwells are proposed to the residential basement units. This residential aspect of the development is located at the rear of the site and will not be visible from the street scene or from the adjacent properties.

The proposed basement to Block A would not be visible from the front of the building from High Road with a lightwell proposed to the rear only.

This subject proposal would not compromise the overall architectural integrity and design of the extant consent and would not cause harm to the character and appearance of the existing building, the street scene and the wider locality.

Density

The site has a Public Transport Accessibility Level of 5 and the London Plan density matrix guidance sets out a density range of 45-260dph in urban areas. The site has an area of 0.13 hectares and the additional 3 units (24 in total) would give a residential density of approximately 192 dwellings per hectare (dph), and thereby accords with the density guidance. In any case, the proposal would not result in symptoms associated with overdevelopment.

Housing dwelling mix

The proposal makes provision for 8 x 1 bed, 14 x 2 bed and 2 x 3 bed room units. On balance, given that the site is located within a town centre, the provision of smaller units was considered to be acceptable. This approach (large number of one and two-bedroom units) was considered acceptable in the extant consent.

Affordable Housing

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual private residential and mixed use schemes. It suggests that negotiations on sites should take account of their individual circumstances including development viability. This approach is reflected in Policy CS4 of the Core Strategy and policy DM10 of the Development Management Policies DPD. The Policy sets a target of 40% affordable housing on sites of 10 units or more.

The extant planning consent for 21 residential units secured an off-site affordable housing contribution of £870,000.

With reference to this subject application for 24 units, the applicant has submitted a Financial Viability Report in support of the scheme. This has been independently reviewed by Colliers International on behalf of the Council. Further to this, it has been agreed that a contribution of £930,000 can be made towards off site affordable housing within the Borough.

The report concludes that a financial contribution for off -site affordable housing can be achieved with this proposed development.

Whilst commuted sums are only acceptable in exceptional circumstances it is suggested that where a scheme either can only provide a small number of units on-site and there isn't an obvious self-contained block, a commuted sum could be justified.

In this way, the proposals take the same approach as the extant permission scheme and would comply with policy DM10 of the Development Management Policies DPD 2012.

Quality of accommodation

The London Plan and Barnet policy DM02 set out standards for internal and external amenity levels in new build residential schemes. The London Plan requirement is 50sqm for one bedroom units is 70 sqm for two bedroom units.

The proposed mezzanine units contain bedrooms at basement level, which receive natural daylight through lightwells. These bedroom have direct access to private amenity space which complies with minimum size requirements for private amenity space. The kitchen/living/dining areas for these subject units are located at ground floor level and are afforded good outlook. Further, the proposed units receive acceptable daylight and sunlight levels.

On balance, it is considered that the proposal provides good quality residential accommodation.

Impact on the amenities of neighbours

The report on the previous scheme (attached) considered the impacts on neighbouring residents in term of daylight and sunlight, privacy, visual impact, outlook and light pollution, with particular reference to 20-22 High Road and properties in Ingram Avenue.

Officers consider that the proposal would not present any new amenity considerations to neighbours to the scheme already approved under the extant consent.

In terms of noise and disturbance, the additional commercial floorspace would be sited to the front of the site away from residential properties to the rear.

Highways

Car Parking

The proposed provision for two car parking spaces (one of which is to be designated as a car club bay and the other for the one proposed 3 bed unit) is acceptable given the high public transport accessibility of the site, and its proximity to East Finchley Station. The applicant would be required to enter into a S106 agreement with the Council which prevents residents of the development the right to purchase CPZ permits and provides a robust travel plan and adequate mitigation to reduce car use and ownership. Highways support the provision of a car club bay but would like to know how public access to the proposed car club space will be facilitated, especially as access to the site will be restricted by a gate. The previous permission included provision of a car club which was secured via the S106.

One of the bays is provided with an active electric vehicle charging point and passive provision for an electric vehicle charging point is installed for the other bay. This would be secured by condition.

Highways have identified improvements to the public highway which will be secured through the S106 agreement, as detailed above.

Cycle Parking:

The applicant is required to submit details of cycle parking which should be secured by way of condition.

Sustainability and Energy

Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2) sets out requirements Energy and Sustainability requirements which new developments must adhere to.

The GLA's emerging policy for the residential units say the "be Lean" emissions should be reduced by 10% and the total on site emission reduction should be at least 35%. The proposal residential "be lean" reduction is estimated to be 15% whilst the total is estimated to be 40%, thereby in compliance.

For non- residential units "be lean" emissions should be reduced by 15% and their total on site emission reduction should be at least 35%. When the residential and non -residential emission reduction is combined it is estimated to be 36.7 %.

The applicant has advised that zero carbon targets cannot be fully achieved onsite, and any shortfall should be provided, in agreement with the borough through a cash in lieu contribution to the borough's carbon offset fund. The applicant has agreed to make a contribution of £34,000 to offset carbon emissions and make carbon savings elsewhere in the Borough. This would be secured in a Section 106 Agreement.

Trees and Biodiversity

It is considered that given the footprint and access remains the same as the approved scheme, there would be no greater impact on the protected yew tree in front of Park House. To ensure the tree is not damaged during construction, a condition is proposed requiring tree protection.

Policy DM16 states that when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity.

The existing site contains buildings and hardstanding, with some vegetation around the residential boundaries with neighbouring properties. It is considered to be of low ecological value and as such, there is no requirement for surveys of protected species. A condition is attached requiring biodiversity improvements in accordance with policy DM16.

Community Infrastructure Levy

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

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, an adopted CIL charge of £135 per sqm (index linked) is applied to residential, including C4 and Sui Generis HMOs. All other uses and ancillary car parking are set at a rate of £0 per sqm for Barnet CIL.

The Mayor of London adopted a CIL charge on 1st April 2012. In February 2019 the Mayor adopted a new charging schedule (MCIL2) and on April 1st 2019 this was adopted setting a rate of £60 per sq metre (index linked) on all forms of development in Barnet except for a £0 per sqm rate for education and health developments.

As the proposal would result in the creation of new residential units the proposal has been calculated to be liable for Barnet CIL and Mayor's CIL.

Based on the above, the following contributions are sought:

- Barnet Community Infrastructure Levy £395,201.47
- Mayoral Community Infrastructure Levy - £123,726.00

Response to Public Consultation

The objections and concerns from residents have been considered within the evaluation above.

Equality and Diversity Issues

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

7. Conclusion

The proposals would involve the redevelopment of a town centre site and provide contribution to office stock within the borough as well as additional residential units. The development would make a contribution to affordable housing within the borough. The development would not have a harmful impact on highway safety subject to legal agreement and not materially harm neighbouring living conditions. Whilst there is some harm arising from the loss of the non-designated heritage asset, this is considered to be moderate and outweighed by the benefits of the scheme. The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

Site Location Plan



