

LOCATION: West Hendon Estate

REFERENCE: 23/1802/FUL

Received: 25 April 2023

Accepted: 25 April 2023

WARD(S): West Hendon

Expiry: 25 July 2023

APPLICANT: Barratt Metropolitan LLP

PROPOSAL: Comprehensive redevelopment of the site comprising the demolition of existing buildings and structures and the construction of 8 buildings from 2 to 12 storeys comprising of 350 residential units (Use Class C3), commercial uses (Use Class E), including Health Centre, basement, private and communal amenity space, associated car parking, cycle parking, refuse storage.

Background

Planning permission was originally granted in hybrid in 2013 for the comprehensive redevelopment of the West Hendon Estate for 2,000 homes, a new 2 form entry primary school, community building and commercial floorspace. The hybrid planning permission has been implemented and reserved matters have been submitted and approved for all phases (4-6 (excluding the school)), the most recent (Phases 5 and 6) being granted five years ago in 2018.

The development, known as Hendon Waterside, is well underway. Phases 1-2 have been completed under earlier planning permissions (2007 and 2008). Phase 3 (the detailed component of the hybrid) has been completed, and Phase 4 (the first phase of the outline component) is underway which will see major highway works delivered including the removal of the Perryfield Way gyratory, a key public benefit of the scheme. The 2018 Phase 5 and 6 reserved matters approvals have not been carried out.

The original red line of the hybrid planning permission was defined by land availability along West Hendon Broadway (A5), factoring in lease periods and CPO costs. An opportunity has now arisen whereby 213 The Broadway (an MOT garage) and 215 The Broadway (an NHS Doctors Surgery known as Hendon Way Surgery) has now become available for redevelopment. This is important as the 2013 permission includes land directly to the west of 215 The Broadway. Cumulatively, these individual land parcels comprise a city block, however, with only half the block falling within the 2013 hybrid planning permission this left a part developed frontage onto The Broadway which the development can now address under the current proposals.

The applicant (Barratt Metropolitan LLP) has also used the acquisition of this land to re-look at the opportunities available for the remaining, undeveloped, parts of Hendon Waterside whilst also exploring on an opportunity to provide more homes on largely the same land area that was subject to the 2017 Phase 5 and 6 reserved matters applications.

The applicant's strategy to achieve this is two-fold, namely:

- A reserved matters application for 732 homes as part of Phase 5 (Block B) and Phase 6 (Block D) pursuant to the 2013 hybrid permission. These applications complete the 2000 home maximum capped by the hybrid planning permission, and deals with the D Blocks and Block B; and

- A standalone detailed planning application for 350 homes, flexible town centre floorspace and a new health centre on land adjacent to the reserved matters application. The detailed application is on land identified as Phase 5 under the 2013 hybrid permission, and also includes the two new land parcels which are now available, dealing with Blocks A, C and G.

Both of the above applications form separate items on this agenda as the applications due to the linkage between the applications.

RECOMMENDATIONS

Recommendation 1

The application, being one of strategic importance to London, must be referred to the Mayor of London. As such, any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London.

Recommendation 2

Subject to Recommendation 1 above, 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 of seeking to secure the following, subject to any changes as considered necessary by the Head of Development Management:

- (a) Legal Professional Costs Recovery
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.

- (b) Enforceability
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

- (c) Affordable housing
50% affordable housing by habitable rooms providing 161 affordable housing units with a 60% SR/LAR and 40% intermediate housing split.

- (d) Carbon Offset Payment

Indicative payment of £659,438 towards Carbon Offset to meet mayoral zero carbon target. This will be confirmed on a final assessment prior to occupation.

- (e) Recruitment, employment and training

Forecasting of construction job opportunities; Notification of job vacancies; Local labour target; Jobs brokerage and skills training; Apprenticeships and work experience; Target local suppliers to be represented on subcontract/supply tender. All to the satisfaction of the Local Planning Authority.

- (f) Travel Plan measures and monitoring:
Including Provision of Travel Plans covering the following:
Travel Plan – Residential -
Travel Plan – Non-Residential

An appropriate Travel Plan Monitoring Fee would also need to be paid in relation to the above plans.

(g) Controlled Parking Zone

Contribution TBA towards a study of CPZ's in the vicinity of the site and the implementation or alteration to any CPZ on adopted roads in the vicinity of the site.

Traffic Regulation Order amendments to exclude (new) residents from CPZ permits

(h) Section 106 Monitoring contribution

Monitoring Contribution TBA.

(i) All financial contributions listed above to be subject to indexation.

Recommendation 3

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Service Director Planning & Building Control or Assistant Director to approve the planning application reference 23/1802/FUL under delegated powers, subject to the following conditions.

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

Conditions

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

General Drawings

WSTHN MAK MPB XX DR AR 80-010 Masterplan - Red Line Drawing
WSTHN MAK MPB LG DR AR 80-020 Masterplan -Demolition Plan
WSTHN MAK MPB LG DR AR 80-120 Masterplan - Lower Ground Floor Plan
WSTHN MAK MPB 00 DR AR 80-121 Masterplan - Ground Floor Plan
WSTHN MAK MPB 01 DR AR 80-122 Masterplan - 01 Floor Plan
WSTHN MAK MPB XX DR AR 80-123 Masterplan - 02-04 Floor Plan
WSTHN MAK MPB 05 DR AR 80-124 Masterplan - 05 Floor Plan
WSTHN MAK MPB 06 DR AR 80-125 Masterplan - 06 Floor Plan
WSTHN MAK MPB 07 DR AR 80-126 Masterplan - 07 Floor Plan
WSTHN MAK MPB 08 DR AR 80-127 Masterplan - 08 Floor Plan
WSTHN MAK MPB 09 DR AR 80-128 Masterplan - 09 Floor Plan
WSTHN MAK MPB 09 DR AR 80-129 Masterplan - 10 Floor Plan
WSTHN MAK MPB XX DR AR 80-130 Masterplan - Roof Plan
WSTHN MAK MPB XX DR AR 80-280 Masterplan - Site Elevations - East Street
WSTHN MAK MPB XX DR AR 80-281 Masterplan - Site Elevations - West Street
WSTHN MAK MPB XX DR AR 80-380 Masterplan - Section 1 of 1

Block A

WSTHN MAK AZ 00 DR AR 80-130 Block A - 00 Floor Plan
WSTHN MAK AZ 01 DR AR 80-131 Block A - 01 Floor Plan
WSTHN MAK AZ 02 DR AR 80-132 Block A - Roof Plan
WSTHN MAK AZ XX DR AR 80-230 Block A - Sections

WSTHN MAK AZ XX DR AR 80-330 Block A - Elevations
WSTHN MAK AZ XX DR AR 80-335 Block A - Bay Study

Block C

WSTHN MAK CZ LG DR AR 80-140 Block C - Lower Ground Floor Plan
WSTHN MAK CZ UG DR AR 80-141 Block C - Upper Ground Floor Plan
WSTHN MAK CZ 01 DR AR 80-142 Block C - 01 Floor Plan
WSTHN MAK CZ 02 DR AR 80-143 Block C - 02 Floor Plan
WSTHN MAK CZ 03 DR AR 80-144 Block C - 03 Floor Plan
WSTHN MAK CZ 04 DR AR 80-145 Block C - 04 Floor Plan
WSTHN MAK CZ 05 DR AR 80-146 Block C - 05 Floor Plan
WSTHN MAK CZ 06 DR AR 80-147 Block C - 06 Floor Plan
WSTHN MAK CZ 07 DR AR 80-148 Block C - 07 Floor Plan
WSTHN MAK CZ 08 DR AR 80-149 Block C - 08 Floor Plan
WSTHN MAK CZ 09 DR AR 80-150 Block C - 09 Floor Plan
WSTHN MAK CZ RP DR AR 80-151 Block C - Roof Plan
WSTHN MAK CZ XX DR AR 80-240 Block C - Sections 1 of 2
WSTHN MAK CZ XX DR AR 80-340 Block C - Elevations 1 of 3
WSTHN MAK CZ XX DR AR 80-341 Block C - Elevations 2 of 3
WSTHN MAK CZ XX DR AR 80-342 Block C - Elevations 3 of 3
WSTHN MAK CZ XX DR AR 80-343 Block C - Internal Elevations 1 of 2
WSTHN MAK CZ XX DR AR 80-344 Block C - Internal Elevations 2 of 2
WSTHN MAK CZ XX DR AR 80-345 Block C - Elevations Birds and Bat Boxes 1 of 2
WSTHN MAK CZ XX DR AR 80-346 Block C - Elevations Birds and Bat Boxes 2 of 2

Block G

WSTHN MAK GZ 00 DR AR 80-160 Block G - 00 Floor Plan
WSTHN MAK GZ 01 DR AR 80-161 Block G - 01 Floor Plan
WSTHN MAK GZ 02 DR AR 80-162 Block G - 02 Floor Plan
WSTHN MAK GZ 03 DR AR 80-163 Block G - 03 Floor Plan
WSTHN MAK GZ 04 DR AR 80-164 Block G - 04 Floor Plan
WSTHN MAK GZ 05 DR AR 80-165 Block G - 05 Floor Plan
WSTHN MAK GZ 06 DR AR 80-166 Block G - 06 Floor Plan
WSTHN MAK GZ 07 DR AR 80-167 Block G - 07 Floor Plan
WSTHN MAK GZ 08 DR AR 80-168 Block G - 08 Floor Plan
WSTHN MAK GZ RP DR AR 80-169 Block G - Roof Plan
WSTHN MAK GZ XX DR AR 80-260 Block G - Sections
WSTHN MAK GZ XX DR AR 80-360 Block G - Elevations 1 of 2
WSTHN MAK GZ XX DR AR 80-361 Block G - Elevations 2 of 2
WSTHN MAK GZ XX DR AR 80-362 Block G - Internal Elevations 1 of 2
WSTHN MAK GZ XX DR AR 80-363 Block G - Internal Elevations 2 of 2
WSTHN MAK GZ XX DR AR 80-364 Block G - Elevations Birds and Bat Boxes

Planning Statement
Affordable Housing Statement (In Planning Statement)
Accommodation Schedule
Statement of Community Involvement
Sustainability Statement (incl. BREEAM Assessment)
Energy Strategy
Domestic & Non-Domestic Overheating Assessment
Whole Life Carbon Assessment

Circular Economy Statement
Internal Daylight Assessment
Fire Strategy
Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement
Preliminary Ecological Assessment
Biodiversity Net Gain Assessment
Flood Risk Assessment (inc. Drainage)
Foul Sewage and Drainage Assessment (Surface Water & SuDs Report & Drainage Assessment Form)
Utilities Assessment
Health Impact Assessment
Transport Assessment (including Draft Construction Logistics Plan); Framework
Travel Plan; Delivery and Servicing Management Plan; Waste Management Plan;
Car Park Management Plan
Environmental Statement Volumes 1, 2 & 3
Environmental Statement Non Technical Summary

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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. Unless otherwise agreed with the Local Planning Authority, no construction works shall occur outside the following times:

08:00 – 18:00 hours weekdays

08:00 – 13:00 hours Saturdays

Reason: To ensure that the development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

4. The development shall provide a total of 10% of units across the site designed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy D7 of the London Plan; and Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

5. Prior to the commencement of the superstructure of relevant building within the development (other than demolition or Enabling Works), the following details for that

building shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved and agreed):

- i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces
- ii. Door, entrances, windows (including glazing specifications) and balconies (including drawings and section showing thresholds to adjacent internal spaces and drawings and sections of privacy screens)
- iii. Building lighting
- iv. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- v. Details of any proposed biodiverse roofs
- vi. Details of any building security measures including cctv

Thereafter the feature hereby approved shall be installed prior to occupation of the relevant phase and thereafter maintained in secure and good working order for the lifetime of the development.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies D1, D3 & D4 of the London Plan 2021.

6. All non-residential units shall achieve a minimum of BREEAM Very Good. Within three months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policy SI 2 of the London Plan 2021.

7. No residential unit shall be occupied until the private and/or communal amenity space provision, (excluding public open space) for that unit is available in accordance with the Approved Plans.

Reason: To ensure there is adequate amenity space available for all residential units.

8. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity spaces provided on the site shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy S4 of the London Plan 2021.

9. Prior to first occupation of each phase, a scheme for the provision of communal/centralised satellite and television reception equipment shall be submitted

for approval for that phase unless otherwise agreed in writing by the Local Planning Authority. The equipment shall thereafter be retained and made available for use by all occupiers of the relevant phase.

Reason: To ensure that the development makes appropriate provision for such equipment, so as to not impact adversely on the character of the area, in accordance with policies CS5 and DM01 Barnet Local Plan.

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

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

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

11. a) Prior to the commencement of the superstructure of a relevant building within the development (other than demolition and site preparation works) details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D1, D3, D4 and G7 of the London Plan 2021.

12. 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 each phase of the hereby approved development.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and G7 of the London Plan 2021.

13. a) Prior to the commencement of the superstructure of a relevant building within the development (other than demolition and site preparation works), 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 G7 of the London Plan 2021.

14. a) Prior to the commencement of the substructure works hereby approved for each relevant phase a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

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

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

15. a) Prior to the first occupation of each phase of the hereby approved development, details of the location of any proposed green roofs have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the 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) and 7.15 of the London Plan 2016.

16. a) Prior to the occupation of each phase 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) and Policy G4, G5 & G7 of the London Plan 2021.

17. The development shall not be occupied until details comprising a scheme of measures to enhance and promote biodiversity shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation.

Reason: To ensure that the development represents a high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policy G6 of the London Plan.

18. a) No phase shall be brought into use or first occupied until details of the means of enclosure, including boundary treatments for that phase have been submitted to and approved in writing by the Local Planning Authority.

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

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

19. (1) prior to carrying out above grade works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full 'Secured by Design' Accreditation.

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

(2) Prior to the first occupation of each building or part of a building or use, 'Secured By Design' accreditation shall be obtained for such building or part of such building or use.

Reason: To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

20. Prior to the commencement of the superstructure of a relevant building within the development, an air quality neutral assessment report shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved by the Local Planning Authority.

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

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

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy SI1 of the London Plan 2021.

21. The level of noise emitted from any 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 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.

22. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

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

Reasons: In the interest of good air quality in accordance with London Plan policies SI1 & SI2.

23. Notwithstanding the plans submitted, disabled parking spaces shall be provided and clearly marked with a British Standard disabled symbol where appropriate. Such arrangements shall be completed to the Authority's satisfaction before the building is first occupied and shall thereafter be kept available/ maintained for such use.

The Blue Badge spaces will be allocated to registered Blue Badge holders in the first instance. Any surplus disabled spaces can be allocated to remaining residents on a first-come first-served basis subject to a strategy to be submitted and agreed by the Local Planning Authority prior to first occupation of each block. The strategy to be submitted will ensure that residents who become Blue Badge holders or new residents who are Blue Badge holders can be allocated one of the surplus disabled spaces where appropriate.

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.

24. Before development hereby permitted is occupied for each phase, parking spaces, cycle parking and turning spaces shown on the plans hereby approved shall be provided and marked out within the site in accordance with the approved plans. Thereafter, the parking spaces shall not be used for any purpose other than the parking and turning of vehicles, in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.

25. Prior to demolition the development hereby permitted a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of 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.

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

26. Prior to the occupation of each phase hereby approved, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. location and layout of car parking spaces,

- ii. The allocation of car parking spaces;
- iii. On site parking controls and charges;
- iv. The enforcement of unauthorised parking; and
- v. disabled parking spaces
- vi. Electrical Vehicle Charging Points.

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian 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.

27. The approved development shall make provision for cycle parking and cycle storage facilities for each phase of the development in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

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

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

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

29. Before a phase of the permitted development commences details of the refuse collection arrangements on each phase shall be submitted to and agreed by the Local Planning Authority.

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

30. Prior to commencement of development of a phase (other than demolition or site preparation works), details of the street lighting provision for each phase shall be submitted to and agreed by the Local Planning Authority.

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

31. Notwithstanding the submitted plans, no block within a phase shall be occupied unless and until details of a scheme for the installation of petrol/oil interceptor(s) in all car parks located within that phase have been submitted to an approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and shall be provided before the car park(s) to which the scheme relates is brought into use.

Reason: In order to prevent oil-polluted discharges entering local watercourses in accordance with Policies G6 & SI5 of the London Plan 2021.

32. Prior to occupation of any phase a framework for the assessment of the impacts to the SSSI from increased recreation associated with the new population will be undertaken in consultation with Natural England. This shall include a timescale for the undertaking of a survey of such impacts following occupation.

The survey shall take place in accordance with the agreed framework to consider appropriate avoidance/mitigation measures from any identified impacts of the increase in recreational activity with comment and undertakings on how they will be secured in the long-term.

Such the Framework and Survey findings shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development does not prejudice the adjacent SSSI and that onsite ecological features are protected, enhanced, created and managed in accordance with policies DM16 of the Barnet Local Plan and G6 of the London Plan 2021.

33. Lighting of and within buildings (including balconies) will be implemented to minimise light spill so as not to exceed 0.5lux within the SSSI woodland buffer or the wet woodland, including up to 20m above the woodland canopy. Lighting of and within the Linear Park and adjacent public realm will be implemented to minimise light spill from the development so as not to exceed 0.5lux within the SSSI woodland buffer or the wet woodland, including up to 20m above the woodland canopy.

Reason: To ensure the development does not prejudice the adjacent SSSI and that onsite ecological features are protected, enhanced, created and managed in accordance with policies DM16 of the Barnet Local Plan and G6 of the London Plan 2021.

34. Prior to the commencement of development within each phase of the outline scheme details of any surface water run-off and ground water that is proposed to drain into the waterway shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Canal & River Trust and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure in line with Policies G6 & SI5 of the London Plan 2021.

35. The phasing of development shall be in general accordance with a phasing plan to be submitted to the Council prior to commencement of development of a phase (other than demolition, land remediation or Site Preparation Works). The phasing plan shall identify the location of the phase of development and shall provide a reference for that phase. The Development shall be carried out in accordance with the phasing plan.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure a coordinated approach to the delivery of the development.

36. For the purposes of the Community Infrastructure Levy Regulations 2010 (as amended) this is a phased development. Prior to commencement of each phase of CIL development, a CIL development plan establishing the extent of the CIL development shall be submitted to and approved by the Council. Each CIL development approved by this condition shall be considered a separate chargeable development for the purposes of calculating Community Infrastructure Levy.

Reason: For clarity, and to ensure CIL liability payments are phased and that each phase of the development is treated as if it were a chargeable development for levy purposes, in accordance with Regulation 8(3A) as amended by the Community Infrastructure Levy Regulations 2010 (as amended).

INFORMATIVE(S):

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

2. In accordance with paragraphs 186 and 187 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 development is in accordance with the Development Plan.

3. Please be aware that additional conditions may be imposed as part of reserved matters approval in the event that issues are encountered which are covered by conditions in this decision notice.

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

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used

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

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

5. Acoustic Consultant

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 30dB(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.

6 Contaminated Land

In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

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

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

7. 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 7294.

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

9. 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.

10. The Community Infrastructure Levy (CIL) applies to all 'chargeable development' where gross internal area of new build on the relevant land will be 100 square metres or more, or where development will comprise one or more dwellings.

Details of how the calculations work are provided in guidance documents on <https://www.gov.uk/guidance/community-infrastructure-levy>.

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 £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. This was increased to £60 per sqm on 1st of April 2019. 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 surcharges. 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.

11. Site Preparation: Comprises works of demolition, surveys, site clearance, ground investigation, the erection of fencing or hoardings, the provision of security measures and lighting, the erection of temporary buildings or structures associated with the development, the laying, removal or diversion of services, construction of temporary access, temporary highway works, and temporary estate roads.

12. Superstructure: Superstructure works are defined as part of the building above its basement or foundations

13. Phase of Development: This is a phased development. A phase of development can comprise a phase defined for the purposes of CIL and/or a phase defined for the purposes of the discharge of planning conditions and/or a

construction phase or sub-phase, and for the purposes of discharging relevant planning obligations. A phase can comprise site preparation works, sub-structures, and/or buildings.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises The London Plan (published March 2021) and the development plan documents in the Barnet Local Plan.

These statutory development plans are the main policy basis for the consideration of this planning application. A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

National Planning Policy Framework (September 2023)

This document replaces the previous version of the National Planning Policy Framework (NPPF) published in July 2021. The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

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

National Design Guide 2021

The National Design Guide (NDG) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It advises that good design involves careful attention to other important components of place such as context, landscaping, technical infrastructure and social infrastructure. It continues that a well designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings and it comes through making the right choices at all levels, including layout, form and scale, appearance, landscape, materials and their detailing.

The guide identifies 10 characteristics which contribute to well-designed places and we have considered the following key attributes of the Guide as follows:

1. Context - enhances the surroundings
2. Identity - attractive and distinctive

3. Built form - a coherent pattern of development
4. Movement - accessible and easy to move around
5. Nature - enhanced and optimised
6. Public spaces - safe, social and inclusive
7. Uses - mixed and integrated
8. Homes and buildings - functional, healthy and sustainable
9. Resources – efficient and resilient
10. Lifespan - made to last

The Mayor's London Plan 2021

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

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

The London Plan policies (arranged by chapter) most relevant to the determination of this application are as follows:

The new London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Chapter 1

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience

Chapter 2

- Policy SD1 Opportunity Areas
- Policy SD3 Growth locations in the Wider South East and beyond
- Policy SD10 Strategic and local regeneration

Chapter 3

- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D8 Public realm
- Policy D9 Tall Buildings

Policy D11 Safety, Security and resilience to emergency
Policy D12 Fire safety
Policy D14 Noise

Chapter 4

Policy H1 Increasing housing supply
Policy H2 Small sites
Policy H3 Meanwhile use as housing
Policy H4 Delivering affordable housing
Policy H5 Threshold approach to applications
Policy H6 Affordable housing tenure
Policy H7 Monitoring of affordable housing
Policy H8 Loss of existing housing and estate redevelopment

Policy H10 Housing size mix
Policy H11 Build to Rent

Chapter 5

Policy S4 Play and informal recreation
Policy S5 Sports and recreation facilities

Chapter 7

Policy HC3 Strategic and Local Views
Policy HC4 London View Management Framework

Chapter 8

Policy G1 Green infrastructure

Policy G4 Open space
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands

Chapter 9

Policy SI 1 Improving air quality
Policy SI 2 Minimising greenhouse gas emissions
Policy SI 3 Energy infrastructure
Policy SI 4 Managing heat risk
Policy SI 5 Water infrastructure
Policy SI 6 Digital connectivity infrastructure
Policy SI 7 Reducing waste and supporting the circular economy
Policy SI 8 Waste capacity and net waste self-sufficiency
Policy SI 12 Flood risk management
Policy SI 13 Sustainable drainage
Policy SI 17 Protecting and enhancing London's waterways

Chapter 10

Policy T1 Strategic approach to transport
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding

Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T6.2 Office parking
Policy T9 Funding transport infrastructure through planning

Chapter 11
Policy DF1 Delivery of the Plan and Planning Obligations

Mayoral Supplementary Guidance

Planning for Equality and Diversity in London (October 2007)

This guidance sets out some of the overarching principles that should guide planning for equality in the London context.

The Mayor's Climate Change Mitigation and Energy Strategy (October 2011)

The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.

All London Green Grid (March 2012)

This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, the aim is to encourage boroughs, developers, and communities to collectively increase the delivery of green infrastructure for London.

Play and Informal Recreation (September 2012)

Provides guidance to Local Authorities and development to estimate the potential child yield from a development, and the resulting requirements for play space provision.

Sustainable Design and Construction (April 2014)

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development.

The control of dust and emissions during construction and demolition (July 2014)

The aim of this supplementary planning guidance (SPG) is to reduce emissions of dust, PM₁₀ and PM_{2.5} from construction and demolition activities in London.

Accessible London: Achieving an Inclusive Environment (October 2014)

The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

Housing (March 2016)

The housing SPG provides revised guidance on how to implement the housing policies in the London Plan.

Affordable Housing and Viability (August 2017)

Sets out the Mayor's policies for assessing and delivering affordable housing and estate renewal.

London Plan Guidance - Affordable Housing (Draft) (May 2023)

This guidance provides detail on the various ways in which London Plan affordable housing requirements should be applied to residential development.

London Plan Guidance – Development Viability (Draft) (May 2023)

The guidance is relevant for all applications where an applicant, the local planning authority (LPA) or the Mayor wishes to rely on viability information. It should be read alongside the draft Affordable Housing LPG (May 2023).

Better Homes for Local People The Mayor's Good Practice Guide to Estate Regeneration

Sets out the Mayor's policies for Estate Regeneration.

Relevant Local Plan (2012) Policies

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth

– The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well-being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet's town centres)

DM13 (Community and education uses)
DM14 (New and existing employment space)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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 has been taken of the policies and site proposals in the draft Local Plan limited weight has been given to the draft Local Plan in the determination of this application. The independent Examination in Public commenced on Tuesday 20th September 2022 and concluded in November 2022. On the 17th August 2023, the Council received the Inspectors' interim findings and next steps. The Council is currently considering the content of this correspondence and preparing a written response.

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

Local Supplementary Planning Documents:

Affordable Housing (February 2008)
Sustainable Design and Construction (October 2016)
Planning Obligations (April 2013)
Delivering Skills, Employment, Enterprise and Training from Development through S106 (October 2014)
Sustainable Design and Construction (October 2016)
Residential Design Guidance (October 2016)
Green Infrastructure (October 2017)

1.2 Key Relevant Planning History

Hybrid planning permission reference H/01054/13 was granted on 20th November 2013. The application approved development comprising the demolition and

redevelopment of the West Hendon Estate to accommodate up to 2,000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure.

Outline permission was granted for the demolition of existing buildings and the construction of up to 1,642 new residential units (Class C3); up to 3,870m² (GEA) of Class D1 floorspace comprising nursery and primary school and community centre uses; and up to 1,635m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 storeys, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp.

Full planning permission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) was granted for the construction of 358 new residential units (Class C3), and 131m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 storeys, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works.

Reserved Matters Applications

The reserved matters application for Phase 3b and 3c was granted on 26th March 2015 for 298 homes. Following this, the next reserved matters application, comprising Phase 4, was approved by LB Barnet on 18th July 2017 for 611 homes.

Reserved matters for Phase 5 comprising 216 residential units were approved on 25th June 2018, and the reserved matters application for Phase 6 was approved on the same date (25th June 2018) comprising 516 residential units. The 2018 Phase 5 and 6 reserved matters approvals have not been delivered.

Reserved Matters have been approved separately for the Cool Oak Lane Bridge (ref. 17/0168/RMA) on 23 January 2017, and the Silk Stream Bridge (ref. 18/1163/RMA) on 21 February 2018.

Reserved matters for the school can still be submitted before November 2025.

The hybrid permission has been implemented and remains extant. There are development caps on the amount of development that can be delivered under it including a maximum of 2,000 homes, 202,000sqm residential (Use Class C3); 3,870sqm community facilities (Use Class D1); 1,766sqm retail and related uses (Use Class A1-A5); and office (Use Class B1).

The legal agreement requires a baseline of 25% of the total number of residential units as affordable housing units of which a minimum of 43% shall be social rented housing with the remainder being intermediate housing (unless otherwise agreed with the Council).

A subsequent Reserved Matters application (Ref: 23/1803/RMA) was submitted accompanying the current application and will be reported to Planning Committee at the same time (reserved matters application to be considered by the committee before this application). This application is for the approval of reserved matters relating to appearance, landscaping, layout, scale, access, pertaining to Buildings B, D1, D2, D3, D4, D5, D6, D7 and D8 of the West Hendon Estate, including the construction of residential units (Use Class C3), flexible commercial floorspace (Use Class E), basement, parking and new landscaped public space pursuant to planning permission H/01054/13 dated 20/11/2013. The accompanying reserved matters application will effectively replace the 2018 Phase 5 and 6 reserved matters

approvals.

A S96a non material amendment application has also been submitted (Ref: 23/4260/NMA). This non material amendment is for '*Amendments include changes to the wording of conditions 5 and 7 and update to Strategic Phasing Parameter Plan*'. This application is currently being considered and would be determined in the event that committee resolves to grant planning permission for the reserved matters application and the current application. Procedurally however the S96a decision notice will need to be issued before the decision notices for the RMA and this application.

1.3 Pre-application Consultation by the Applicant

A Statement of Community Involvement has been submitted with the Planning Application which outlines the consultations which the applicant carried out prior to the submission of the application.

This has included two Public Consultations events, each with 2 exhibition dates, held in July 2022 (the 21st and the 22nd of July) and January 2023 (the 10th and the 12th of January), with pop-up events held in the Community Hub located at West Hendon

Physical form newsletters were sent to the wider area to local residents and communities. Across the two events, 30 people attended the public exhibition and 11 feedback forms were submitted in person.

Further, regular West Hendon Partnership Board meetings take place between local residents, London Borough of Barnet ward Councillors and Officers and the LLP where the submitted proposals have been presented and discussed.

1.4 Public Consultations by the Council and Views Expressed

Letters were sent out to 1247 addresses on the 22nd May 2023. The application was also advertised by site notice on the 1st June 2023 and by press notice also on the 1st June 2023

Public Representations

As a result of this consultation, 4 letters of representation have been received all objecting to the planning application. One petition of objection also received signed by 13 neighbouring residents and businesses.

Summary of main points raised by members of the public in objecting to the scheme.

- The Development is too tall, with concerns relating to building up to 12 storeys high
- The proposed development is higher and denser than the approved 2018 development.
- Comments received relating to overshadowing and loss of daylight concerns;
- The Urban Greening Factor does not meet the required quantum except when combined with the reserved matters scheme
- The proposed parking provision is considered to be inadequate;
- Concerns relating to the privacy of neighbours facing the proposed GP practice, with request to ensure any overlooking is appropriately mitigated.

Officer Comment

All of the above representations have been taken into account in the officer assessment below, however in brief the design of the proposal including the proposed height and scale is considered acceptable and the proposal would not result in any significant problems of residential amenity or impacts on Local Infrastructure. In relation to the UGF, the Design & Access evidences a score over 0.4. Further, taking into assessment together the reserved matters and drop in applications the proposals meet the 0.4 UGF score, given that they are intrinsically linked in relation to the wider regeneration area. Issues relating to the rear access path are a property rather than a planning issue and were not provided for on previous reserved matters approvals.

Elected Representatives.

None received.

Member of Parliament

None received.

Consultation responses from neighbouring associations other non-statutory bodies.

No comments received from these bodies.

Consultation Responses from Statutory Consultees

Greater London Authority (GLA)

Strategic planning application stage 1 referral Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal is for the demolition of existing buildings and the construction of 8 buildings ranging between 2-12 storeys comprising 350 residential units (50% AH), commercial uses, and a health centre.

The applicant is Barratt Metropolitan LLP and the architect is Makower Architects.

Strategic issues summary

Land use principles: The mixed use redevelopment of this site to provide 350 residential units alongside social infrastructure and commercial uses within the Cricklewood/Brent Cross Opportunity Area is supported in strategic planning terms.

Affordable Housing: The proposals for 161 affordable homes which is equivalent to 50% affordable housing (by habitable room) at a tenure split of 60/40 in favour of London Affordable Rent, represents a significant uplift when compared to the existing consent which for this phase of the masterplan secured 31% affordable housing of which 98% was shared ownership.

Urban Design: The site is located in an area designated as suitable for tall buildings. Concerns are raised regarding the impact of the development on daylight & sunlight, particularly on internal and amenity areas. GLA officers also have concerns regarding the number of single aspect homes.

Transport: A night-time active travel zone assessment should be undertaken to assess how the proposed development will address matters such as personal safety and 24/7 access to the local area.

Environment and climate change: Further refinement of the energy strategy is required and further details regarding energy efficiency measures, the cooling hierarchy, DHN potential and the heating network should be provided in order to assess compliance with climate change policy. Additionally, on site carbon savings should be improved for both the domestic and non-domestic element of the proposed development.

Recommendation That Barnet Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 108. Possible remedies set out in this report could address these deficiencies.

Officer Comment

The applicant has prepared a response which addresses the GLA Stage 1 comments and are anticipated as being resolved as part of the Stage 2 referral process. The Council is satisfied that the number of single aspect units and daylight levels are within appropriate levels taken into account other factors such as the need to provide two cores to meet the latest building safety requirements, in particular fire safety.

London Borough of Brent

The London Borough of Brent have considered the proposal and have NO OBJECTION.

Metropolitan Police

Thanks for allowing the MPS to review and comment upon the planning submissions for West Hendon Estate on the above reference numbers.

Please can you accept the attached comments for both planning references.

In summary and as per my attached comments and rationale, I'd be grateful if you can please consider applying a formal planning condition to any approval whereby 'each building within each phase of the development must achieve Secured by Design (SBD) accreditation, prior to any occupation'.

Happy to discuss any of my comments further if needed?

Thanks in advance for your assistance.

Thames Water

Waste Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "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. 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. 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

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. [Q](#)

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

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.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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 .

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Internal Consultation responses

Transport and Regeneration

Highways

The London Borough of Barnet (LBB) Transport Team have reviewed the submitted material in relation to the above scheme.

Parking:

- It is noted that the long-stay cycle parking provision is not to be in accordance with the London Cycle Design Standards (LCDS). This does not seem appropriate. The Council's Cycling Officer should be consulted in relation to the acceptability of this.
- The lack of dedicated space / access and permanent provision of cycle parking for the commercial units is queried.
- There should be a planning condition for details of cycle parking provision / layout to be provided in accordance with the London Plan (as contained within the submitted TA report) for all land uses proposed.
- With a residential parking ratio of 0.32 spaces per dwelling, the proposed levels of car parking provision accord with the standards set out with the London Plan (maximum of 0.5 spaces per dwelling for Outer London Opportunity Area).
- Provision for disabled persons parking and electric vehicle infrastructure should be conditioned to be in accordance with the London Plan.
- In relation to the additional 7% of accessible parking spaces, clarification on plan is sought as to where the the car parking spaces would be converted / provided.
-
- There should be a planning condition to prevent residents from applying for on-street parking permits.
- LBB Parking Team in relation to a scheme in vicinity of the subject site have previously commented as follows:
 - i. *'I can confirm that both Goldsmith Avenue and The Hyde area have been identified as locations where significant parking pressure is being experienced.'*
 - ii. *'Goldsmith Avenue area sits within Phase 2 of our CPZ programme which we are undertaking feasibility works for now and The Hyde area including the Jemca Toyota Services site sits within Phase 3 of our programme which we are looking to progress in late 2023/24.'*
- Accordingly a proportionate contribution would likely be sought as part of this application in relation to the CPZ works programme.

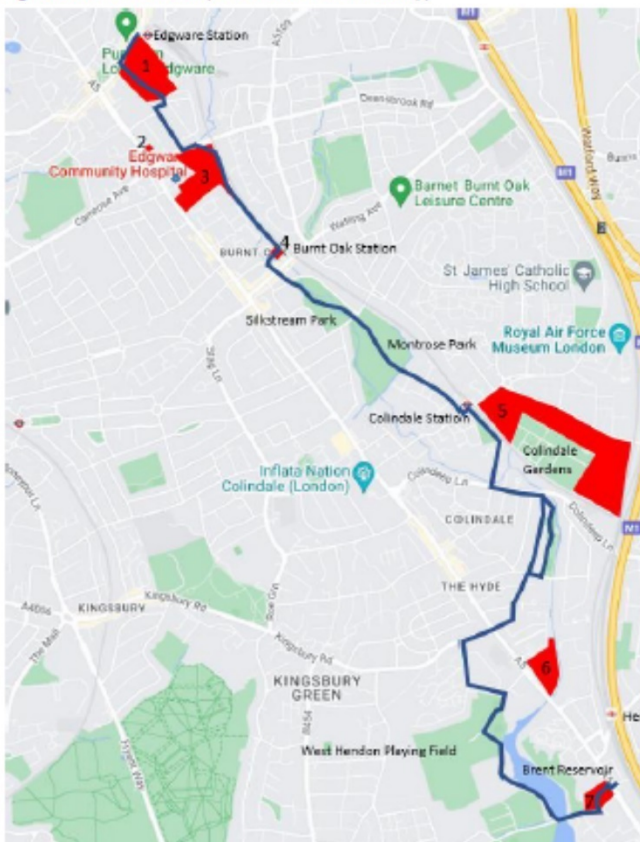
Site Layout / Servicing / Delivery:

- The swept path analysis appears to indicate that loading bays would struggle to accommodate service / delivery vehicle movements (e.g. entering in a forward direction / being able to fully stand within the bay without overhang). The GP surgery involved service vehicles reversing which is also queried.
- Kerbside refuse collection from the A5 should not be put forward as an option. In relation to Ravenstone Road, similar comments made above also apply.

Active / Sustainable Travel Measures:

- The A5 Parallel Cycle Route forms part of the Barnet Loop and could potentially help with improving the site's sustainability credentials. This proposal runs through Colindeep Lane, Rushgrove Park and along the Silk Stream. The route crosses the A5 at Kingsbury Rd (to the north of Garrick Road), circling the western boundary of the reservoir and re-crossing the A5 at Park Road. A draft plan of this scheme is provided in the figure below for information purposes. There is another cycle route scheme on the eastern side of the reservoir. Connections to this scheme to / from the subject site would assist its sustainability credentials. The Highways team that manages these schemes should be consulted (this may include a request for a proportionate contribution to the cycle improvement schemes).

Figure 1-1: A5 Parallel Route (An Element of The Barnet Loop)



Further submissions to be conditioned:

Individual and full detailed submissions should be conditioned for the following:

- Travel Plan (TP)
- Delivery and Servicing Plan (DSP)
- Car Parking Design and Management Plan (PDMP)
- Construction Traffic Management Plan (CTMP) / Construction Logistics Plan (CLP) and Construction Worker Travel Plan

Officer Comment

The applicant has responded to the technical matters raised to the satisfaction of planning officers. A contribution towards the A5 parallel route is not justified as the proposed Silkstream cycling bridge have already been constructed under the wider West Hendon development and the scheme does not otherwise directly affect the route.

Scientific Services

Regarding: 23/1802/FUL West Hendon Estate , West Hendon, London, NW9;
Comprehensive redevelopment of the site comprising the demolition of existing buildings and structures and the construction of 8 buildings from 2 to 12 storeys comprising of 350 residential units (Use Class C3), commercial uses (Use Class E), including Health Centre, basement, private and communal amenity space, associated car parking, cycle parking, refuse storage

I have looked at the following chapters of the Environmental statement:

AQA (chapter 9 of ES)

CEMP (chapter 6 of ES)

Noise and Vibration (chapter 10 of ES)

Noise - it does not appear that the new receptors have been considered within the assessment for plant noise, and I have not seen any reference to insulation between commercial and residential sections of the building; this needs to be considered.

There may need to be some limitation on which Class E uses are acceptable for use in this development, as many class E have antagonistic relationships with neighbouring residential usage, especially where there is a party wall/ceiling /floor e.g. restaurants requiring flues, gyms etc. when it comes to noise and vibration nuisance and air/odour pollution

.

Trees

The proposed development has the following impacts on trees as detailed within the submitted AIA:-

Twelve trees and groups were surveyed. The data for each is presented within the Tree Schedule at Appendix A.

- Three on-site groups and two neighbouring trees and groups have been identified for potential removal to facilitate the development, of which none are category A, one is category B, four are category C, and none are category U.
- Five trees and groups of the total 12 will be retained and integrated into the development.

Sufficient space and adequate protection measures have been set out to ensure that retained trees are not damaged during the pre-construction and construction phase and to enable their successful development post-construction. Retained tree protection measures are discussed throughout this report and illustrated on the Tree Protection Plan at Appendix B.

The overall impact is considered acceptable subject to replacement tree planting and proposed tree protection measures outlined within WEST HENDON ARBORICULTURAL IMPACT ASSESSMENT (DETAILED APPLICATION) PLOTS A, C & G dated 23-02-2023.

Tree protection landscape and landscape management conditions to be applied to any approval granted.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSALS

2.1 Site Description and Surroundings

The Site is located on the Edgware Road, which is part of London's Strategic Road Network (SRN) and is about 1 kilometre north of the A406 North Circular Road, part of the Transport for London Road Network (TLRN). Edgware Road is a busy bus corridor which is served by the four bus services, four school bus routes and three night-services. The nearest national rail services are at Hendon Station approximately 400 metres north of the site, and nearest London Underground (Northern Line) services at Hendon Central, 1.2 kilometres to north-east.

The site records a Public Transport Accessibility Level (PTAL) between 2 to 3 on a scale of 0- 6b where 6b represents the most accessible locations.

To the south and west lies the Silk Stream and the Welsh Harp Reservoir. The Welsh Harp is also known as the Brent Reservoir. The Site falls within Flood Zone 1. The Site is considered to be at low risk from all other sources of flooding. The Site is also not located within a critical drainage area (CDA), as defined in the Barnet Surface Water Management Plan (2011).

The Site sits within a larger area of land associated with permitted redevelopment of the West Hendon Estate. It is broadly a rectangular shape and has a total area of 1.49 hectares.

The Site comprises the DAS MOT and Service Centre, the NHS Hendon Way Surgery, a temporary car park and the area of land which previously housed part of the West Hendon Estate. The Site is cleared of all buildings, with the exception of the DAS MOT and Service Centre, and the NHS Hendon Way Surgery in the north east of the Site. Internal roads within the Site include the existing Borthwick Road, Ravenstone Road, Marriotts Close and Marsh Drive.

West Hendon is located within the Brent Cross/Cricklewood Opportunity Area in the LP with an indicative growth of 9,500 homes and 26,000 jobs (Policy SD1 'Opportunity Areas').

The Council's Proposals Map (2006) identifies the Site as falling within the Cricklewood, Brent Cross and West Hendon Regeneration Area which is allocated for the creation of new jobs and homes.

The Site is accessed from the north / east, off The Broadway. The Site has a Public Transport Accessibility Level (PTAL) rating of between 2 (poor) and 3 (moderate). Hendon Station is located approximately 0.2 miles from the Site, and a number of bus routes are located along the Broadway.

The Site does not lie within a conservation area or Archaeological Priority Area and does not contain any Scheduled Monuments, nationally or locally listed buildings, however the nearby Cool Oak Lane Bridge is Grade II Listed. The Brent Reservoir is a Site of Special Scientific Interest (SSSI). It is particularly recognised for its significance with respect to the breeding and wintering of the bird population. The reservoir is also designated as a Local Nature Reserve (LNR) and a Site of Metropolitan Importance for Nature Conservation (SMINC). It has also been designated by Brent Council as an area for recreational use and wildlife conservation.

2.2 Description of the Proposed Development

The description of the Proposed Development is as follows:

Comprehensive redevelopment of the site comprising the demolition of existing buildings and structures and the construction of 8 buildings from 2 to 12 storeys comprising of 350 residential units (Use Class C3), commercial uses (Use Class E), including Health Centre, basement, private and communal amenity space, associated car parking, cycle parking, refuse storage.

3. PLANNING CONSIDERATIONS

3.1 Environmental Impact Assessment (EIA)

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) (hereafter referred to as 'the EIA Regulations') requires that for certain planning applications, an Environmental Impact Assessment (EIA) must be undertaken.

The term EIA is used to describe the procedure that must be followed for certain projects before they can be granted planning consent. The procedure is designed to draw together an assessment of the likely environmental effects (alongside economic and social factors) resulting from a proposed development. These are reported in a document called an Environmental Statement (ES).

The process ensures that the importance of the predicted effects, and the scope for reducing them, are properly understood by the public and the local planning authority before it makes its decision. This allows environmental factors to be given due weight when assessing and determining planning applications.

The Regulations apply to two separate lists of development project. Schedule 1 development for which the carrying out of an EIA is mandatory and Schedule 2 development which require the carrying out of an EIA if the particular project is considered likely to give rise to significant effects on the environment. The proposed development does not fall within Schedule 1 of the regulations.

The development which is the subject of the application comprises development within column 1 of Schedule 2 of the Regulations. The development is deemed to fall within the description of Infrastructure projects and more specifically urban development projects (paragraph 10(b)).

As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is a project which includes more than 1 hectare of urban development which is not dwellinghouse development, the development includes more than 150 dwellings or the overall area of development exceeds 5 hectares or 150 residential units.

Screening and Scoping for EIA development

In view of the nature and scale of the Development and recognition that it has the potential to give rise to significant environmental effects, the Applicant voluntarily committed to undertake an EIA. An informal scoping study was undertaken as the first stage of the EIA process to determine the scope of the ES and the general approach to the assessments.

The scope and approach to assessments had consideration of the ES that was submitted to accompany the original hybrid planning application, which is hereafter referred to as the 'ES as amended'. An Informal Scoping Note was submitted to LB Barnet on 4th January 2023. A formal Scoping Opinion was therefore not provided by LB Barnet. However, a response to the Informal Scoping Note was provided via email on the 9th February 2023 which confirmed there were no comments on the Informal Scoping Note. Assessments for each environmental discipline scoped into the EIA were then undertaken and an ES was prepared to report the methodology and results of the assessments.

In line with the above an Environmental Statement (ES) has been submitted in support of the application, and this is accompanied by a Non-Technical Summary (NTS). The details contained within these documents are discussed in the relevant sections below.

3.2 Principle of Development

Loss of Existing MOT garage

The proposal involves the redevelopment of the existing MOT garage on the Broadway measuring 230 sq.m in floor area. The site is not located within a designated Strategic Industrial Location (SIL).

London Plan objective GG5 seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy. LP Policies E7 and E8 promote the intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land and seeks to ensure that employment opportunities for Londoners across a diverse range of sectors are promoted and supported. London Plan Policy E4 requires that a sufficient supply of land is retained and where possible optimised to support the current and future demands for industrial related functions.

London Plan Policy E7 sets out the requirements for industrial intensification, co-location and substitution through the introduction of small units, development of multistorey schemes, addition of basements, and more efficient use of land through higher plot ratios. The approach in Policy E7 should only be considered as part of a plan-led process of consolidation and intensification (and clearly defined in Development Plan policies maps) and not through ad hoc planning applications.

London Plan Policy E7 sets out that mixed-use or residential development proposals on Non-Designated Industrial Sites should only be supported where there is no reasonable prospect of the site being used for the industrial and related purposes, or the site has been allocated for mixed use development, or replacement industrial floorspace is provided within the proposed scheme.

In terms of local plan policy, Policy CS8 advises that Barnet will support business by *safeguarding existing employment sites that meet the needs of modern business in accordance with Policy DM14 New and Existing Employment Space;*

Policy DM14 advises that outside Local Significant Industrial Sites the loss of a B Class use will only be permitted where it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken.

Emerging Local Plan Policy ECY01: A Vibrant Local Economy promotes new industrial development with designated strategic locations (which this site is not located within). The policy also suggests that financial compensation may be sought where there is a loss of employment provision.

In relation to the application proposals, the existing MOT garage will not be reprovided as part of the application proposals. However the proposal will provide a significant increase in employment generating floorspace, providing 303 sq.m of commercial space within Block G which fronts the Broadway and as such will reprovide an equivalent amount of commercial floorspace albeit of a different typology and as such is considered broadly in compliance with the provisions of policies E7 of the London Plan or Policies CS8 and DM14 of the adopted plan.

The loss of the MOT facility in any event needs to be balanced against the contribution of the proposals towards meeting other Council policies and in this instance on balance given the site is not within a safeguarded employment location, the provision of a large number (350) new homes of which 50% are affordable needs to be balanced along with the improved health centre provision in the planning assessment against the loss of the MOT garage. It is also noted that other MOT garages are located in relatively close proximity to the application site; two within 100m of the site..

Health Centre

An NHS Doctors Surgery is proposed for demolition as part of the Planning Application measuring 345 sq.m in floor area. The current condition of the existing Hendon Surgery is very poor and has required significant repair works by the NHS in recent years.

It is proposed to replace this facility with a new purpose built medical facility measuring 703 sqm (GEA) in floor area. The new medical facility will be of significant benefit to local residents which will include a number of consultation rooms, as well as dedicated space for the CLCH staff, that doesn't exist in the current Surgery.

The phasing of development is also designed to ensure that the current facility operates whilst the new one is being constructed. Upon completion of the new facility, the current one will close.

London Plan Policy S1 establishes that proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.

The proposal is considered to fully comply with Policy S1 and the principle of a new enlarged fit for purpose health clinic is strongly supported by Planning Policy.

Housing

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that accords with an up-to-date Local Plan should be approved.

The new London Plan 2021 recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. The previous London Plan (2016) had set an annual monitoring target of 2,349 homes for Barnet between 2015-2025, with a minimum provision of 23,489 over the same 10-year period. In the new London Plan 2021, the 10-year target for 2019/20 – 2028/29 is 23,640 for Barnet.

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

The Proposed Development would accord with the above policies in land use terms providing much needed additional housing including affordable housing and will represent the completion of the wider West Hendon regeneration.

Housing Density

Chapter 11 of the National Planning Framework (Revised 2023) (NPPF) states that:

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

This strategic objective to optimise redevelopment opportunities within sustainable locations is reinforced within the London Plan 2021.

The previous London Plan (2016) set out a density matrix which served as guidance for appropriate densities in different locations and with varying levels of accessibility. However, the new London Plan 2021 takes a less prescriptive approach stating inter alia, that the density of a development should result from a design-led approach to determine the capacity of the site. This should consider site context, its connectivity and accessibility by walking and cycling, existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D3 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy could be refused.

The density of the proposed development would equate to 230 units per hectare. The 2021 London Plan advises that where higher densities (exceeding 350 units per hectare) or tall buildings are proposed this is subject to additional design scrutiny (Policy D2). Policies D1, D1A and D1B of the 2021 London Plan place a great emphasis on a design-led approach being taken to optimising the development capacity of a particular site and to make the best use of land, whilst also considering the range of factors set out in the preceding paragraph.

The density of the proposed scheme which follows a design based approach and involves extending upwards from the approved extant permission is considered appropriate by officers.

These comments are reflected in the GLA comments which do not raise any strategic concerns and instead, considers that the densities across the site are appropriate.

3.3 Housing Quality

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the ‘sustainable development’ imperative of the NPPF. It is also implicit in the new London Plan 2021. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5, Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD and the Residential Design Guidance SPD.

Unit mix

London Plan Policy H10 sets out that schemes should generally consist of a range of unit sizes. To determine the appropriate mix of unit sizes, applications should have regard to robust local evidence, the requirement to deliver mixed and inclusive neighbourhoods, mix of uses in the scheme, the nature of the location (with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station with high PTALs) and the aim to optimise housing potential on sites.

Development Management Policy DM08 sets out that a mix of dwelling types and sizes should be provided in order to provide choice for a growing and diverse population.

The following table shows the proposed unit mix of the application.

All Homes	Homes (No)	Homes (%)	HR (No.)	HR (%)
Studio	2	1%	2	1%
1-bed	123	35%	246	24%
2-bed	154	44%	462	45%
3-bed	71	20%	314	30%
Total	350	100%	1,024	100%

Overall it is considered that the proposal proposes an appropriate split in housing type to address housing preference and need in accordance with the abovementioned policies including 71 larger 3 bedroom units.

Affordable Housing

London Plan Policy H4 sets a strategic target that 50% of all new homes delivered across London are genuinely affordable. To achieve this aim, major developments

which trigger affordable housing requirements are required to provide affordable housing through the threshold approach. Affordable housing should be provided on site. Affordable housing must only be provided offsite or as a cash in lieu contribution in exceptional circumstances.

London Plan Policy H4 seeks to maximise affordable housing delivery, with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. London Plan Policy H5 states that the threshold level of affordable housing is a minimum of 35%, or 50% for public sector land and industrial land appropriate for residential uses in accordance with London Plan Policy E7 where the scheme would result in a net loss of industrial capacity. Policy H5 states that schemes can follow the Fast Track Route and are not required to submit viability information nor be subject to a late stage viability review if they meet or exceed the relevant threshold level of affordable housing on site without public subsidy; are consistent with the relevant tenure split; meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant; and demonstrate that they have taken account of the strategic 50% target and have sought grant to increase the level of affordable housing.

Policy H6 of the London Plan sets out a preferred tenure split of at least 30% low cost rent (London Affordable Rent or social rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined by the local planning authority taking into account relevant Local Plan policy. It is the expectation, however, that the remaining 40% is weighted towards low cost rent.

London Plan Policy H8 aims to protect the provision of affordable housing and create a policy framework for estate regeneration proposals. Part D of the policy establishes that demolition of affordable housing, including where it is part of an estate redevelopment programme, should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace. Part E of Policy H8 contends that all development proposals that include the demolition and replacement of affordable housing are required to follow the Viability Tested Route and should seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace.

Development Management Policy DM10 sets out that the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units, having regard to the borough wide target of 40%.

Emerging Barnet Local Plan Policy HOU01 Affordable housing advises that within the context of a strategic London Plan target of 50% of all new homes to be affordable the Council will seek a minimum of 35% affordable housing from all developments of 10 or more dwellings with a 60/ 40 split between low cost rent and intermediate such as shared ownership. On Housing Estates (Policy GSS10) the Council will seek to replace existing affordable housing whilst considering the specific circumstances of each site, it will facilitate the right of return for existing social rent tenants from estates into new social rent accommodation.

The development comprises a total minimum affordable housing provision of 161 units which equates to 50% affordable housing provision by habitable rooms set out in the accommodation schedule below.

Tenure	Units	%	Habitable Room	%
Private	189	54.0%	511	49.9%
Low Cost Rent	86	24.6	306	29.9%
Intermediate	75	21.4%	207	20.2%
Total	350	100%	1,024	100%

Tenure	Low Cost Rent	%	Intermediate	%
1 bed	5	6%	34	45%
2 bed	50	58%	33	44%
3 bed	31	36%	8	11%
Total	86		75	

The proposed affordable housing is strongly supported in policy terms providing genuine additionality over the approved West Hendon regeneration scheme providing a policy compliant level of 50% affordable housing with 53% in favour of low cost rent. The provision of 31 larger 3 bed family affordable rented units is also welcomed. The GLA have also confirmed that they are satisfied and support the affordable housing offer.

Housing standards are set out in the Nationally Described Space Standards (NDSS), London Plan Policy D6 and London Housing SPG and Barnet's Sustainable Design and Construction SPD. All the dwellings within the development meet the minimum standards as demonstrated in the applicant's supporting documents in relation to the unit and room sizes as such the proposal is fully in accordance with the above policies.

Lifetime Homes and wheelchair housing standards

Barnet Local Plan Policy DM02 requires development proposals to meet the highest standards of accessible and inclusive design, whilst Policy DM02 sets out further specific considerations. All units should comply with Lifetime Homes Standards (LTHS) with 10% wheelchair home compliance, as per London Plan Policy 3.8.

London Plan Policy D7 (Accessible Housing) require 90% of units to meet M4 (2) (accessible and adaptable) and 10% to meet M4 (3) wheelchair standards.

In respect of LTHS, while this legislation has been abolished the applicant advises in their application submission that all units will be built to either M4 (2) or M4 (3) standards which have replaced LTHS.

In respects of wheelchair housing, the applicant has advised that 10% of all units will be built to wheelchair standards which is in accordance with this policy.

Amenity space

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 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

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.

In relation to the application proposals all of the proposed units have access to private amenity space in the form of balconies or ground level gardens. In addition, all units will have access to communal amenity spaces such as podium deck gardens and roof gardens in addition to the wider public open space provided throughout the West Hendon regeneration area. The following table illustrates the quantum of spaces proposed under this application.

Amenity Type	Provision (m ²)
Private Balconies (demised to individual apartments)	1,975
Private gardens / defensible space	568
Communal Private Residential Gardens (Courtyards & communal roof terraces)	3,552
Total	6,095

Playspace and Open Space

Open Space

In relation to public open space the application proposals would provide a total of 0.77 hectares of open space throughout the development (0.47 hectares excluding footpaths). The size of these spaces would allow for the provision of appropriate play provision within the development although this will have to be balanced against other users of the open space in question. It is worth noting that the development forms part of the wider West Hendon regeneration and occupiers will be able to use the open space and play equipment provided within this.

Amenity Type	Provision (ha)
Public Open Space / Amenity (at ground floor)	0.12
Private Communal Residential Amenity (courtyards and accessible roof terraces)	0.35
Streetscape & Other Public Realm (including footpaths but not road surface)	0.3
Total	0.77

Playspace

Policy S4 of the London Plan seeks development proposals to incorporate good-quality, accessible play provision for all ages and at least 10sqm of playspace should be provided per child. London Borough of Barnet Core Strategy Policy CS7 requires improved access the children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.

In terms of the application proposals the Proposed Development would provide a total of 1,801 sqm of play space which exceeds the standards required in Policy S4 as illustrated in the below table and is considered acceptable.

Playspace Provision	Required (m ²)	Proposed (m ²)
Doorstep Playspace (Under 5 years)	814	822
Local Playspace (5-11 years)	594	597
Neighbourhood Playspace (12+ years)	352	382
Total	1,758	1,801

Urban Greening and Biodiversity Net Gain

London Plan Policies G1 and G5 embed urban greening as a fundamental aspect of site and building design. Features such as street trees, green roofs, green walls, rain gardens, and hedgerows should all be considered for inclusion and the opportunity for ground level urban greening should be maximised.

The application proposals include the planting of 81 new trees and will achieve an urban greening factor of 0.41. It is proposed that there will be a Biodiversity Net Gain of 21.06%, exceeding the 10% figure set out in the Environment Act 2021 which is welcomed. While the scheme is marginally below the 0.4 Urban Greening Factor target, when taken in conjunction with the reserved matters application which is presented separately on this agenda, the scheme complies. As the scheme will form an intrinsic part of the wider masterplan it is considered reasonable to take this into account and on balance the scheme is considered acceptable in this regard.

3.4 Design

The National Planning Policy Framework (2023) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors; securing high quality design goes beyond aesthetic considerations.

The London Plan 2021 Policy D1B requires development to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives consideration to the use of attractive, robust materials which weather and mature well. Policy D2 (Delivering good design) requires masterplans and design codes to help bring forward development and ensure it delivers high quality design.

Policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

Masterplan Concept

2013 Masterplan

The Proposals now brought forward in this planning application are for parts of the former West Hendon Estate. The majority of lands that are the subject to this application formerly made-up part of Phase 5 in the West Hendon Masterplan, which received Outline Planning Approval [REF H/01054/13] in 2013. The application boundary also now includes new land, which did not form part of the 2013 permission (the former MOT garage and health centre on West Hendon Broadway).

The 2013 approval established approval for the redevelopment of the Hendon Waterside Estate into a residential-led mixed-use scheme including up to 2000 residential units, a two-form entry primary school with nursery, a community centre and commercial space along with associated parking provision, highways works, public realm proposals and two new pedestrian bridges across the Welsh Harp reservoir (Cool Oak and Silk Stream bridges). The residential accommodation in the Outline Approval is of mixed tenure, with 25% of the housing to be provided as affordable. A full description of the development can be found in the Development Specification contained in the documentation for the original Outline Application.

The 2013 permission included the creation of a masterplan which established a series of plots (A-G), streets and public realm network, via a series of Parameter Plans and Design Guidance. The aims of this masterplan were to address the following desired objectives:

- Community: Ensure that there is a viable phasing and decant process to secure the regeneration of the West Hendon for the existing community.
- Enhancing links: Reinforce and enhance the route between the Station and the Welsh Harp and redefine the sequence of spaces along this route.

- Integrating with the Broadway: Retain the majority of the Broadway to minimise the cost and disruption of the CPO process (required at the time) and to retain the commercial and social continuity.
- Welsh Harp: Set back from the Welsh Harp to respect this edge and to create a new public park. Optimise the number of homes with an aspect towards the Welsh Harp.
- Creating places: Allow buildings to form edges to streets and spaces to create a set of diverse places rather than compete for attention.
- Forming streets: Restore the street pattern on the West Hendon Estate to make it part of the continuous fabric of the City with buildings and entrances facing onto the streets to provide natural surveillance and activation.
- Providing homes: Provide high quality homes with private amenity space and secure shared courtyards with play spaces.
- Landscape: Enable increased access to green spaces by connecting the neighbourhood with the West Hendon playing fields with a new bridge and providing new parks as an integral part of the scheme.
- Identity: Create a distinctive place with a clear sense of orientation and address.
- Coherence: Suggest a consistent architectural language with variations on a theme to create visual richness whilst maintaining a coherent sense of place.

Current Scheme

This current application seeks permission for the erection of buildings on 3 sub plots, A, C and G to provide an amended scheme to provide an additional 350 units (along with a health centre and commercial space), predominantly within the area of the existing West Hendon site (Blocks A, C & Part of G) and partly outside on the former MOT and NHS health centre sites on West Hendon Broadway.

The proposed form of the development generally takes a similar form to that taken in the 2013 permission, connecting in to the same network of roads, paths and open spaces with a few adjustments to incorporate the current scheme. The applicant's submitted Design and Access Statement summarises these changes as follows:

- *Incorporation of additional land onto the Broadway the location of the current NHS Doctors Surgery and an MOT garage.*
- *The delivery of circa 350 new homes (50% by habitable room of which will be affordable), to be delivered via new land and density optimisation.*
- *A new GP Practice for use by the local community, proposed in block A.*
- *The omission of all end-on street parking, to increase pavement area.*
- *Increased greening of the streets, roofscapes, gardens, and the public realm generally providing green spaces for residents to enjoy.*
- *Improved biodiversity, supported by extra greening and ecological exploration of the planting palette.*
- *Improved blue infrastructure, sustainable urban drainage provision.*
- *New family (all ages appropriate) play and exercise spaces.*
- *Improved pedestrian wayfinding, connecting The Broadway to The Welsh Harp, York Park and the future Silk Stream Bridge (subject to a separate, consented design and permission).*
- *Increased PV provision on roofs to contribute to on site energy production.*
- *Increased provision of cycle parking and reduced carparking.*
- *Increased EV charging provision.*
- *Adjusted residential mix (inclusion of studio, intermediate homes) in addition to the increased affordable provision in the new detailed application.*
- *Adjusted massing and heights*
- *Adjustment to the brick colour variation and distribution (adding more pinks and reds and less yellows to provide greater character variation)*
- *Increased public amenity, via the creation of pocket parks on Borthwick Street and Ravenstone Road.*

Overall the proposed overall masterplan form is considered appropriate building off the original 2013 permission, while providing scheme improvements and enhancements in the current proposals.

Height, bulk, scale and massing

The proposal contains 3 blocks of development which consist of the following:

Block A which is a 2 storey linear building (and additional plant storey on top) containing the medical centre and backing onto the existing properties in Ramsey Close;

Block C is the third central court block to complete the central spine of the (2013) masterplan. It consists of a group of buildings with varying heights. C1 is a nine storey building, C2 is a seven storey building, C3 is nine storeys and C4 is twelve storeys high. A shared basement below the podium courtyard includes a car park, refuse and other support areas. The car park is accessed from West Street.

Block G faces onto West Hendon Broadway therefore becoming an important anchor point for the development from the A5. Alongside the Phase 3C Blocks H3/H4 and G4, these blocks stitch the development into the high street. The ground floors of these blocks offer flexible Class E floorspace that supplement the public offer along the Broadway. The block is split into a lower six storey mass tying it into the existing levels along the Broadway and a nine story building along the Broadway defining an alternative entrance to the development. The block is a horse-shoe shape nestled between Ravenstone Road and Perryfield Way, fronting on to East Street and the Broadway. The block has parking at ground floor level covered with a raised podium roof forming the base for the blocks.

Barnet Core Strategy Policy CS5 defines tall buildings as buildings of more than 8 storeys or 26m in height and states that they may be appropriate in strategic locations subject to detailed assessment criteria.

The taller buildings within the development are designed and located as prominent points to mark the entrance into the development to enforce wayfinding and mark important locations. The building heights relate directly to the space function, with taller buildings defining public spaces. The tall building (Block G) bordering West Hendon Broadway is intended to be a marker on the street, and has a stepped approach which positions low rise courtyard blocks behind the existing buildings on the Broadway and medium rise courtyard blocks in the centre of the site, with high rise by the waterfront. The proposed Block G also acts as a marker into the development and helps provide a visual presence on the Broadway as well as bookending the row of shops on this side and is considered appropriate in scale by Council officers.

This stepped approach is supported by GLA officers who contend that the massing of the new development responds appropriately to the wider masterplan.

While there is a taller element of Block G6 on The Broadway, this reaches a maximum height of 27.75m (9 storeys) and features a stepped design approach.

Whilst this would be the tallest building on The Broadway, it does not look unduly tall and the massing is appropriate

The proposals would form a complimentary component of the wider consented and emerging masterplan. The proposed buildings sit comfortably within the emerging streetscene and do not look out of place.

Tall buildings assessment

Barnet Core Strategy Policy CS 5 defines tall buildings as buildings of 8 storeys or 26m and states that they may be appropriate in strategic locations subject to detailed assessment criteria.

Local Development Plan Policy DM05 'Tall Buildings' further advises that:

'Tall buildings outside the strategic locations identified in the Core Strategy will not be considered acceptable. Proposals for tall buildings will need to demonstrate:

- i. an active street frontage where appropriate
- ii. successful integration into the existing urban fabric
- iii. a regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- iv. not cause harm to heritage assets and their setting
- v. that the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm.

Proposals for redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the townscape.'

London Plan Policy D9 states that development plans should define what is considered a tall building for specific localities (although not less than 6 storeys or 18 metres) and identify suitable locations; and identify appropriate tall building heights on maps in Development Plans (Parts A and B). Policy D9 also sets out further requirements for assessing tall buildings (Part C) including addressing visual impacts at different distances; aiding legibility and wayfinding; having exemplary architecture and materials; avoiding harm to heritage assets (or demonstrating clear public benefits that outweigh any harm); not causing adverse glare; and minimising light pollution. Functional impacts should consider internal and external design; servicing; entrance capacity; area and transport capacity; maximise benefits to the area; and not interfere with communications. Environmental impacts should consider wind, daylight, sunlight, and temperature; air movement (dispersal of pollutants); and noise creation. Cumulative impacts should also be considered.

The site is within an Opportunity Area where the London Plan considers the principle of tall buildings to be acceptable. The site is also in a location identified as suitable for tall buildings in both the adopted and emerging local plans. In policy terms therefore the principle of tall buildings on the application site is considered to be acceptable and compliant with the policy direction in the development plan. It is also noted that tall buildings are located elsewhere within the wider West Hendon development with the highest storey heights being located facing the Welsh Harp at between 26 and 28 storeys. In this context the proposed buildings at 12 storeys in height will remain subservient and mid rise in appearance against this backdrop.

The application includes a wind tunnel assessment which demonstrates that the proposal would not adversely affect local microclimate along with verified views taken from surrounding vantage points, which is discussed elsewhere in this section and are considered acceptable.

Overall it is considered that due to the above factors, sufficient justification has been provided to justify the proposed heights within the development. In reaching this conclusion significant weight needs to be given towards the overwhelming place making necessity of redeveloping the existing site along with the requirements to provide a significant quantity of affordable housing while remaining viable as a development, and the public benefit of a new GP surgery for local residents. The proposal is therefore considered in accordance with London Plan Policy D9 and Barnet Policies CS5 and DM05.

Proposed Materiality

The proposals for materials for this application follows the established principles from the outline permission and the previously delivered phases. A palette of high quality materials with simple, crisp detailing is proposed. The materials will be durable and low maintenance in order to ensure that the buildings will become richer and look better with time.

The application proposes a harmonious and limited selection of brick tones, with some additional pinks, reds and browns to the predominantly buff palette. The brick walls are complimented by the use of metal balustrade and concrete bands and entrance porch highlights.

The buildings are designed to express a strong base, elegant middle and distinctive tops. Base layers are activated with lobbies and ground floor residential units provided with a front garden buffer. Materials have been selected to emphasise base and upper zones with the tops staggered to provide variation to the skyline.

The proposed materials are considered appropriate in this context and it is considered that the proposed detailed appearance is in compliance with Council Policy representing a high quality of development.

Visual impact and views

In assessing the visual impact of the scheme, it is important to note as mentioned above that the site falls within a designated tall building area and will be seen in the context of the existing and consented tall buildings in the wider West Hendon Estate Regeneration area. The height of the buildings range from 2 to 12 storeys with tall buildings located at the eastern edge of the site and one located at the front of the site bordering the Broadway.

The applicant has provided short-and long-term range views of the proposals which demonstrate that while tall (for the purposes of Barnet's tall building definition), they are still significantly smaller than other blocks within the masterplan backing on to the Welsh Harp and are as such remain subservient in views to these larger structures.

In conclusion it is not considered that the proposals would result in any significant adverse visual impact due to the careful design and positioning of the proposed buildings and the context with the larger built form beyond leading up to the Welsh Harp.

Fire Safety

London Policy D12 (Fire safety) requires all development proposals to achieve the highest standards of fire safety and comply with a number of criteria set out in the policy, including: identifying outside space for fire appliances to be positioned on; appropriate fire alarm systems; suitable and convenient means of escape; evacuation

strategies for all users; and the provision of suitable access and equipment for firefighting. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party suitably qualified assessor to address all of the requirements set out in the policy.

A Fire Statement has been prepared by a third party suitably qualified assessor demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. All buildings over 18 metres in height are also fitted with two staircores.

As such it is considered that the proposal is in full compliance with the London Plan Policy D12 in this regard. A condition will also be attached to ensure its satisfactory implications.

Safety, security and crime mitigation

Pursuant to London Plan Policy D11 (Safety, Security and resilience to emergency) and Barnet Core Strategy Policy CS12, the scheme is considered to enhance safety and security and mitigate the potential of crime over and above the existing estate.

The application supporting documents advise that consultation took place with the Crime Prevention Officer in July 2022, during the design development stage. A summary of the main points discussed is set out below:

- It was noted that overall, the design will improve the levels of safety in the area.
- Careful attention is required when designing car parks as these are one of the most vulnerable areas. Secured access gates will be required to secure the space.
- Doors to refuse stores and bike stores to not open to the exterior preferably. Number of doors opening to the outside to be reduced as much as possible.
- A clear definition between private/public spaces is recommended.
- Where benches are located, these should be placed on more visible areas. Lighting strategy should follow BS5489-1:2020
- Residential courtyards with access only to residents highly supported.

The Metropolitan Police were consulted on this application and did not raise any objections, but requested a condition is attached to ensure that the development secures secured by design accreditation. A condition is attached to this effect requiring the applicant to demonstrate compliance with secured by design principles.

Conservation and Archaeology

The preservation and enhancement of heritage assets is one of the 12 core principles of the NPPF. It is a statutory obligation of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the special architectural and historical interest as well as the setting of listed buildings and the character and appearance of conservation areas. Saved PPS5 'Planning and the Historic Environment' provides guidance regarding consideration of designated and non-designated heritage assets. In addition, London Plan Policy HC1 and Barnet Core Strategy CS5 and DM06 variously require the consideration of the impact to heritage assets including listed buildings, conservation areas and archaeology.

The Site is not located within or in the immediate vicinity of any statutorily designated or locally (non-statutorily) designated views.

The Site is not located within or in proximity to a Conservation Area and there are no Scheduled Monuments, World Heritage Sites, Registered Parks and Gardens, Registered Battlefields, listed buildings, or locally listed buildings on or within close proximity to the Site.

The Site is not located within a designated archaeological area, such as an Archaeological Priority Area (APA). The nearest APA to the Site is approximately 1km north.

The nearest Listed Buildings to the Site are the Grade II listed St Johns Church located approximately 330m to the east of the Site and the Grade II listed Welsh Harp Bridge, located approximately 345m south of the Site on Cool Oak Lane but within the EIA Site extent.

The nearest Conservation Area (CA) is 'Hendon, the Burroughs', located approximately 1.07 km north east of the Site. The main type of development found within 'Hendon, The Burroughs' CA, is terraced residential dwellings, although there is a collection of offices, six shops and a former public house.

Given the above it is considered that the proposal would not result in any undue harm to heritage assets as a result of the proposals.

3.5 Amenities of Neighbouring and Future Residents

Part of the 'Sustainable development' imperative of the NPPF 2023 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2021 Policy D6 'Housing Quality and Standards', and is implicit in other policies contained within Chapter 3 'Design'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD provide further requirements and guidance.

Privacy, overlooking and outlook

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

Privacy and separation to surrounding sites

All of the proposed buildings with the exception of Block A are positioned significantly in excess of the 21m distance separation required under the SPD. In relation to Block A, the proposed 2-storey medical centre building backs onto the residential gardens in Ramsey Close. However the building has been designed to avoid fenestration along the rear elevation and as such would not adversely affect privacy to these properties.

Noise and general disturbance

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. Whilst there is an increase in the intensity of use of the site, the use is consistent with the residential

character of the wider area. The commercial and health uses are appropriately located and are not considered to be likely to result in any undue disturbance to neighbouring residential properties.

In considering the potential impact to neighbours, conditions are recommended to ensure that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have recommended appropriately worded conditions for noise reporting and impact mitigation, extract and ventilation equipment and plant noise. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

Air quality

The applicant has submitted an Air Quality Assessment in support of the application contained within the ES demonstrating that residents will not be exposed to poor air quality. Suitable Conditions are attached regarding ventilation and the submission of details of proposed plant and equipment along with a requirement for the development to meet Air Quality 'Neutral' and Air Quality 'Positive'.

In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the travel plans which will be secured as part of planning obligations will encourage transport by other modes. In respect of the design, the scheme contributed towards overall reductions in CO2 production, having regard to energy and sustainability policies.

Wind and Microclimate

The Proposed Development has been subject to a Wind Tunnel Assessment and the application is accompanied by a Wind and Microclimate Assessment contained within the submitted ES. This shows that with the proposed landscaping and mitigation measures in situ, wind conditions would range from representing a major beneficial to negligible (not significant) effect and as such are within acceptable tolerance. There are no safety failings due to wind and all pedestrian areas are suitable for all uses including sitting during summer months. In addition, the assessment showed that the wind levels for the windiest season (normally winter) remained acceptable.

Daylight and Sunlight

The application proposals are accompanied by a Daylight/Sunlight and Overshadowing Assessment contained within the ES. The Daylight and Sunlight Assessment assess the impact of both the detailed element of the proposal and also the 2013 masterplan outline elements based on the maximum parameters applied for.

Daylight

The daylight analysis assessed 605 windows serving 417 rooms in 47 individual properties surrounding the Site which are material for consideration in daylight terms. These have all been assessed in terms of both VSC (Vertical Sky Component and NSL (No Sky Line).

The study found that 263 rooms meet the BRE Guidelines in relation to VSC and 342 rooms don't. In relation to NSL 304 rooms comply and 113 don't (out of a total of 417 rooms).

The Daylight Sunlight Study goes onto make a more detailed assessment of the windows which failed, and in short consider the failures are generally acceptable as

the retained levels of daylight are still relatively high i.e. low to mid 20's which while below the 27 VSC target is still within normal levels for built up areas or the magnitude of change over the baseline consented development is low i.e. 4-6% so not relatively noticeable. In other instances affected rooms concern bedrooms where lower levels of light are considered acceptable.

Sunlight

In relation to sunlight of the 417 residential rooms assessed for daylight, 199 have at least one window that is orientated within 90 degrees of due south and have therefore been assessed for sunlight.

Of these rooms 182 meet the policy compliant level of sunlight and 5 rooms fail to meet the winter sunlight targets and 16 the total sunlight targets. A further assessment of sunlight in relation to a comparison with the baseline consented position shows that the levels of sunlight will be equal or better than the baseline position, so on balance is considered acceptable.

Conclusion Daylight and Sunlight

The BRE guidelines explain that the BRE guidelines are not mandatory and that the guide should not be seen as an instrument of planning policy; its aim to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstance the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

This flexibility is reflected in the Mayor's Housing SPD which advises as follows:

'An appropriate degree of flexibility needs to be applied when using BRE Guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.'

It is considered that these factors apply in the current scheme, with the application involving the redevelopment of a key development site within the West Hendon Regeneration area. As such on balance taking into account the regeneration benefits of the scheme the placemaking improvements and the delivery of a significant amount of affordable housing it is considered that the daylight and sunlight impacts to these adjoining properties is acceptable in this instance..

Overshadowing

In relation to overshadowing of amenity areas two-hr Sun on Ground assessments and site wide transient overshadowing studies have been undertaken to the rear gardens spaces that are likely to be affected. These are 5-17 Ramsey Close. The Sun on Ground assessments show that all amenity spaces assessed will continue to enjoy good levels of sunlight above those suggested by the BRE guidelines.

Internal Residents

The applicant has also carried out an assessment of the likely internal daylight levels within the proposal. This assessment includes Climate Based Daylight Modelling (CBDM) calculations for the proposed habitable rooms in accordance with the BRE guidelines. The CBDM methodology replaces the Average Daylight Factor (ADF) methodology. The applicant's Daylight Report advises that the new methodology is more complex, however is arguably a more accurate simulation of actual daylight levels but has targets that are generally more difficult to achieve in an urban context. Whilst ADF has been superseded by the new CBDM methodology, the Daylight Report continues to include the ADF results for comparison and as a benchmark.

The CBDM calculations show that 45.2% of the proposed habitable rooms within Blocks C and G will meet the suggested daylight standards. When assessed against the ADF method, 74.7% of the proposed habitable rooms will meet the suggested criteria which would typically be considered to be a very good level of compliance for an urban area. In relation to amenity areas 40% of the amenity areas to each block will be able to enjoy at 2 hours of direct sunlight on 21 March. This is below the 50% target outlined in Policy but not significantly so and overall on balance it is considered appropriate in this instance by officers. In this regard account has been taken of the impact of climate change and the likely need for shade and shelter as well as sunlit areas for residents enjoyment.

Overheating

An Overheating Report has been submitted in support of the application which demonstrates that the scheme achieves TM59 thermal comfort criteria in all of the tested zones. The proposal maximises passive and active design measures by responding to the local context in the following ways:

- Energy efficient lighting and appliances have been recommended to reduce internal heat gains;
- The building fabric will be insulated over and above the standards set out by Building Regulations and reduced solar gains from glazing solar factors as low as 0.36;
- Mechanical Ventilation specified with sufficient Flow Rate and Air Changes per Hour (ACH).

3.6 Transport, highways and parking

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) 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 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

In relation to emerging policy, Policy T6 of the London Plan sets a maximum car parking ratio of 0.5 in outer London Opportunity Areas.

TRIP GENERATION & IMPACT

The development is in relation to a standalone permission for the West Hendon development providing 350 residential units and 303 sq.m of flexible E class floorspace along with a 703 sq.m health centre. The applicant's Transport Statement has calculated the following anticipated trip generation by various transport modes as a result of the proposal.

Mode	AM Peak (08:00-09:00)			PM Peak (17:30-18:30)		
	In	Out	Total	In	Out	Total
Underground	6	39	45	26	13	39
National rail	3	18	21	12	6	18
Bus	6	37	43	25	13	38
Taxi	0	0	0	0	0	0
Motorcycle, scooter or moped	0	2	2	1	1	2
Car driver	5	32	38	22	11	33
Car passenger	1	3	4	2	1	3
Cycle	2	11	13	8	4	11
On foot	3	19	23	13	7	20
Total	27	162	189	108	56	164

The above is in relation to the proposed residential usage. The report considers that the proposed commercial space would mostly attract local business due to its nature and that the health centre while larger replaces an existing health centre and has no more car parking spaces. The majority of patients are considered likely to be local and more likely to walk.

This level of trip generation including the methodology has been assessed by Council highway officers who have not raised any concern regarding the impact of the above on local highway infrastructure.

PARKING (CAR, CYCLE, DISABLED, VISITORS)

Residential Parking

A car parking ratio of 0.32 (110 Spaces) is proposed for the residential element of the development and as such complies with the maximum parking standard of 0.5 as set out within the London Plan 2021 in relation to outer London Opportunity Areas.

In line with the London Plan, 20% of spaces will have active charging facilities with disabled provision providing a minimum of 3% and being capable of being increased to 10% as required. Car club spaces are also proposed in this phase. Car parking will be in the form of podium deck car parking and also on street spaces.

Based on the above and as the parking ratio remains in accordance the London Plan requirements across the site, the proposed level of provision is deemed acceptable subject to conditions associated with a car parking management plan, and the applicant entering into a S106 agreement to incorporate travel plan measures including incentives and to review neighbouring CPZ and prevent future residents from applying for permits.

The design of the car park layouts and on street spaces on adopted roads have been reviewed and are considered suitable for the intended long term residential use while also providing limited capacity for visitor parking including accessible parking for the proposed health centre..

Non-residential parking

The GP surgery is allocated four on-street staff spaces, primarily for doctors and travelling care staff, and one short-stay visitor accessible space. This has been agreed with the CLCH NHS Trust Capita Estates Team and seeks to match the existing GP surgery's car parking provision.

In relation to the commercial Class E space this is proposed to be car-free, with accessible parking available as per Blue Badge scheme on surrounding streets. Loading bays are located in close proximity to enable servicing.

This is considered acceptable.

Cycle Parking

The application supporting documents advise that cycle parking will be provided in accordance with London Plan cycle standards. These will be in the form of secure cycle storage within the podium blocks. Short stay cycle parking is also provided for visitors to the health centre and for the commercial premises. In relation to the comments made by the Transport officer regarding the cycle storage this was predominantly in relation to some of the cycle spaces being double stacked. However such an arrangement is common on other regeneration projects and indeed in earlier stages of the West Hendon development and is considered acceptable by planning officers. The final layout of the proposed cycle storage is in any event secured by condition for final approval.

The development proposals therefore conform to the cycle parking requirement of the London Plan and is secured by condition. Cycle parking demand will be measured as part of the Travel Plan monitoring surveys and additional spaces will be provided if needed to meet changing demand.

Public Transport

The site as a PTAL level of between 2-3 which is average. Notwithstanding this the site is well served by public transport with the closest bus stops being West Hendon Broadway/ Herbert Road (Stop HM) in the northbound direction and West Hendon Broadway/ Herbert Road (Stop HC) in the southbound direction. Both stops are located approximately 30m from the Site and each has a shelter, seats and timetable information.

A summary of the local bus routes and frequencies (buses per hour (bph)) is provided in the table below which demonstrates that there is a weekday frequency of 27 buses in the AM peak hour and 28 buses in the PM peak hour.

Service	Service Type	Origin/ Destination	Weekday AM Peak (bph)	Weekday Off-Peak (bph)	Weekday PM Peak (bph)
West Hendon Broadway / Herbert Road (Stop HM), Northbound					
32	Normal	Edgware Station	7	7	7
83		Alperton Station	7	7	7
142		Watford Junction	5	5	5
183		Pinner	7.5	7.5	7.5
632	School	Saracens High School	1 (08:06)	-	-
642		London Academy	1 (07:20)	-	-
653		Jewish Free School	1 (07:51)	-	-
683		Jewish Free School	1 (07:49)	-	-
N5	Night	Edgware Station	-	-	-
N16		Edgware Station	-	-	-
N83		Ealing Hospital	-	-	-
West Hendon Broadway / Herbert Road (Stop HC), Southbound					
32	Normal	Kilburn Park Station	7	7	7
83		Golders Green	7.5	7.5	7.5
142		Brent Cross	5	5	5
183		Golders Green	8.5	8.5	8.5
632	School	Cricklewood Broadway/ Kilburn Park Station	-	-	1 (15:48)
642		Last Stop	-	-	1 (15:55)
653		Muswell Hill	-	-	1 (15:39)
683		North Finchley	-	-	3 (15:39/ 15:44 / 15:49)
N5	Night	Whitehall/ Trafalgar Square	-	-	-
N16		Victoria Station	-	-	-
N83		Golders Green Station	-	-	-

Vehicular Access

The proposed highway layout incorporates the Major Highway Works which are expected to be completed in Q4 2023 which were funded by the original West Hendon Planning Permission in 2013.

The Proposed Development will take external vehicular connections at the following locations:

- Ravenstone Road connecting to the A5 West Hendon Broadway
- East Street connecting to Phase 3 of the 2013 permission
- West Street connecting to Phase 3 of the 2013 permission

Other streets within the Proposed Development include Cross Street, West Street and North Street.

All streets are to be two-way for vehicular movement, with the exception of Cross Street which is one-way southbound.

These connections effectively form a network of private streets to achieve vehicular access through the Proposed Development to the buildings and car parking throughout. No streets are proposed to be adopted as public highway.

The streets have been designed in accordance with the Healthy Streets Approach and Manual for Streets. They will be relatively quiet access streets, though Ravenstone Road will provide the main connection with the wider, external highway network so is likely to be the busiest, albeit much quieter than the existing Perryfield Way.

Swept-path analysis has also been submitted demonstrating that the following vehicles can access the proposed highway network:

- 7.9m fire appliance
- 9.19m LBB refuse vehicle
- 10m rigid vehicles

National Rail Services

Access to national rail services is provided at Hendon Station, approximately 400m east of the Site (a six-minute walk or four-minute cycle). The station is located on the Midland Main Line (MML).

Hendon Station provides step-free access from the car park to platform 1 (for trains towards London). There are steps to all other platforms. The station is served by 'Thameslink' services, which are currently operated by Govia Thameslink Railway (GTR) and provide four 4-car trains per hour on the slow lines in each direction for the majority of the weekday from Luton/St Albans to the north through Kings Cross/St Pancras and beyond to the south.

Other Thameslink services pass non-stop, serving stations as far as Bedford to the north and Gatwick and Brighton to the south.

Brent Cross West Station is due to open imminently on the MML to the south of Hendon Station. It will be served by the same services which currently stop at Hendon Station.

Underground Services

Hendon Central Underground Station is located 1.8km east of the Site, a 19-minute walk or seven-minute cycle. The station is sited on the Edgware branch of the Northern line with northbound services to Edgware and southbound to Morden and Battersea Power Station via central London.

Wembley Park Underground Station is located 4.1km west of the Site, approximately a 15-minute cycle or 16-minute bus journey (service 83). The station is served by the Metropolitan line and the Jubilee line.

Pedestrian & Cycling Access

The Proposed Development will be highly permeable for people walking and cycling. It will knit in with the 2013 permission and provide high quality pedestrian and cycle connections to each block and the local area, such as the A5 West Hendon Broadway.

An attractive public realm with extensive street trees, rain gardens, planting and seating will offer places for people to rest, play and dwell. Footways around the Proposed Development are generally 2.0m in width and dropped kerbs with tactile paving will be located to provide uncontrolled crossings throughout the street network.

Cyclists will share the carriageways of the private streets across the Proposed Development. This is suitable for most cyclists given the expected low traffic flows, low speeds and low proportion of heavy vehicles. Access to long-stay cycle stores within buildings will primarily be via the shared vehicular gates or footways.

MANAGEMENT PLANS / STRATEGIES

A car parking management plan and travel plan were submitted in support of the application. Conditions are attached to secure these along with the delivery of car and cycle parking in accordance with the permission.

3.7 Waste and Recycling

Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to 'sustainable development' is waste minimisation (para 7). As part of London Plan 2021 Policy SI7 'Reducing waste and supporting the circular economy' also seeks adequate recycling storage provision in new developments as does the Barnet Core Strategy DPD 2012 Policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill.

A suitable condition is attached to ensure the provision of adequate waste and recycling facilities in accordance with the above requirements.

3.8 Energy, Sustainability, and Resources

London Plan Policy SI 2 (Minimising greenhouse gas emissions) requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy

- Be clean: supply energy efficiently
- Be green: use renewable energy

London Plan Policy SI2 requires all residential developments to achieve zero carbon on new residential developments of which a minimum on-site reduction of at least 35 per cent beyond Building Regulations 152 is required for major development. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough through a cash in lieu contribution to the borough's carbon offset fund.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes.

An Energy Statement has been submitted in support of the application by Briary Energy. The Energy Statement outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions.

The Energy Statement advises that development will achieve net zero carbon for residential and non residential aspects, targeting a 35% reduction in CO₂ emissions against Part L 2021 of the Building Regulations. As advised within GLA guidance, any developments connecting to an existing District Heat Network (DHN) will initially find achieving this target challenging until a decarbonisation strategy begins to take effect, as they are tied to the higher carbon emission rates of the CHP led system. It is crucial that reduction of energy demand is prioritised.

The development will apply the 'Be Lean, Be Clean, Be Green' hierarchy, prioritising fabric and energy efficiency measures to minimise initial demand, before applying a clean heating system. Heating and hot water is provided by connecting to the capacity of the existing on site DHN. Further renewables are incorporated through maximising the provision of Solar PV panels to available flat roof areas.

The strategy calculates the total development CO₂ emissions and savings at each stage of the hierarchy. A total carbon emission reduction of 27.87% will be achieved, with the remaining emissions offset by a Cash in Lieu payment of £659,438 based on a Carbon Levy of £95 over 30 years. A Whole Life Carbon Assessment has also been submitted in support of the application in line with GLA policy.

A BREEAM pre assessment has also been submitted for the proposed health centre which demonstrates that the health centre will achieve BREEAM 'Very Good'.

Overall the proposed energy strategy is considered broadly acceptable by Council Officers note that further clarity will need to be provided to the GLA as part of the Stage 2 referral process.

3.9 Landscaping, Trees and biodiversity

The 'sustainable development' imperative of the NPPF includes enhancing the natural environment and improving biodiversity. London Plan G5 (Urban Greening)

advises that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Barnet Local Plan Policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

Landscape and Open Space

As previously mentioned, the application proposes the creation of several areas of open space within the development site. In addition to this, additional planting is proposed along the proposed estate roads along with podium deck gardens for the proposed apartment blocks. Detailed landscaping conditions are included in the list of suggested conditions which will ensure the Council can secure the future quality of these areas.

Trees

London Plan Policy G7 (Trees and woodlands) also requires that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, 'i-tree' or CAVAT or other appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

The submitted application builds on the regeneration area of West Hendon Estate. The current proposal will require the removal of several trees of moderate to low value. The Council's arboricultural officer has advised that subject to suitable replacements the loss of these trees is acceptable.

In relation to replacement planting the proposals include the planting of 81 replacement trees the provision of which is welcomed and supported by the Council's arboricultural officer subject to the appropriate landscaping conditions.

Biodiversity

London Plan Policy G6 (Biodiversity and access to nature) also requires Sites of Importance for Nature Conservation (SINCs) to be protected. Part C of the policy advises that where harm to a SINC is unavoidable, and where the benefits of the

development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

- 1) avoid damaging the significant ecological features of the site
- 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- 3) deliver off-site compensation based on the principle of biodiversity net gain.

Part D also advises that development proposals should aim to secure net biodiversity gain and be addressed from the start of the development process. Proposals which reduce deficiencies in access to nature should be considered positively.

Barnet Policies CS7 (Enhancing and protecting Barnet's open spaces) and DM16 (Biodiversity) seek to protect existing Sites of Importance for Nature Conservation and ensure that development makes the fullest contributions to enhancing biodiversity, both through on-site measures and by contribution to local biodiversity improvements. Proposals are expected to meet the requirements of the London Plan.

An Ecological Appraisal Report has been submitted in support of the application, which confirms that while the site is located within 100m of the Welsh Harp which is a SSSI and of national significance, the site itself which mostly consists of cleared buildings and rubble has negligible existing ecological value, however careful control will need to be placed in controlling construction activities, to control noise, pollution or lighting impacts on the neighbouring SSSI. Operationally, care will also need to be taken to ensure that the increased population of the development does not result in recreational disturbance, although evidence from the wider West Hendon development suggest that both construction and recreational use have not resulted in any harm to the Welsh Harp but need to be subject to ongoing monitoring.

The development also includes ecological enhancement measures including:

- Provision of approximately 1,590m² of biodiverse roofs across the buildings within the Site. The roofs will include a varied vegetation structure, a diverse range of flowering plants, and a varied depth of substrate with sand or log piles also present;
- Installation of the following wildlife boxes within the buildings:
 - 4 black redstart nest boxes;
 - 8 house martin nest cups; and
 - 8 house sparrow terraces.

The applicant has also submitted a Biodiversity Net Gain Assessment which shows that the scheme is likely to achieve a positive on-site net percentage change of 21.06% (equating to an increase in 0.27 units) for habitat units, and a positive on-site net percentage change of 100% (equating to an increase in 0.23 units) for hedgerow units. This significantly exceeds the 10% target and is welcomed by officers.

Overall Officers are satisfied that the proposal would not adversely affect ecology as a result of the development subject to the attachment of appropriate conditions.

Flood risk, Water Resources, Drainage and SUDs

Flood Risk is considered within the submitted ES

In respect of flood risk, the site is within Flood Zone 1 which is classified as being of low risk of flooding. The proposed development is acceptable in this zone and there is no requirement for exception and sequential testing of the acceptability of the scheme.

In line with policy requirements the proposed development proposes to restrict runoff from the site to the equivalent greenfield runoff rates. On site attenuation is proposed to be addressed via a combination of green roofs, permeable podium/courtyard attenuation, swales, bio-retention and permeable paving in the streets, and attenuation tanks to achieve a 1000 m³ attenuation within the site boundary. Some discharge allowance of up to 405l/s to the Welsh Harp is factored in for peak storm events. Petrol/Oil interceptors are also required to be fitted.

Overall the proposal for surface water management is considered to be consistent with the aims of the NPPF and the London Plan 2021 and demonstrates a sustainable approach consistent with current best practice.

The Environment Agency, Thames Water and Capita Drainage (Lead Local Flood Authority) have been consulted on the application. Thames Water have requested the imposition of Conditions and Informatives which are included in the list of suggested conditions.

3.10 Other matters

Utilities

In support of the application a Utilities Assessment has been submitted.. The Utility Assessment advises that consideration has been given to utility connections i.e. electricity, water and broadband. It is concluded that the proposed redevelopment scheme can be delivered without any abnormal utility constraints. Furthermore, given the inclusion of renewable energies and rainwater harvesting within the proposed redevelopment scheme, there are not expected to be any future capacity restrictions or abnormal reinforcement requirements.

Ground conditions and Contamination

In regards to potential contamination, the submitted ES sets out remediation works to be carried out which has been secured by condition. Subject to the attachment of such conditions no objections are raised in this regard.

3.11 Viability, Planning Obligations & CIL

S106 obligations & viability

Policy CS15 of the Barnet Local Plan states that where appropriate the Council will use planning obligations to support the delivery of infrastructure, facilities and services to meet the needs generated by development and mitigate the impact of development.

The full list of planning obligations is set out in the heads of terms to this report.

In summary the scheme includes **50%** affordable housing by habitable room which will be secured by legal agreement, along with other contributions such as the carbon offset payments along with the requirements to address the transport impacts of the proposal in the form of a travel plan.

Barnet CIL

As noted in SPD para 2.2.11, the purpose of Barnet's CIL is to secure capital funding to help address the gap in funding for local infrastructure. The money raised by Barnet's CIL will be used to pay for infrastructure required to mitigate the impact of development across the Borough.

Barnet recently revised its CIL Charging Schedule increasing the CIL charging rate from £135 per sqm to £300 per sqm for residential floorspace. CIL is also payable at a lower amount on some of the commercial but not the community or educational floorspace.

Indicatively in accordance with figures provided with the application, the scheme would generate £ 5,892,538.41 in Barnet CIL calculations.

Mayoral CIL

From 1 April 2012, the Mayor of London started charging CIL on development to help provide £300m towards the cost of delivering the Crossrail project, a strategic priority to support the growth and development in London.

From 1 April 2012 to 1 April 2019 all chargeable development in Barnet paid a flat rate of **£35 per square metre - *Nil rate for Health and Education uses.**

The Mayor increased the rate to £60 a square metre for planning permissions granted from 1st April 2019.

Indicatively in accordance with figures provided with the application, the scheme would generate £ 1,381,248.58 in Mayoral CIL calculations.

4. EQUALITY AND DIVERSITY ISSUES

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

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

For the purposes of this obligation the term “protected characteristic” includes:

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

- sexual orientation.

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

As part of the decision making process to grant planning permission for the hybrid application in 2013, the Officers had regard to the requirements of equality and diversity issues. This concluded the submission "*adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities*".

Therefore, the principle for the re-development has been established through the process originally undertaken in 2013, and the changes to the development have been assessed as neutral in subsequent updates including most recently the Socio-Economic Chapter of the Environmental Impact Assessment submitted with this application.

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 include the demolition and re-provision of Hendon Way Surgery. The relocation will only take place once new premises are available providing unbroken services for patients. The new premises would be purpose-built and provide an uplift over the existing floorspace. The effects on service provision has been considered by the applicant within the Environmental Assessment (Socio-Economics Chapter) and the Health Impact Assessment (HIA) as part of the planning application.

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

In conclusion, the scheme is considered acceptable on balance having regard to relevant national, regional and local planning policies and guidance. The principle of the redevelopment of this part of the West Hendon Estate is considered acceptable and accords with national, regional and local Plan Policy guidance.

The proposal makes a significant contribution towards additional affordable housing providing a policy compliant mix of affordable housing including much needed larger 3 bed affordable rented units.

An ES has been submitted which robustly assesses the proposed development against a full range of topics and identifies appropriate mitigation such that there are no significant adverse impacts posed by the scheme.

The proposed detailed design is considered to be high quality with appropriate levels of amenity space, public open space and residential standards achieved for future occupiers reflecting a development of this intensity and balanced with the need to optimize the use of the site.

The amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposals.

The scheme deals with its waste and recycling requirements and in terms of energy and sustainability, a range of measures are proposed including a carbon offset payment to achieve mayoral standards for a reduction in CO2 emissions.

A suitable approach is taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity values within the site with appropriate treatments and species and mitigation.

The scheme has also considered utilities provision and contamination and appropriately worded conditions are recommended. The scheme is considered to be appropriate and acceptable having regard to the full range of considerations in this report including the stated policies and guidance.

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

SITE LOCATION PLAN: West Hendon Estate, West Hendon, London, NW9

REFERENCE: 23/1802/FUL

