

Location Dolman Close London N3 2EX

Reference: 22/3385/FUL Received: 29th June 2022
Accepted: 27th July 2022

Ward: West Finchley Expiry 26th October 2022

Case Officer: Tania Sa Cordeiro

Applicant: Pocket Living Dolman Close Limited

Proposal: Erection of a three to five storey building containing 60no. self-contained residential units with associated amenity space, landscaping, parking, servicing access and cycle and refuse store facilities

OFFICER'S RECOMMENDATION

Approve subject to s106

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

3. Affordable units

56no. units shall be affordable adhering to the following obligations below:

- Marketing Plan with the Council to market the affordable units for a period of 6 months to Eligible Persons who have lived or worked within the London Borough of

Barnet for a minimum period of 3 months. If this does not identify residents, then the criteria cascades as follows: those who have lived or worked in the Borough for 2 months, those who live in any London Borough and finally those who live, anywhere in the UK.

- The initial sale of dwellings to eligible persons for no more than 80% open market value;

- Restrictions on resales to eligible persons to ensure the homes remain affordable in perpetuity.

4. Carbon Off-set

A carbon offset contribution of £42,068.00

5. Travel Plan and Monitoring

Within 3 months of occupation, a 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 travel modes 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.

A contribution of £9,000 toward measures / incentives and a monitoring contribution of £10,000.

6. Car Club Provision

Provision of one off-site car club scheme or a financial contribution towards the delivery of a car club scheme.

7. Controlled Parking Zone (CPZ Review and Implementation) and/or Highways Improvements

Contribution of £45,000 towards the review and Implementation of CPZ and /or highways improvements within the vicinity of the development in order to mitigate against any traffic impacts of the Development.

8. Residential Parking Permit Restrictions

Contribution of £5,000 towards amending the Traffic Management Order (TMO) to prevent future occupiers from obtaining a parking permit in the event the CPZ is implemented.

9. Off-site Highways Works

The applicant would be required to enter into the Highways Agreement at a later date.

It is recommended that the following off-site highways works are undertaken:

- i) cutting back the vegetation whilst retaining the existing trees along the boundary and replacing the timber fencing with railings, reinstating the existing footpath connecting Avondale Road to A406 North Circular
- ii) Provision of dropped kerbs and tactile paving at the entrance of Dolman Close
- iii) Reinstating the site access and footway along the site frontage

10. Skills, Employment and Enterprise

The applicant would be required to enter into a Local Employment Agreement with the Council.

Alternatively, the applicant may wish to make a financial contribution in lieu of the employment outcomes outlined above. Such a contribution would be commensurate with the number of outcomes secured and in line with SPD guidance.

11. **Be Seen Energy Monitoring Guidance**

Requires monitoring and reporting of the actual operational energy performance of major developments for at least five years via the Mayor's 'be seen' monitoring portal.

12. **Section 106 monitoring**

A contribution of £4,082.04 towards the monitoring of the S106 agreement.

RECOMMENDATION II:

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

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

Location Plan 297/2/001
Site Plan - As Existing 297/2/002
Block Plan - As Proposed 297/2/003

Ground Floor Plan 297/2/200
First Floor Plan 297/2/201
Second Floor Plan 297/2/202
Third Floor Plan 297/2/203
Fourth Floor Plan 297/2/204
Roof Plan 297/2/205

West Elevation 297/2/300
South Elevation 297/2/301

East Elevation 297/2/302
North Elevation 297/2/303
Section AA 297/2/304
Section BB 297/2/305
Section CC 297/2/306

Air Quality Assessment
Arboricultural Impact Assessment, Method Statement & Tree Survey Rev C
Construction Logistics Plan
Daylight and Sunlight Amenity (Internal)
Daylight and Sunlight Amenity (Neighbouring)
Design and Access Statement
Ecological Impact Assessment (EclA)
Energy Statement
Fire Statement
Foul Sewerage and Drainage Strategy
Noise Impact Assessment
Landscape Design and Access Statement
Overheating Report
Phase 1 Desk Study
Planning Statement
Transport Assessment
Travel Plan

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

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

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

- 3 a) Prior to installation, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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

- 4 a) No development or site works shall take place on site until a 'Method of

'Demolition Statement' has been submitted to and approved in writing by the Local Planning Authority. The Demolition Statement submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and demolition stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from demolition works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of demolition;
- x. details of a community liaison contact for the duration of all works associated with the development.

The Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

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

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

5 a) No development or site works (excluding demolition) shall take place on site until a 'Method of Construction Statement' has been submitted to and approved in writing by the Local Planning Authority. The Construction Statement submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate

containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;

- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

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

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

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

- 6 Prior to occupation, a Parking Design and Management Plan should be submitted which shows how an additional 4 of the existing car parking spaces (in addition to the 2 proposed enlarged bays) can be made suitable for Blue Badge Holders in circumstances that the additional spaces are required. The Parking Design and Management Plan shall be approved in writing by the Local Planning Authority prior to occupation.

Thereafter, if required the enlarged bays shall be implemented in accordance with the approved plans.

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

- 7 Prior to occupation of the development, details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority.

Thereafter, before the development hereby permitted is occupied, a minimum of 65 cycle parking spaces (62 long stay and 3 short stay) Cycle parking spaces will seek to accord with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with 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.

- 8 Prior to occupation of the development, a full Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority.

The development thereafter shall only be operated in accordance with the approved delivery service plan.

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.

- 9 Prior to occupation of the development, details of a parking management plan shall be submitted to and approved in writing by the Local Planning Authority.

The development thereafter shall only be operated in accordance with the approved parking management plan.

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.

- 10 Prior to occupation of the development, full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of a minimum of 2 active and 9 passive electric vehicle charging points.

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

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

- 11 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/>

Reason: In the interest of good air quality in accordance with Policy DM04 of the Barnet Local Plan Development Management Policies (2012) and Policy SI1 of the London Plan 2021.

- 12 The approved mitigation scheme as set out in the Air Quality Assessment, Ref J0619/1/F2 by Air Quality Assessments Ltd dated July 2022 shall be implemented in its entirety before any of the development is first occupied and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy SI 1 of the London Plan (2021).

- 13 Part 1

Before development commences (excluding demolition) other than for investigative work:

a) Section 7 Conclusions and Recommendations of the submitted Phase 1 Desk Study by RSK, dated July 2022 identifies further assessment and investigatory works. Therefore, 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.

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS

NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

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

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

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

- 15 a) Prior to occupation of the development hereby approved, a report that 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, shall be submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policies D13 and D14 of the London Plan 2021.

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

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

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of

the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

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

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

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy G6 of the London Plan 2021).

18 a) The development hereby approved shall be implemented in accordance with the dimensioned tree protection plan dwg no. PRI23699-03 and the method statement contained within Section 3 of the approved Arboricultural Impact Assessment & Method Statement Rev C, by ACD Environmental dated 15/09/2022 in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations).

b) No site works (including, 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 G6 of the London Plan 2016.

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

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

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

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

20 a) Prior to the installation of any planting of any green roof, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

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

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

21 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

22 a) The site shall not be 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 retained as such thereafter.

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

- 23 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure.

- 24 a) Prior to carrying out above grade works of each building or part of any new building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate how such building or such parts of a building seek to apply the principles of Secured by Design'.
b) The development shall only be carried out in accordance with the approved details

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

- 25 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the wholesome water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 110 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. Any use of grey water and/or rainwater systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 26 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (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)(2)(a) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 27 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 64% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policy SI 2 of the London Plan (2021).

- 28 The development shall proceed and be carried out in strict accordance with all the findings and recommendation of the Ecological Impact Assessment (ACD Environmental, Ref: PRI23676 EclA Rev A dated 19.07.2022), including mitigation measures, ecological enhancements, provision of swift box and proposed lighting strategy.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 29 Prior to occupation of the development hereby approved, an updated Biodiversity Net Gain Assessment II 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 nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 30 Prior to the occupation of the development hereby approved, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings as well as mitigate any impacts to species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.

Reason- To ensure the development provides adequate amenities of the future occupiers of the building and neighbouring residents and to accord with policy DM01 and DM16 of the Barnet Local Plan.

RECOMMENDATION III:

That if the above agreement has not been completed or Section 106 agreement has not been submitted by 31.03.2023, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

1. The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy CS5 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).
2. The proposed development does not provide a legal agreement to mitigate the impacts of the proposed development and its therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Local Plan Core Strategy (adopted September 2012) and policy DM17 of the Adopted Development Management Policies DPD.
3. The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy SI 2 of the London Plan (2021), Policy CS9 of the Local Plan Core Strategy (adopted September 2012), and policy DM04 of the Adopted Development Management Policies DPD.

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the

Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

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

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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

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

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

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

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

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

- 5 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.

- 6 With regard to SURFACE WATER drainage, Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

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

- 8 Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

- 9 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>
- 10 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 11 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Councils refuse collection department is consulted to agree a refuse collection arrangement.
- 12 For works on the public highway, the applicant will be required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW at least 4-6 weeks before the start of works on the public highway.
- 13 If a concrete pump lorry is operated from the public highway, surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 14 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the councils Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk.
- 15 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all

trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

- 16 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.

OFFICER'S ASSESSMENT

1. Site Description

The proposal site is a rectangular plot of land located in Dolman Close, off Avondale Road, and is adjacent to the North Circular Road (A406). The site is bounded by the playing grounds of Tudor primary school to the north, residential dwellings along Abingdon Road to the west, residential dwellings on Pointalls Close and the North Circular (A406) to the south east.

The site is accessed via Dolman Close, off Avondale Road, southwest of the site. It measures approximately 0.24 hectare (0.59 acre) and is occupied by two brick buildings including a former mortuary building and ancillary residential building. Both uses have been decommissioned and relocated. The residential building was occupied by guardians until March 2021.

The site has a Public Transport Accessibility Level (PTAL) of 1b (poor). However, 3 bus routes (143, 232 & 382) can be accessed from stops within 4-5 minutes walking distance of the site.

The site is not located within a conservation area nor is it within the setting of a listed building. The development is in flood zone 1 and has a low probability of flooding.

There are a number of overgrown trees and shrubs within the site. There are a couple of provision individual and group TPO trees on the site, located along the north-west and south-west boundaries.

2. Site History

None.

3. Proposal

Planning permission is sought for the erection of a three to five storey building containing 60no. self-contained residential units with associated amenity space, landscaping, parking, servicing access and cycle and refuse store facilities.

The proposed scheme is classified as affordable housing under the National Planning Policy Framework (NPPF) and will be delivered by Pocket Living, who are a private developer providing intermediate affordable housing. Pocket's provision of affordable housing will be explained in further detail in the affordable housing section of the report.

The proposal involves the demolition of the existing two building and construction of a new 'C' shaped three to five storey development which will accommodate no.60 residential units, 56no. of the proposed units (93% by unit and 90% by habitable room) will be affordable homes specifically for first time buyers with priority to those living and working in Barnet.

The buildings have been designed with the longest flank wall running adjacent to the North Circular, enclosing a central landscaped courtyard area. The development is set back from the residential dwellings along Abingdon Road. The front (north) elevation accommodates an entrance canopy that provides access into the building.

A secondary pedestrian access is also proposed onto the southern elevation adjacent to the

North Circular which provides easy access to the shopping, leisure and transport facilities to the north.

The building proposes a material palette of red brick with articulation in a grey/white brick along with vertical infill brickwork to add interest to the middle floors. The main entrance elevation follows a similar approach with a red brick base and red brick recessed panels to provide additional detail.

The proposal will provide a total of 60 units comprising of the following mixture of residential mix, tenure and sizes;

1 bed 1 person (38m²) - 50 Units
1 bed 1 person (wheelchair adaptable) (47m²) - 6 Units
2 bed 4 person (70m²) - 4 Units

All the 1 bed homes, 56 in total, will be provided as intermediate affordable homes at prices discounted to the local market, delivered by Pocket. The 4 x 2 bed units will be for private sale.

The scheme would provide the ability to provide no.11 car parking spaces, which includes no.2 spaces disabled bays. Furthermore, 66 cycle spaces would be provided.

4. Public Consultation

Upon validation of this application on 13.08.19, consultation letters were originally sent to 114 neighbouring properties.

32 representations were received, out of which no.19 letters of objection and no.14 letters of support were received.

The objections received against the application as a whole can be summarised as follows:

- Proposal is too big for the site and the location
- Too large and totally out of proportion for the surrounding area
- The concept of 60 units constitutes over development
- It is too intense and out of keeping with the area
- The character of the area will change and the trees which provide invaluable natural resources will be cut down to accommodate such a big building
- Tower over existing properties blocking light and reducing privacy
- There is huge overspill parking from ULEZ avoidance using both streets as parking space
- Will overwhelm the residential adjacent streets of Avondale Road and Abingdon Road
- The access to the site is a challenge and hugely impact the local streets
- School children's health and wellbeing and safety should be a priority
- Construction will overwhelm quiet residential streets
- It would overlook the entire school playground
- The closest areas of the school site that it overlooks would be our Reception playground (4-5 year olds), and our forest/nurture area which is used for our vulnerable children including children who have SEN or child protection arrangements
- Additional traffic would create a risk to our children as they walk to and from school
- The local area is mostly families, not sole occupants
- Missed opportunity for convenient family living that would be more in keeping and create less traffic and risk
- 60 flats with only 11 parking spaces is not viable

- Already difficult to access local medical care
- Keep the existing mature trees already on the site not only for aesthetic reasons but to mitigate the motorway air pollution
- Coping with all the extra foul waste from this development being added to the existing Avondale road sewerage system
- Flats would overlook the polluted and constantly noisy North Circular even with suggested building design to counter this
- Use of the alley backing onto this development for drug uses
- Protect and relocate any existing wildlife living in this proposed development site
- The fact the development does not fully respect current "right to light" laws is outrageous
- Why hasn't a commercial office development been considered
- The Daylight and Sunlight Report provided does not support the scheme

The letters of support received can be summarised as follows:

- It will provide much needed homes for local residents;
- Should prioritise in helping young working professionals to remain in Barnet
- Affordable homes that is proposed will be a great addition to the area
- Benefit price in first-time buyers such as myself and would allow me to make the next big step in my life
- Design of the building looks really great and there is loads of outdoor space for residents

Responses from External Consultees

Metropolitan Police (Secure by Design)

Due to levels of crime and burglary within the borough and to help enhance community safety through the implementation of proven crime prevention products and measures (via SBD compliance), I would respectfully request that any approval of this application contains a relevant planning condition 'whereby the development must achieve SBD accreditation, prior to occupation'.

Thames Water

With regard to Waste Water Network and Sewage Treatment Works infrastructure capacity, we would not have any objection to the planning application.

Responses from Internal Consultees

Affordable Housing

The development is supported by the Council's Director of Growth and Head of Housing Strategy, Growth & Development and therefore the development is supported from an affordable housing basis.

Arboricultural Officer

No objection subject to additional information being provided. The requested information was provided by the applicant and addressed during determination.

Commercial Services - Street Scene

The waste strategy for this application is acceptable for the Street scene collections team.

Ecology

No objections to the application on ecological grounds as discussion with the project ecologist following the submission of the Ecological Impact Assessment (ACD Environment, July 2022) confirmed that no protected species (e.g. bats, nesting birds, hedgehogs or reptiles) were considered likely to be impacted by the proposed works in a manner which could not be reasonably mitigated.

Energy and Sustainability

There are further opportunities to maximise renewable energy within the proposal such as installation of PV panels on the roof of the main building, combined with a green roof on areas not used for other purposes. The proposal is not net zero-carbon and therefore a carbon offset contribution is required to be secured via S106.

Urban Design

The proposed layout arranged around a courtyard, the overall height, massing, stepped design approach and fenestration strategy are all supported.

Environmental Health

No objection subject to conditions.

Traffic and Development

Highways would raise no objection to the proposal subject to a S106, conditions and informatives.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 20th July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2021

The 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 for the next 25-50 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS12, CS13, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM10, DM16, DM17.

Barnet's Local Plan (Reg 22) 2021

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

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

- Affordable Housing (2008)
- Delivering Skills, Employment, Enterprise and Training (SEET) from development through S106 (2014)
- Green Infrastructure (2017)
- Planning Obligation (2013)
- Residential Design Guidance SPD (adopted October 2016)
- Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Housing Tenure and Mix;
- Provision of affordable housing
- Whether harm would be caused to the character and appearance of the existing site, the street scene and the wider locality;

- Whether harm would be caused to the living conditions of neighbouring residents;
- Provision of adequate accommodation for future occupiers;
- Highways and parking;
- Trees, landscaping and ecology;
- Energy and sustainability
- Flood Risk; and
- Other material considerations.

5.3 Assessment of proposals

Principle of development

The site was previously used as a mortuary and residential use. Therefore, the site would constitute a 'Sui Generis' use and is not restricted for any land-use within the current Local Plan. There is no objection to the loss of the existing uses on site.

The surrounding area is predominantly residential in character. Therefore, it is considered that subject to relevant planning policy considerations, the principle of new residential development is acceptable on this site. Furthermore, the emerging Barnet Local Plan was approved by Council on 19th October 2021 and submitted to the Secretary of State on 26th November 2021. It is currently at examination stage. Within this document, the site is allocated as Site No.65 with the allocation setting out that the site can be redeveloped and intensified for residential use. Therefore, Officers support the principle of residential development, subject all other relevant policy considerations.

Housing Tenure and Mix

Barnet Policy CS4 aims to maximise housing choice providing a range of sizes and types of accommodation that can meet aspirations and increase access to affordable and decent new homes.

Policy DM10 requires 40% of housing provision to be affordable from all new sites providing 10 units. In line with the Core Strategy the tenure mix of affordable housing which will be sought is 60% social rented and 40% intermediate.

The proposal will provided a total of 60 units comprising of the following mixture of residential mix, tenure and sizes;

- 1 bed 1 person (38m²) - 50 Units
- 1 bed 1 person (wheelchair adaptable) (47m²) - 6 Units
- 2 bed 4 person (70m²) - 4 Units

All of the 1 bed homes, 56 in total, will be provided as intermediate affordable homes at prices discounted to the local market, delivered by Pocket. The 4 x 2 bed units will be for private sale.

It is recognised and acknowledged that the proposal does not comply with policy DM10, however the model proposed by Pocket would be acceptable to the Council as affordable housing, as well as the proposed tenure mixture. The pre-amble to Barnet Policy DM08 in paragraph 9.1.7 states an aspiration for family sized intermediate affordable housing. However, smaller 1 and 2 intermediate tenure homes will be supported as larger sized homes under shared ownership/low-cost home ownership may be unaffordable., given the high level of affordable housing, this represents a significant material consideration and

would meet a specific need for local housing in the Borough.

Barnet's Strategic Housing Market Assessment Update (October 2018) states that there will be a need to provide additional affordable housing for 17,600 dwellings over the 25-year period 2016-41 (an average of 704 per year)

London Plan Policies SD1.A. 5 and Policies H4 and H5 seek to maximise the delivery of affordable housing. London Plan Policy H4 (Delivery affordable housing) in paragraph 4.4.1 strongly emphasises the need to deliver more genuinely affordable housing, with schemes expected to maximise the delivery of affordable housing and make the most efficient use of available resources.

Pocket homes are all designed to be one-bedroom units for first time buyers. Taking this into account, the proposal would contribute to the Borough's housing stock and would consist of 90% affordable housing by habitable room which is a significant positive aspect of the scheme.

It is recognised that policy D7 (Accessible Housing) of the London Plan concerning housing choice requires that 10% of new housing should be designed as wheelchair or easily adaptable for wheelchair users.

Within the proposed scheme this would equate to the provision of 6 wheelchair units. Within the submitted Planning Statement, it states that Pocket has provided 6 number of wheelchair units to meet building regulation M4 (3)(2)(a) 'wheelchair adaptable dwellings'. The remaining units have been designed to meet building regulation M4(2) 'accessible and adaptable dwellings'.

In this instance, officers are satisfied with the proposed housing mix given the high provision of affordable housing.

Affordable Housing

As stated earlier, Pocket is a business dedicated to the provision of affordable homes in London. Pocket is a private developer that provides intermediate affordable housing delivering homes for first time buyers on an average wage in London.

Pocket builds an innovative form of affordable housing in London which does not require public subsidy. Housing affordability is secured in perpetuity through a Section 106 legal agreement requiring purchasers to demonstrate that their income is below the eligibility threshold designated by the Mayor of London for intermediate affordable housing. Pocket units are by definition affordable housing in accordance with the definition contained within Annex 2 of the NPPF. Pocket builds principally one-bedroom apartments that are designed specifically for single occupiers who want to own their homes outright. A 20% discount to the open market price for comparable flats in the same area is applied on the initial sales of Pocket homes. Pocket homes are sold to local people who either work or live in the Borough in the first instance.

Unlike conventional shared ownership and shared equity products whereby buyers increase their stake by 'stair-casing'. Pocket buyers own 100% of the equity and the value of their home from day one. Pocket's homes are restricted on initial sale to buyers with eligible household income (as designated by the Mayor of London) through Pocket's bespoke Section 106 legal agreement and this restriction is also enshrined in lease covenants. Priority is given to those who already live or work in the relevant borough; people on any

intermediate nominations list operated by the Council; or who are otherwise approved by the Council. Pocket's homes therefore remain part of the intermediate housing stock in perpetuity.

On resale the Section 106 covenants require a vendor to sell the Pocket home to an 'eligible person' this is a person with an income below which the Mayor of London has deemed should be afforded the opportunity to buy intermediate affordable housing. The administrator supervises the sale and certifies that the purchaser is an eligible person. There are also restrictions on renting out the units; these restrictions mean that the units can only be bought by eligible persons and also effectively mean that the price at which they are bought and sold is below the price at which they would otherwise reach on the open market.

Pocket homes therefore qualify as affordable housing under both the current NPPF and London Plan (2021) because the homes satisfy the three key criteria contained within the definition of affordable housing:

- Restricted Eligibility;
- Provision to remain at an affordable price; and
- Cost Below Market Level
- Doesn't own another property (e.g. first time buyer)

Restricted Eligibility

All buyers must have a household income below the Mayor's maximum household income threshold (currently £90,000). However, the average Pocket purchaser has a household income of £42,000. For resales the restriction on eligibility remains in place through the S106 agreement.

Provision to Remain at an Affordable Price

The lease for all Pocket homes includes obligations that oblige owners to follow the same eligibility rules when selling (or in exceptional circumstances renting) their home. Mortgage providers will not release their security to allow a sale to proceed unless Pocket, as Administrator, has issued a legal certificate confirming that the buyer is 'eligible'. This obligation is relaxed only in the event the property has not been sold within 6 months of first marketing, and the eventual buyer is bound by the same restrictions on resale. In practice, all re-sales of Pocket's units to date have been to qualified eligible buyers, and Pocket considers that referrals from Councils' Housing Departments will ensure that this applies to most if not all future sales.

Through these obligations Pocket will ensure its homes remain affordable in perpetuity. It is anticipated that only rarely will the units be sold on the open market; however, this has not occurred once to date. This on-going requirement distinguishes these units from shared equity or shared ownership homes, whose buyers can over time acquire additional equity (so-called "stair-casing") until they own 100% and are no longer subject to any resale restrictions. In those circumstances any grant is repaid or eventually recycled by the original developer or Registered Provider but those homes, unlike Pocket's units, are forever lost to the intermediate housing stock.

Cost Below Market Levels

Pricing for the units is agreed with a valuer before they are released onto the market. Pocket commit to a discount of 20% to the local open market value for comparable homes on the

first sale. The open market value is set by an independent valuation assessing the local market values and can be supported by further valuations by other surveyors if queries are raised. Secondary sales do not include a fixed discount; however, the aforementioned restrictions imposed on the sale do remain in perpetuity. When an owner decides to sell their home, they appoint a valuer to determine the sale price. The valuer will have regard to the restrictions ensuring the units sell for below market value.

Restrictions to Borough Residents

Whilst not a formal requirement of meeting the definition of affordable housing, Pocket often applies a further restriction on the sale of its homes which is that in agreement with a LPA it will apply a restriction on the sale of its home to local residents or people who work in the borough. Thus, applicants must also either live or work in Barnet to be eligible for a Pocket home. The key benefit of this restriction is that it reduces demand on local transport, health and community infrastructure.

Summary

In this instance, it is considered that the scheme will play a considerable and important role in the delivery of affordable homes to meet the identified and quantifiable need with Barnet and across London. The scheme will deliver a high proportion of affordable housing which accords with the policies of the London Plan.

Design, Layout and height

The proposal comprises of a 'C' shaped footprint with a centralised landscaped courtyard, breaking down the massing and creating a sense of openness within the site. The longest elevation is sited adjacent to the North Circular (A406), enclosing the landscaped courtyard, fronting the residential dwellings on Abingdon Road. The development is set back from the neighbouring residential dwellings and the centralised landscaped courtyard along with the proposed parking spaces and existing/proposed trees will provide buffering between the building and the rear gardens of the neighbouring dwellings.

The entrance to the site is from Dolman Close with a secondary pedestrian access onto the southern boundary adjacent to the North Circular. The front elevation accommodates an entrance canopy that provides access into the main entrance Lobby/lounge. Due to the proximity of the site to the North Circular (A406) and the noise nuisance resulting from this busy street, the proposal has placed all 'circulations areas' adjacent to this street, focussing the outlook of residential properties away from the road.

At ground floor level, all the units will benefit from their own private terrace, with most of them looking onto a landscaped area. The plant room, refuse storage and the cycle storage is located at this level to the front of the site.

The development benefits from adequate amount of outlook, privacy and benefit from adequate stacking between units. Overall, the proposed layout and siting of the proposed buildings are considered to be acceptable.

The development has been informed by the building heights of adjacent dwellings, which are generally 2 storeys with hipped roof. It is acknowledged that the proposed overall height would be taller than the existing neighbouring residential buildings, however, the proposed building is stepped in height from 3 storeys to a maximum of 5 storeys, with the shortest height being adjacent to residential buildings. The mass and bulk of the building has been

broken up and reduced at the north and south wings, to allow for a gradual transition in building height between the residential dwellings and the proposed development.

The tallest part of the building which is 5 storeys will be sited adjacent to the North Circular, when viewed from this street the building will be in keeping with the tall rise buildings along this street. In addition, 2no. projecting gables have been introduced on this elevation, which helps to break down the massing and provide visual interest along this elevation. Therefore, the proposal is considered to respect the building heights of neighbouring properties and would not appear out of scale with the surrounding area.

The building proposes a material palette of red brick with articulation in a grey/white brick along with vertical infill brickwork to add interest to the middle floors. The main entrance elevation follows a similar approach with a red brick base and red brick recessed panels to provide additional detail. This is considered to be acceptable and will produce a high-quality visual development.

It should be noted that the proposed development is supported by the Council's Urban design team.

Officers consider that the proposed layout, height, scale and bulk and external appearance have been carefully considered in terms of the site's constraints, wider context and urban form. Overall, the proposal is considered to be of a high quality in terms of form and detailed appearance.

Impact on the amenity of adjacent occupiers and surrounding area

Barnet policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining users. Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Furthermore, the adopted Local Plan (2012) and draft Local Plan (2021) policy CDH01 promotes high quality design by requiring development not to result in any adverse impact on the amenity of neighbouring occupiers in relation to overlooking and privacy.

Privacy, overlooking and outlook

Barnet's Residential Design Guidance SPD states that there should be a minimum distance of about 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

The site is located within a residential area with a variety of building forms. In terms of potential impact there are existing residential properties to the north and west of the site. To the east is the playing grounds of Tudor school.

Given the constraints of the site, the proposal is unable to strictly maintain the required distance to its boundary with some neighbouring properties and habitable rooms. Notwithstanding this, the proposal has been designed with varying setbacks at the upper levels from these properties. The proposed building has been orientated in a way which ensures that any sightlines are positioned away from the neighbouring properties and into the communal landscaped areas. In addition, the building has a stepped design which has been informed through discussions with officers. The scale of the building is broken down by stepping the building down towards the neighbouring residential properties.

Furthermore, a number of existing trees along the boundaries have been retained, in addition to the new trees and landscaping that has been proposed along these boundaries. This will help to mitigate any concerns with regards to overlooking and loss of privacy.

Daylight / Sunlight

The application is accompanied by a Daylight & Sunlight Study (ref. 22-00471) which has analysed the impact of the proposal on a total of 13 properties, 162 windows and 78 rooms.

The report states that in 'The results for the VSC method of the assessment show that 142 (88%) out of 162 windows serving habitable rooms will fully comply with the suggested target values. Out of 20 windows that fall short of the recommended target values, 16 will achieve marginal ratios above 0.70 against a target of 0.8 which is considered acceptable in the BRE guidelines given the urban context of this proposed development.

The results for the DD method of the assessment show that 70 (90%) out of 78 habitable rooms will fully comply with the BRE suggested target values. The 8 rooms that fall short of their recommendations still maintain above 66.58% of room coverage post-development, which is considered acceptable in an urban environment such as this.

The results for the APSH method of assessment show that 76 (99%) out of 77 relevant rooms with windows positioned within 90 degrees of due South will fully comply with the recommended target values. The one shortfall is considered to be marginal given the urban circumstances of the site. It should be noted that this window is obstructed by an overhanging staircase and landing located on the exterior of the building itself, thus exaggerating the impact. Despite this the window still achieves 23% against a target of 25%, so is considered to be acceptable given its position.

The overshadowing to open spaces results show that all 13 amenity areas considered will fully comply with the recommended target values.'

The report concludes that there is a high level of compliance with the BRE guidance and that any affected properties will only experience minor reductions. Overall, the scheme as a whole is not considered to harmfully impact the daylight / sunlight levels of neighbouring properties.

Residential amenity within the proposed development

In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.1 within Policy D6 (Housing Quality and standards) of the London Plan 2021 provides minimum space standards for new dwellings. Policy D3 of the London Plan states that development should optimise the use of the land following a design-led approach.

The proposal will provide a total of 60 units comprising of the following mixture of residential mix, tenure and sizes;

- 1 bed 1 person (38m²) - 50 Units
- 1 bed 1 person (wheelchair adaptable) (47m²) - 6 Units
- 2 bed 4 person (70m²) - 4 Units

A number of design principles are incorporated into all Pocket schemes in order to maximise space, comfort and sustainability. This includes generous floor-to-ceiling windows, siting of circulation areas adjacent to the busy street, high quality sound proofing, built in storage and high quality internal and external amenity spaces. All of the units would exceed the 37sqm national minimum requirement.

The majority of units would be single aspect, which is not an issue in principle, as none of the units would be north facing. Each unit would benefit from floor to ceiling windows to increase the level of daylight and sunlight received into each unit. The applicant has submitted a Daylight and Sunlight Study, to assess the whether the proposed habitable rooms will receive satisfactory levels of daylight and sunlight. The study demonstrates that 98% of all the units achieve full compliance with the Average Daylight Factor (ADF) requirements and as such would receive a high level of both daylight and sunlight which would comply with the BRE targets.

As the site is located adjacent to North Circular (A406), a Noise Impact Assessment has been undertaken and submitted in support of the application. The assessment advises that good quality double-glazed windows would provide internal noise levels for all residential environments of the development commensurate to the design range of BS8233. No further mitigation measures have been requested in order to protect the proposed habitable spaces from external noise intrusion. The Council's Environmental Health Officers have raised no objections.

Overall, Officers are satisfied that that high standard of accommodation would be provided to the proposed development.

In terms of outdoor amenity space, London Plan Policy D6 states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sq.m are counted as a habitable room and habitable rooms over 20sq.m are counted as two habitable rooms for the purposes of calculating amenity space requirements. The current Local Plan requirements are 5sqm per habitable. However, the emerging Barnet Local Plan seeks to follow the London Plan requirements as set out in the first paragraph above.

The proposal will provide outdoor amenity in the form of a range of options, including private and communal terraces and shared communal outdoor space. In total the proposal would provide 641sqm of shared amenity space.

The provision of external spaces is therefore compliant and Officers are satisfied that the proposed spaces would be useable and available throughout the year and would help create a sense of community within the development.

Highways and parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate

transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The scheme will provide 11 parking spaces which includes 2 disabled spaces. In addition, 66 cycle spaces would be provided.

Based on Barnet policy DM17, the proposal will attract a maximum allowable parking provision of between 4 and 62 parking spaces. Given the low PTAL score of the site (1b), Highways would recommend the provision of around 50 parking spaces. Based on the proposed parking provision of 11 spaces including 2 disabled bays, potentially around 39 spaces could be displaced on-street. However, the applicant has carried out an overnight parking survey on roads within a 200m distance of the site and the results show that there were 40 spaces available and an overall parking stress of 87.7% within the study area.

However, the 2011 Census data output for this ward indicates a car ownership ratio for flats of 0.67 which equates to about 40 cars for the 60 units proposed. With the 11 spaces provided within the development and 40 spaces available within the study area, there will be 11 parking spaces will be available. It is considered that the majority of the residents of the development are likely to be first-time buyers and young people, who more likely to travel sustainably and hence car ownership levels are likely to be lower than the ward average of 0.67 per household. In view of this, Highways accept to the proposed parking provision subject to the following measures to reduce car ownership and encourage sustainable travel:

- A robust travel plan
- Provision of car club space
- A contribution towards CPZ consultation and implementation
- Restricting future residents from obtaining parking permits should a CPZ be introduced in the area in the future.

Based on London Plan cycle parking standards, a minimum of 62 long stay and 3 short stay spaces are needed for this development. The proposals will provide a total of 70 cycle parking spaces which is in accordance with the London Plan 2021 and Barnet cycle parking standards. The proposed residential use will provide 66 secure and covered long stay cycle parking spaces, of which four spaces will be provided as Sheffield stands (two stands) to allow for larger non-standard bikes. A further four visitor spaces (two stands) will be provided in the form of Sheffield stands. These visitor spaces will be provided within the landscaping. The proposed cycle parking meets the needs of the development, with sufficient spaces for each unit to have a secure and covered cycle parking space.

Vehicular access to the development site will be via the existing junction off Avondale Road. This access will also be used by pedestrian and cyclists. The residential building will have entrances within the site for people arriving via Avondale Road. The building which is situated along the boundary with the North Circular Road will also have a pedestrian entrance leading onto the North Circular Road. This access can also be used by residents with their bicycles when dismounted who are then able to use the off-road cycle route alongside the North Circular Road. Pedestrian and vehicular access arrangements to the site are acceptable.

Servicing and deliveries are expected to take place within the site. Swept path drawings have been submitted by the applicant and these clearly demonstrate the refuse and service vehicles can enter and exit the site in forward gear. The bin stores are conveniently located

near the access within a 10m drag distance to waiting vehicle.

The following off-site highway works are anticipated as part of the development:

- i) cutting back the vegetation whilst retaining the existing trees along the boundary and replacing the timber fencing with railings, reinstating the existing footpath connecting Avondale Road to A406 North Circular
- ii) Provision of dropped kerbs and tactile paving at the entrance of Dolman Close
- iii) Reinstating the site access and footway along the site frontage

Highways would raise no objection to the proposal subject to a s106 agreement denying occupants of the development the right to purchase permits should a CPZ be introduced in the area in the future, a contribution of £10,000 towards travel plan monitoring and £9,000 towards travel plan incentives, as well as the following planning obligations, conditions and informatives.

Trees, landscaping and ecology

Trees

The application is accompanied by an Arboricultural Impact Assessment, Method Statement & Tree Survey Dolman Close. The site has been left unmaintained for a considerable amount of time and as a result many trees have established around the disused buildings. The site comprises of trees of varying values, age and categories. There are also a number of mature trees along the western boundary.

The tree survey has detailed the findings and qualities of the trees which value the trees appropriately. Of these trees the following will be removed to accommodate the proposal: G1, T5, T6, T7, T8, G9, G10, G11, T12, T13, T14, T15, G16, T17, T18, T19, T22, T23, G25, G26 and T27 are to be removed as a result of the development proposals as well as x2 individuals from G4. The primary impact this proposal will have is on the residential properties that back onto the site Avondale Road, Abingdon Road, and Pointalls Close. Therefore, it is important that as many trees as possible are retained here to soft the massing of the proposed 5 storey building.

G2 a row of Norway maple and T20 a coastal red cedar will assist in this function. During the pre-application design stage T17, T18 and T19 were discussed for retention. However, a foul water pipe must be relocated very close to these trees and their retention was not considered possible. Replacement planting must be provided to re-instate this visual softening.

A comprehensive tree survey and assessment has been undertaken to inform the development. As part of the development, 13 category C trees and 3 category B trees will be removed. In addition, 1 group of category U trees and 5 groups of category C trees will be removed. These trees which are to be removed represent those specimens with the lowest amenity value and are located within the proposed footprint and hardstanding associated with the development. It is considered that the Site could not easily be redeveloped for residential development without the substantive loss of these trees.

The more mature category B trees along the southern and western boundary of the Site will be retained as these are recognised as providing a high level of amenity. These trees will require trimming and maintenance as they are currently in poor health. In addition, the row of mature existing trees along the North Circular, which fall outside of the Site, will not be affected by the proposed development.

As part of the landscape proposals, 23 new trees will be planted which will significantly offset the loss of the existing trees on the site.

London Plan (2021) policy G5 requires major residential development proposals to contribute to the greening of London and seek to achieve a target urban greening factor (UGF) score of 0.4. The proposed scheme achieves a UGF score of 0.4 in accordance with the requirements of London Plan (2021) policy G5.

The application has been reviewed by the Council's Arboricultural Officer and further information and details have been submitted by the applicant. This is considered to be acceptable as the new trees and landscaping proposals will offset the loss of the existing trees on the site.

Landscaping

The proposed landscape design seeks to deliver a high-quality resident focused environment through the provision of well-considered spaces and carefully identified planting and materials.

A communal landscaped courtyard has been proposed to the front an entrance of the site. This area will provide a rich pallet of Planting with an outdoor patio with a feature pergola for climbing plants and seating opportunities to provide respite to the residents.

Whilst a number of trees will be removed to make room for the development, 23 new trees will be planted which will help to offset the loss of existing trees as part of the landscaping scheme.

Ecology

The Council's Ecologist has reviewed the Preliminary Ecological Appraisal which has been submitted in support of the application. No objections to the application on ecological grounds are raised following the submission of the Ecological Impact Assessment (ACD Environment, July 2022). This report confirmed that no protected species (e.g. bats, nesting birds, hedgehogs or reptiles) were considered likely to be impacted by the proposed works in a manner which could not be reasonable mitigated.

The requested photographs of the two buildings provided by ACD Environment (18.10.2022) confirmed that the two buildings did not possess any potential roost features which would necessitate any further bat emergence or re-entry surveys to confirm presence or likely absence of roosting bats. Likewise, the retention of the mature boundary trees and the confirmation that the dense scrub previously present on site had been cleared and thus the suitability for the site to support foraging bats beyond any occasional transiting and common bat species will have been reduced to a suboptimal level. As a result, no further bat activity surveys will be required.

The PEA report did state however "Common and widespread bat species with some tolerance to light are likely to be the only species using the Application Site given the artificial light currently surrounding the Application Site. Nonetheless, these bats could be vulnerable to disturbance caused by increased lighting during the construction and operational phase unless appropriate mitigation is put in place." Therefore, a bat sensitive lighting strategy will be required as part of any future planning condition.

According to the PEA report "The line of Norway maple trees present within the southern boundary of the Application Site are to be retained as part of the development, the single tree present on the west of the Application Site is to be retained also." We welcome the protection the mature boundary trees onsite and any future planning condition will include tree protection fencing to safeguard the root protection area of the trees.

Urban Greening

London Plan policy requires new developments to contribute to the greening of London by including urban greening as a fundamental element of site and building design. The GLA comments that the level of urban greening across the proposed development is well considered at ground, podium and roof levels. The proposal achieves a score of 0.40 which complies with the target of 0.40 set by Policy G5 of the London Plan.

Energy and Sustainability

Energy Statement

London Plan (2021) policy SI2 states that major development should be net zero-carbon. The hierarchical principles of be lean, be clean, be green, and be seen should be implemented in order to reduce greenhouse gas emissions and minimise energy demands.

An Energy Strategy has been submitted in support of the application. The energy statement outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions. The Strategy follows the London Plan Energy Hierarchy: Be Lean, Be Clean and Be Green. The overriding objective in the formulation of the strategy is to maximise the reductions in total CO₂ emissions through the application of the hierarchy with a technically appropriate and cost-effective approach, and to minimise the emission of other pollutants. The development will be constructed to comply with Part L 2013 (with 2016 amendments) of the Building Regulations and in line with the London Plan to achieve a minimum of 64% CO₂ reduction for the domestic elements. In order to achieve zero carbon, the developer will need to make a carbon offset contribution to bridge this gap. A contribution of £42,068 will be required to be secured via planning obligation.

Water Consumption

In terms of water consumption, a condition would be recommended in the event planning permission is granted to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 110 litres of water is consumed per person per day, to ensure the proposal accords with Barnet's Core Strategy (2012) Policy CS13 and Policy SI5 of the London Plan (2021).

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

Flood Risk / SuDS

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

The application is accompanied by a Flood Risk Assessment and Below Ground Drainage Strategy. This is currently being assessed by the Council's appointed drainage specialists who and an update will be provided in due course. However, it is fully anticipated that this matter will be addressed.

6. Equality and Diversity Issues

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

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

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

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation

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

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

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

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

7. Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully

considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies.

The proposed benefits of the scheme are:

- Redevelopment of existing vacant site;
- Provision of a high-quality scheme which is considered to improve the visual appearance of the site;
- Provision of 60no. new residential units towards the Borough's housing targets of which 56 units will be secured as affordable housing;
- Enhanced landscaping and ecological measures across the site.

Taking into the above benefits, Officers give significant weight towards the high provision of affordable housing and it is considered that the package of public benefits are of importance and attract positive weight in the decision making.

It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.

