

Location **Land At 1-7 Moxon Street And At 44 Tapster Street Including Land To The Rear Of 1-11 Moxon Street And Opposite The Old Printworks Barnet EN5**

Reference: **23/3771/FUL** Received: 1st September 2023
Accepted: 1st September 2023

Ward: High Barnet Expiry 1st December 2023

Case Officer: **Emily Bell**

Applicant: Opendoor Homes

Proposal: Demolition of 3-7 Moxon Street and redevelopment of the site to provide 21 residential units and commercial floorspace (Use Class E) with associated provision for on-street blue badge car parking, cycle storage, refuse/recycling storage, amenity space and landscaping

OFFICER'S RECOMMENDATION

Approve subject to s106

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

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

3. Be Seen Energy Monitoring Guidance:

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

Travel Plan:

A contribution of £5000 towards the monitoring of the Travel Plan.

Amendment of Traffic Management Order:

Highways contribution towards amendment to traffic management order - £2738.94

Affordable Housing:

Biodiversity Net Gain Plan:

1. Prior to commencement of the development a detailed Landscape and Ecological Management Plan (LEMP) which outlined the details, timing, and responsibility for all required habitat creation, enhancement, and management and monitoring of the 0.07 ha pond (non-priority) (+0.72 units) and creation of 0.0041 ha urban tree planting (+0.01 unit) within the land north of the Whiting Road Primary School grounds hereafter referred to as the "Offset site" to be approved by the LPA. The document shall be produced in accordance with approved Biodiversity Impact Assessment (Brindle & Green, BG22.168.5 Rev 4, November 2023).

2. Securing all actions related to habitat enhancement, creation, and 5 years of aftercare by the developer or their appointed contractor within the "Offset Site" in accordance with thereafter approved LEMP. Habitat enhancement is to commence following completion of the construction phase.

3. Securing the transfer of management responsible and ongoing management (25 years) of the enhanced pond and associated habitat in accordance with the thereafter approved LEMP to the Estates management of the school for the remaining 25 years for the benefit of the Whiting Road Primary School.

RECOMMENDATION II:

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

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

MX_P_080 P01

MX_P_090 P04 Existing Site Plan

MX_P_095 P03 Proposed Site Plan
 MX_P_100 P17 Proposed Ground Floor Plan
 MX_P_110 P15 Proposed First Floor Plan
 MX_P_120 P13 Proposed Roof Plan
 MX_P_190 P03 Existing Sections and Elevations 01
 MX_P_200 P10 Proposed Sections and Elevations 01
 MX_P_201 P09 Proposed Sections and Elevations 02
 MX_P_202 P04 Proposed Sections and Elevations 03
 M_L01 REV E External Works Layout
 M_L02 REV E Planting Plan
 Window Cil Details Drawings
 Design and Access Statement March 2023
 Affordable Housing Statement
 Air Quality Assessment REF: 6023r2 dated 21/4/23
 Arboricultural Impact Assessment Survey and Report REF: BG22.168.7 REV 4 - April 2023
 Archaeological Desk based Assessment April 2023 Issue No v1
 Biodiversity Impact Assessment for Net Gain November 2023 BG22.168.5 REV 3
 Daylight and Sunlight Report 31 March 2023
 Economic Statement August 2023
 Energy Statement C8226
 Fire Statement R02 dated 20/4/23
 Flood Risk Assessment and Surface Water Drainage Strategy 220454/MX/A Prais Version 2 dated 11/5/23
 Heritage Statement and Impact Assessment Issue No. 1 April 2023
 Noise Impact Assessment Report 12163.RP01.NAR.2 REV 2 dated 5/5/23
 On site Biodiversity Metric
 Overheating Assessment
 Phase II Site Investigation Report v.1.02
 Phase I Desk Study v.1.03
 Preliminary Ecological Appraisal August 2023 BG22.168 REV 4
 Protected Species Report: Bat Presence and Absence Surveys BG22.168.8 REV 3 August 2023
 Moxon Street Schedule of Accommodation REV L 23.5.23
 Statement of Community Involvement August 2023
 Transport Statement July 2023 22039D2d
 Travel Plan July 2023 22039D3a
 BG22.168.9-BRGR-ZZ-ZZ-DR-L-00001 P02
 Covering Letter dated 01/09/23

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

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

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

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

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

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

4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s), including brick, natural slate, timber sliding sash and casement windows, external doors, shopfronts, rainwater goods and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

5 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

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

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

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

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

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

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

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

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

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

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

- 8 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 9 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan 2015.

- 10 a) Notwithstanding the details shown in the hereby approved plans, before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards, in the interests of promoting cycling as a mode of transport and to safeguard the visual amenities of the building and surrounding area, in accordance with Policy T5 and Table 10.2 of The London Plan (2021), Barnet's Local Plan Policies CS NPPF, CS1 and CS9 of Core Strategy (Adopted) September 2012, and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

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

b) The treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1 no 13 x 13cm ground level access 'hedgehog hole' between the

application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat

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

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

12 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

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

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

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

14 The premises shall be used for Use Class E and for no other purpose (including any other purpose of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

- 15 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A-G of Part 1 of Schedule 2 of that Order shall be carried out within the area of each residential curtilage hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 17 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

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

The development shall be maintained as such in perpetuity thereafter.

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

- 19 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission

Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 20 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 21 a) Prior to the first occupation or use of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would achieve 'Secured by Design' accreditation.

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

Reason: To ensure that the development meets Secure By Design principles as required by the Metropolitan Police, in accordance with Policy CS12 of Barnet's Core Strategy DPD (2012) and Policy DM01 and DM02 of Barnet's Development Management Policies Document DPD (2012).

- 22 No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent

person(s) or organisation to undertake the agreed works

B. Where appropriate, details of a programme for delivering related positive public benefits

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In the interests of safeguarding the archaeological interest of the site, in accordance with paragraph 205 of the NPPF

- 23 Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery service plan.

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

- 24 Prior to the commencement of the development, details of the off-site highways works set out in section 8 shall be submitted to and approved in writing by the Local Planning Authority. Highways Engineering Drawings and detailed Construction Specifications shall be submitted, with a minimum scale of 1:200 and the applicant shall enter into a s278 agreement with the council to deliver any. The works approved shall be constructed in accordance with the approved details before the site is occupied. All off site highways works must be completed to the satisfaction of the local highway authority prior to first occupation of the development

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

- 25 Within 3 months of occupation, a residential travel Plan that meets the criteria of the current Transport for London Travel Plan guidance , currently 'Travel Planning for new development in London incorporating deliveries and servicing' and Itrace or TRICS compliant surveys shall be submitted to and approved in writing by the Local Planning Authority. The document shall set out the transport policy to incorporate measures to encourage active travel and reduce trips by the private car. The Travel Plan should be reviewed, updated and resubmitted in writing for approval in years 1, 3 and 5 in accordance with the targets set out in the Plan. Monitoring of the travel plan is to be funded by the applicant in accordance with the Barnet's Travel Plan SPD.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17.

- 26 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and

including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

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

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

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

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

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

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

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

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

- 28 The level of noise emitted from the Air Source Heat Pump and ventilation plant for the residential units plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

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

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

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

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

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

- 30 The level of noise emitted from the Air Source Heat Pumps and ventilation plant for the commercial E Class units hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

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

- 31 a) Before the E Class units are occupied a report shall be carried out by a competent acoustic consultant that assesses the likely noise impacts from the development Air Source Heat Pumps and ventilation plant for the commercial E Class units, and mitigation measures for the development to reduce these noise impacts to acceptable levels and has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

32 Part 1

Before the units are occupied:

a) A revised risk assessment, along with the revised site investigation report, shall be submitted to and approved by the Local Planning Authority. This revised risk assessment shall be based on details from the "Phase I Desk Study Report, ref: GWPR5004/DS/May 2023"" and "Phase II Site Investigation Report, ref: GWPR5004/SIR/May version 1.02" both dated May 2023 by Ground and Water Ltd and further relevant investigation and monitoring on site.

b) A revised Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy SD1 of the London Plan 2021.

33

The development shall be implemented in accordance with the " Noise Impact Assessment Report Reference: 12163.RP01.NAR.2 version 2" Dated: 5 May 2023 by RBA Acoustics Ltd and retained as such thereafter. 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 not prejudiced by rail and/or road traffic and/or mixed-use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies D13 and D14 of the London Plan 2021.

- 34 The development shall be implemented in accordance with the Air Quality Assessment (Including Dust Risk Assessment) - Land at 1-7 Moxon Street, Barnet, EN5 5TY Report, Reference: 6023" dated 21st April 2023 by Redmore Environmental Ltd and retained as such thereafter. 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).

- 35 Where a gym becomes an integral part of the business activity, a revised scheme containing full details of the sound insulation scheme as assessed by a qualified acoustic consultant including the location of all gym equipment and mitigation shall be submitted to and approved in writing by the Local Planning Authority.

All plant, equipment and mitigation detailed in the approved scheme shall be installed in their entirety before the gym qualifies as a permitted activity for the business. The equipment used shall be maintained in accordance with manufacturer's instructions for the lifetime of the development and operated at all times that gym is ongoing. The report shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation shall be installed in its entirety before the gym qualifies as a permitted activity for the business.

Reason: To protect the amenities of nearby residential property. To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with Policies D13 and D14 of the London Plan 2021.

- 36 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, details of tree pits, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be

replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and G5 and G7 of the London Plan 2021.

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

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and G5 and G6 of the London Plan 2021.

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and G5, G6 and G7 of the London Plan 2021.

39 Prior to the commencement of the development hereby approved, a detailed energy strategy of the new building shall be submitted to and approved in writing by the local Planning Authority. The detailed energy strategy shall demonstrate that London Plan targets shall be met within the framework of the energy hierarchy of Be Lean, Be Clean, Be Green, Be Seen.

Reason: To ensure that the development is sustainable and minimises carbon

dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and Policy S1 of the London Plan (2021).

- 40 Prior to the commencement of the development hereby approved, a detailed overheating assessment of the new building shall be submitted to and approved in writing by the local Planning Authority.

The assessment should include dynamic overheating modelling in line with the guidance and data sets in CIBSE TM52 and TM49 respectively.

The proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating in accordance with the Mayor's cooling hierarchy.

Reason: To ensure that the amenities of occupiers are not negatively impacted by overheating in accordance with London Plan Policy SI 4.

- 41 The hereafter approved development including all site clearance and construction shall be undertaken in strict accordance with the ecological mitigation measures relating to badgers, reptiles, other protected fauna outlined within section 7.6 and 7.7 of the approved Preliminary Ecological Appraisal (PEA) (Brindle & Green, August 2023).

If protected or notable species are discovered during the approved works than works must halt and the project ecologist and/or Natural England (in the event of European Protected Species e.g., bats, being discovered), as further surveys and appropriate mitigation measures may be required prior to the recommencement of works.

Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 42 Prior to the occupancy of works details of a Bat Sensitive Lighting Strategy including light spill plans shall be submitted and approved by the local planning authority. The artificial lighting scheme designed for the development, shall be in accordance with Bats Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016), and the relevant statutory wildlife protection legislation.

- 43 Prior to occupancy all the ecological enhancement features including three sets of Habitat Swift Boxes and five Woodstone sparrow nest boxes and five Schwegler 1F Bat Tube (integrated bat roost boxes) outlined within the Planting Plan (Staton

Cohen Landscape Architecture, November 2022) and Protected Species Report: Bat Presence and Absence Surveys (Brindle & Green, August 2023) must be installed/constructed in accordance with details shown on the thereafter approved plans and in accordance with guidance of 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA).

Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 44 If the demolition of the building were to be delayed by more than 12 months from the date of planning consent, then a Material Changes Check would need to be undertaken of the building. If the demolition has not taken place within 12 months from the date of planning consent, then updated bat emergence surveys will need to be undertaken. The review shall be informed by the Material Changes Checks to:

- i) establish if there have been any changes in the suitability of the buildings to support roosting bats
- and ii) identify any likely new ecological impacts that might arise from any changes to the buildings.

Reason: To provide the Local Planning Authority with confirmation that the works will be undertaken lawful in relation to bats.

Pursuant to Section 41 and Regulation 53 of The Conservation of Habitats and Species Regulation 2017 and Section 9 of the Wildlife and Countryside Act 1981 (as amended).

- 45 Prior to commencement of the development hereby permitted, a detailed plan for onsite landscaping and habitat creation and enhancements shall be submitted to and approved in writing by the Local Planning Authority. This will take the form of a Landscape and Environmental Management (LEMP) in accordance with the approved Biodiversity Impact Assessment (Brindle & Green, BG22.168.5 Rev 4, November 2023) in general accordance with BS42020:2013, to achieve the approved uplift of Habitat units and deliver Biodiversity Net Gain for the scheme.

The LEMP shall contain:

- a) The sizes of each habitat area to be created, how they will be created and full details and responsibilities on at least 30 years of aftercare and ongoing management and monitoring from creation based on the approved Biodiversity Impact Assessment (Brindle & Green, BG22.167.5 Rev 3, November 2023) to achieve +0.19 Habitat units.
- b) The approved post-development habitat will be provided to maximise local biodiversity and contribute to increased urban permeability. Full details on species, planting density and abundance will be provided.
- c) A timetable of delivery for each habitat to be created;
- d) Details of establishment aftercare and ongoing management of all habitats shall be provided for the duration of development.
- e) Details on the monitoring of habitats and the provision of a report, which shall be provided to the LPA at the end of each year of monitoring (years 5 after creation of habitat on and offsite, and then every 5 years thereafter until the 30th year)

required to deliver Net Gain;

f) Details of the contingency methods for management should the monitoring identify changes are required to ensure the habitat(s) are in the appropriate condition to deliver the Net Gain values set out in the LEMP for each habitat for the 30-year period.

g) The BNG monitoring reports outlined in subsection (f) shall be submitted to the LPA to provide sufficient evidence that net gain is being obtained for the respective habitats.

The onsite landscaping works shall take place upon completion of the construction phase in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To ensure that the approved development will achieve the required level of Biodiversity Net Gain over the statutory 30-year period in accordance with Schedule 14 of the Environment Act 2021.

Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

RECOMMENDATION III:

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

Informative(s):

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

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

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

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

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

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

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

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

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially

registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from:

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

- 4 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o 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.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o 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.
 - o Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- 5 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.

- 6 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

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

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

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

- 8 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk
- 9 Refuse collection point should be located at a ground floor level and within 10m of the collection point. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an un-adopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 10 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW, 4-6 weeks before the start of works on the public highways.
- 11 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 12 surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 13 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."
- 14 Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 15 The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.
<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.thameswater.co.uk%2Fdevelopers%2Flarger-scale-developments%2Fplanning-your-development%2Fworking-near-our-pipes&data=05%7C01%7CEmily.Bell%40Barnet.gov.uk%7C9e2dca6219194b0ca2c908dbb43b1ea7%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C638>

301938222277809%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sd a=tFE2bG1ch7EA7YnHIAP2TQg5OgrqA4MwQqlctnx1YuE%3D&reserved=0
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

- 16 Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.thameswater.co.uk%2Fdevelopers%2Flarger-scale-developments%2Fplanning-your-development%2Fworking-near-our-pipes&data=05%7C01%7CEmily.Bell%40Barnet.gov.uk%7C9e2dca6219194b0ca2c908dbb43b1ea7%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C638301938222277809%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sd a=tFE2bG1ch7EA7YnHIAP2TQg5OgrqA4MwQqlctnx1YuE%3D&reserved=0>
- 17 The removal of the invasive non-native species (e.g. buddleia) should be undertaken by a trustworthy third-party invasive plant removal specialist who belong to a trade body such as the Property Care Association (PCA) Property Care Association or the Invasive Non-Native Specialist Association View Our Members - INNSA. An invasive species removal specialist would be responsible for the secure removal/treatment, transposition and disposing of "controlled waste" under the Environment Protection Act 1990 (EPA 1990). Controlled waste is defined as any plant material or contaminated soil under the Environment Protection Act 1990.

OFFICER'S ASSESSMENT

1. Site Description

The site relates to a plot of land located on the north of Moxon Street and west of Tapster Street in High Barnet, comprising an area measuring approximately 0.19 hectares. The site is broadly L-shaped, wrapping around nos. 9 and 11 Moxon Street. At the southern edge of the site, an existing two storey commercial building and a number of run down timber warehouses front Moxon Street. To the east end of the site, access to a builder's yard containing outbuildings and hardstanding forms the site frontage along Tapster Street. The western boundary of the site backs onto the rear of retail buildings that front the high street. The northern boundary of the site backs onto an accessway and car park and to the southeast of the site are rear gardens of two individual houses that front Moxon Street.

The site is partly located within the Wood Street Conservation Area and within Chipping Barnet Town Centre. The retail buildings which the application site backs onto make up part

of the primary retail frontage of the town centre. No. 9 Moxon Street, immediately adjacent to the application site is a listed building and no. 11 Moxon Street is locally listed.

There are no TPOs on the site.

2. Site History

Reference: 15/06410/FUL

Address: 1 - 7 Moxon Street, Barnet, EN5 5TY

Decision: Approved subject to conditions

Decision Date: 1 November 2016

Description: Demolition of existing buildings and redevelopment of site to provide 12 residential units (use class C3-Dwelling Houses) and commercial space (use classes A1-Shops and B1-Business) comprising 9 houses (2-3 storeys) and a three storey building fronting Moxon Street containing ground and first floor commercial accommodation providing 512 square metres floorspace, and three apartments on second floor. Provision of new pedestrian and parking access for 3 cars off Moxon Street and new vehicular access off Tapster Street with 9 residential parking spaces, cycle parking, refuse/recycling stores, landscaping and external amenity space [AMENDED PLANS AND DESCRIPTION]

3. Proposal

This application has been brought forward by Opendoors Homes. Open doors Homes is a subsidiary of Barnet Homes and has Registered Provider Status from the Homes and Communities Agency.

Barnet Homes parent company is The Barnet Group. Opendoor Homes provides both social housing and private sector rented housing to help meet the demand for affordable housing within Barnet.

The proposed scheme will deliver affordable housing at this site concurrently with a sister scheme at Moxon Street (Land at 1-7 Moxon Street and at 44 Tapster Street including land to the rear of 1-11 Moxon Street and opposite The Old Printworks, Barnet, EN5 5TY). Both schemes will be delivered by Opendoor Homes and will achieve 50% affordable housing across both sites.

The proposal seeks permission for the demolition of 3-7 Moxon Street and redevelopment of the site to provide 21 residential units and commercial floorspace (Use Class E) with associated provision for on-street blue badge car parking, cycle storage, refuse/recycling storage, amenity space and landscaping.

The proposal would provide 11 x 2 bed, 4 person units, 3 x 2 bed, 3 person units, and 7 x 1 bed, 2 person units.

4. Public Consultation

A site notice was posted on 21.09.2023

A press notice was published in Barnet Press on 19.09.2023

Consultation letters were sent to 393 neighbouring properties. 5 letters of support have been received, summarised below:

- o Wish the committee to consider measures to reduce construction traffic

- o Wish the committee to consider measures to reduce impact of proposed heat pumps
- o Urban greening factor score is disappointing

Internal Consultations:

Urban Design: No objection

Ecology: No objection, subject to legal agreement securing off-site habitat enhancement and conditions.

Met Police: No objection, subject to Secure by Design condition.

Water: No objections

TfL: No objection, subject to condition

Historic England: No objection, subject to condition

Heritage: No objection, subject to condition requiring further details on materials

Highways: No objection in relation to parking, subject to imposing a S106 CPZ permit restrictions and travel plan. Cycle store location not acceptable but can be secured by way of condition.

Trees: No objection

Waste: No objection

Environmental Health: No objection, subject to condition

Sustainability: No objection, subject to condition requiring updated Energy Statement prior to occupation of the development.

Affordable Housing: No objection

Drainage: Additional information required. This can be secured by way of a condition.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The revised National Planning Policy Framework (NPPF) was published on 5th September 2023. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

Relevant policies:

D4 - Good Design

D5 - Inclusive Design

D6 - Housing Quality and Standards

D7 - Accessible Housing

D12 - Fire safety

H2 - Small Sites

H12 - Housing Size mix

SI 2 Minimising Greenhouse Gas Emissions

T6.1 - Residential Car Parking

Barnet's Local Plan (2012)

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS10, CS14, CS15

Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM13, DM16 DM17

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 needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low-density suburban housing with an attractive mixture of terrace, semidetached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive

and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

- States that privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development 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.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of Development
- Provision of Affordable Housing
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents
- Provision of adequate accommodation for future occupiers
- Highways and Parking
- Refuse and Recycling
- Other Material Planning Considerations

5.3 Assessment of proposals

Principle of Development

The site is currently in use as a builder's yard containing outbuildings and a hardstanding, with further timber warehouses on site. It is noted that the site received planning approval for residential units comprising 9 houses and 3 flats along with commercial units under ref no. 15/06410/FUL which has set a precedent for residential development at this site.

Policy H1 of the London Plan (2021) supports the introduction of residential uses in town centres where appropriate, stating that Boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites, especially sites which are located within town centre boundaries.

The preamble in Paragraph 15.2.3 of the Development Management Document (2012) states: "Outside Locally Significant Industrial Sites, the Industrial Business Park and the Business Locations, all employment spaces will be protected where viable to enhance Barnet's Local economy and support enterprise potential. Employment spaces are defined as Class E (former Class B1, 2 and 8) under the new Use Classes Order."

Policy CS8 of the Core Strategy (2012) sets out that the Council will support the Borough's economy by protecting viable employment premises and encourage improvements to the

quality of existing employment spaces.

Policy DM11 (DMP (2012)) states that the Council will expect a suitable mix of appropriate uses as part of development within Town Centres to support their continued vitality and viability. For mixed use development the protection of employment floorspace should meet the requirements of Policy DM14; and appropriate mixed-use re-development will be expected to provide re-provision of employment use, residential and community use.

Whilst the development will result in a loss of overall employment floorspace, the documents submitted in support of the application, include an Economic Statement which demonstrates that the existing floorspace is in poor condition. The existing site generates 4 full time and 1 part time jobs (4.5 Full Time Equivalent), which is relatively low job density for the site. A total of 180sqm of new employment floorspace will be able to accommodate between 9 and 18 new FTE jobs on-site, which is an increase from the current provision. The existing business that is operating from the site will have the opportunity to occupy one of the proposed commercial units, which would not lead to any reduction in the number of people that they employ on site. Further, the site is not allocated employment land, protected Strategic Industrial Land or a Locally Significant Industrial Site.

The proposed mix of uses is considered to be appropriate having regard to the town centre location of the application site. In addition, having regard to the quality of the development compared to the existing, and the potential job creation that could occur, it is not considered that the proposal would be detrimental to the supply of employment floorspace in the borough. Therefore, it is considered on balance that the redevelopment of the site to include commercial and residential uses would be appropriate in principal in this location.

Affordable Housing Provision

As stated earlier, this application is brought forward by Opendoors Homes, a subsidiary of Barnet Homes providing both social housing and private sector rented housing to help meet the demand for affordable housing within Barnet.

Barnet Homes is responsible for managing approximately 13,000 council homes within Barnet. It also has responsibility for managing the councils homelessness and social housing allocations services on behalf of the council.

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

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

Policy DM10 states 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.

The application is being submitted concurrently with another scheme at Whitings Road (23/3772/FUL). At the Moxon Street site, 9 affordable units will be provided through shared ownership. The council is in support of a portfolio approach delivering 50% affordable housing for the proposed development of Whitings and Moxon sites. The scheme delivers

some high priority social rented family sized units, meeting the council manifesto to commitment for social housing in the borough. The development also delivers shared ownership tenure targeting keyworkers at Barnet Hospital and local schools where there is a lack of shared ownership in the area.

Proposed Residential Tenure Mix (both schemes) on Unit Basis

The councils Viability Officer has reviewed and validated all assumptions of the submitted financial viability assessment report submitted by the applicant Open Homes and can confirm that all inputs are reasonable.

Unilateral Agreement - Delivery Programme.

It will require the developer to complete all affordable housing before the sale and occupation of not more than 75% of the private units. Which means no sale or occupation of the last 15% of all private units. It is advised that the developer updates the council quarterly of their construction programme and project status of the development. This will enable the council to monitor and update the affordable housing team on the progress of the proposed development.

This will be secured by way of a unilateral agreement, which will require both proposals to be brought forward together at approximately the same time.

Impact of the proposal on the character and appearance of the area

The NPPF attaches great importance to the design of the built environment, stating that, "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities" (para.124). Policy DM01 states, 'development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

Although part of the site falls within Wood Street Conservation Area, the builder's yard which is existing including run down structures has a negative effect on the character and appearance of the area. The proposed would replace the existing buildings on site with 21 new mews homes and two small commercial buildings of high-quality design. Given the existing setting, the site provides a good opportunity to reactivate the existing street and provide a well-designed addition to the area. All proposed buildings are a maximum of two storeys in height. The buildings fronting Moxon Street are proposed to continue to pitched roofs across from the existing no. 1 Moxon Street. The overall height is considered to be acceptable in the context of the immediate and local setting. The design approach allows for increased density throughout the site and the dwellings have the characteristics of mews houses with front doors to the mews street. The siting of the buildings within the area, the arrangement of the layout, the scale, form, and the proportions would create a distinct character and a sense of place, as well as delivering a safe and secure mews through active frontages. Urban design officers have reviewed the application documents and consider that the proposal would transform the site and provide a well-designed residential led mixed use scheme of contemporary approach within a sensitive setting. Details of materials to be used will be required to be submitted via condition in order to ensure good quality and a well-considered palette to engage positively with the existing context.

It is noted that No. 9 Moxon Street, immediately adjacent to the application site is a listed building and no. 11 Moxon Street is locally listed. The building adjacent to no. 9 has been

designed to include a separation at first floor and roof level and to include a similar roof form. The design is respectful of the existing listed building and would not result in harm to the setting of this listed building. The Council's heritage officer has reviewed the proposals and considers that the proposal combines both infill architecture of a traditional design on Moxon Street and contemporary designed housing making up the mews leading to Tapster Street. The new buildings have been thoughtfully designed within the sensitive setting and are considered an appropriate scale, whilst being respectful of the setting of the two historic cottages on Moxon Street. The development will complement and contribute to local character, yet with a distinctive character of its own.

Impact on neighbouring amenity

Barnet policy DM01 requires new development to have due regard to the amenity of existing occupiers in neighbouring buildings.

All units are a maximum of 2 storeys tall. Units 1-10 and 18 lining the new mews street to the west and north are two storeys tall, with a mono pitched roof sloping down to reduce in height to the rear. Units 11-17 lining the new mews street vary between 1 and 2 storeys. They are predominantly 2 storeys fronting onto the mews, with a gap where massing drops to 1 storey between unit 12 and 13. The massing of these units is stepped away from the rear boundary to reduce impact, with rear roof parapets reduced in height due to placement of eaves storage at the rear of the first floor. These units benefit from intermittent single storey outriggers, concealed by boundary treatments. The proposal has been carefully designed to reduce massing adjacent to existing houses fronting Moxon Street and on balance, the proposal is considered acceptable with regards to scale and massing and is not considered to result in an overbearing impact or appearance.

Overlooking and loss of privacy

The units have been designed so that their primary outlook at first floor is into the public mews. With regards to existing residents, there are no windows to the first floor rear elevations of units 11-17 and therefore there is not considered to be overlooking or loss of privacy to existing neighbouring occupiers of nos. 9 and 11 Moxon Street. Small windows are provided in the first floor rear elevation of Units 6-10, however, these serve non habitable space. Units 2-6 and 18 have some windows from habitable spaces on the rear elevation, however, these look out to a commercial yard and non-residential buildings opposite.

Where roof terraces are proposed (e.g. Units 19 & 20) the habitable terrace space is pulled back from the terrace wall to avoid overlooking and privacy screens will be erected. Details of these can be secured by way of condition.

Impact on amenity of future occupiers

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. These include requirements to provide high quality indoor and outdoor spaces and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The application will therefore be assessed according to the requirement laid out in the London Plan (2021).

The proposal would provide the following dwellings:

Unit 1 (Flat) 2b, 3p over 1 storey with GIA of 68sqm
Unit 2 (House) 2b,4p over 2 storeys with GIA of 79sqm
Unit 3 (House) 2b, 4p over 2 storeys with GIA of 79sqm
Unit 4 (House) 2b, 4p over 2 storeys with GIA of 79sqm
Unit 5 (House) 2b, 4p over 2 storeys with GIA of 79sqm
Unit 6 (House) 2b, 4p over 2 storeys with GIA of 79sqm
Unit 7 (House) 2b, 4p over 2 storeys with GIA of 79sqm
Unit 8 (House) 2b, 4p over 2 storeys with GIA of 79sqm
Unit 9 (House) 2b, 4p over 2 storeys with GIA of 79sqm
Unit 10 (Flat) 2b,4p over 2 storeys with GIA of 79sqm
Unit 11 (House) 1b, 2p (WC) over 1 storey with GIA of 50sqm
Unit 12 (Maisonette) 1b,2p over 2 storeys with GIA of 58sqm
Unit 13 (House) 1b, 2p over 2 storeys with GIA of 58sqm
Unit 14 (House) 1b, 2p over 2 storeys with GIA of 58sqm
Unit 15 (House) 1b, 2p over 2 storeys with GIA of 58sqm
Unit 16(House) 1b, 2p over 2 storeys with GIA of 58sqm
Unit 17(House) 1b, 2p over 2 storeys with GIA of 61sqm
Unit 18 (Flat) 2b,4p over 2 storeys with GIA of 79sqm
Unit 19 (Flat) 2b4p over 2 storeys with GIA of 79sqm
Unit 20 (flat) 2b3p over 2 storeys with GIA of 70sqm
Unit 21 (Flat) 2b3p over 2 storeys with GIA of 74sqm

The London Plan sets a minimum Gross Internal Floor Area for flats based on a standard set for the number of bedrooms (b) and persons-bedspaces (p). A 2 bed, 3 person unit over 1 storey requires 61sqm, a 2 bed, 4 person unit over 2 storeys requires 79sqm, a 1 bed, 2 person unit over 1 storey requires 50sqm, a 1 bed, 2 person unit over 2 storeys requires 58sqm.

Table 3.3: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

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

The proposed units would meet the minimum internal space standards as per the Sustainable Design and Construction SPD.

All new dwellings are expected to be dual-aspect and benefit from adequate levels of light and outlook.

The proposed flats are considered to benefit from adequate light and outlook. It is noted that the mews street is narrow and as such, the window placement has been designed to be staggered to ensure there is no direct overlooking between the new units.

External amenity space provision

All units are expected to benefit from usable outdoor amenity space. The Sustainable Design and Construction SPD states that for flats a minimum of 5sqm should be provided per habitable room. For houses of up to 4 habitable rooms, 40sqm of outdoor amenity space is required.

The plans indicate that all units have been provided with a form of outdoor amenity space and further, the mews street itself will provide a further communal open space. As the mews will be car free, this area will be landscaped with timber stepping stones, benches and balance beams. The majority of the new units will meet the requirements for outdoor amenity space, however, there are a few exceptions and it is noted that not all the proposed units would meet the requirements with regards to outdoor amenity provision. The Design and Access Statement confirms that the proposals meet the requirements of the London Plan in terms of outdoor amenity. The Residential Design Guidance states that "The rigid application of amenity space standards can sometimes restrict creative design and layout of new residential developments, particularly on smaller development sites. Developers are encouraged to bring forward schemes involving imaginative and innovative provision of outdoor amenity space on smaller sites."

Taking the above into consideration, and given the small, constrained nature of the site and its town centre location, it is acknowledged that the site is in close proximity to transport links and local services and amenities, including open spaces such as Old Court House Recreation Ground, and on balance the outdoor amenity provision is acceptable.

Highways and parking

The proposed development is located within the Chipping Barnet Town Centre boundary on land north of Moxon Street, Barnet. The site is bounded by: An access road serving commercial units to the north; Tapster Street and residential properties fronting Moxon Street to the east; The rear of commercial units fronting High Street to the west; and, Moxon Street to the south. The site is in a CPZ that operates Mon-Sat, 8am-6.30pm, and it lies in an area with a PTAL score of 4 (good). Nine bus routes (234, 326, 384, 383, 184, 34, 263, 107, 307) can be accessed from stops within 1-3 minutes walking distance from the site. High Barnet tube station is within 11 minutes walking distance of the site.

The proposal comprises the demolition of 3-7 Moxon Street and redevelopment of the site to provide 21 residential units and commercial floorspace (Use Class E) with associated provision for on-street blue badge car parking, cycle storage, refuse/recycling storage, amenity space, and landscaping.

Vehicular and pedestrian access to the site is proposed via Moxon Street and pedestrian access only will be on offer from Tapster Street. An L-shape pedestrian route through the site connecting Tapster Street and Moxon Street is proposed.

Based on Policy DM17 of Barnet's Development Management DPD, the provision of 14-28 car parking spaces would be acceptable for the proposed development. (7x1bed and 14x2bed) and for the 180sqm of commercial space, up to 2 spaces would be acceptable. A

car-free scheme is proposed although two on-street disabled parking bays are to be provided on Moxon Street. However, the applicant has carried out an overnight parking survey with a parking stress ratio of 44% with 40 spaces unoccupied. Highways will accept a car-free scheme subject to imposing a s106 CPZ permit restrictions.

The development is a mews development with an L-shaped central walkway that links Moxon Street to Tapster Street. This serves as the main pedestrian route through the site and provides access to the 21 units within the development. Pedestrian access to the commercial units is on the Moxon Street frontage. In principle, Highways do not have any issues with the proposed site layout.

The development comprises of 21 units and it is expected to generate about 14 two-way vehicle movements daily with 2 vehicle trips during the AM peak and PM peaks. This level of vehicle trip generation is unlikely to have an impact on the local highway network. 2-3 servicing trips are estimated daily with about 14 vehicle trips per week which can be accommodated on-street.

The applicants have submitted a travel plan, to which highways officers raised no objection.

Deliveries and servicing including refuse collection is expected to take place on-street. It is estimated that there will be 2-3 servicing trips daily with about 14 servicing trips per week. Highways will raise no concerns regarding servicing. Elevations of the refuse stores are requested. A delivery and servicing plan is requested and this can be secured by way of a planning condition.

Given the sensitive nature of the site, a construction management and logistics plan can be requested via condition. TFL were also consulted on the application as the site forms part of the Strategic Road Network. No objections are raised, subject to a Construction Management Plan as above.

Trees and Ecology

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 site is located between Moxon Street and Tapster Street and is made up of built form with very little green space. There are some trees on site, however, they are of low value and have no long-term merit. The loss of any trees on site can be offset by new tree planting. The new pedestrian street is narrow, however, the proposed tree planting will make the space feel intimate. The planting plan provides a list of proposed plant species which are acceptable, providing an interesting range of plants with high biodiversity values. Subject to details on planting densities or a schedule providing details of the number plants/bed the scheme is acceptable.

The tree species selected is suitable and will provide high quality display of flowers in the spring, fruits in the summer and autumnal colours. A linked tree pit is proposed and to provide a high-quality rooting zone for the trees.

Overall, the council's arboricultural officer has raised no objection to the proposals, subject to conditions.

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

The proposals will result in a net loss of biodiversity on site which does not meet the requirement to achieve 10% net gain. The scheme proposes an offsetting strategy within Whiting's Hill Primary School, located approximately 1.4km south-west of the site. Through enhancement offsite as well as on site enhancements such as green roofs, the scheme will achieve an overall net gain Score of (79.08%). Therefore, there are no objections to the application on ecological grounds, subject to conditions and a legal agreement to secure the off-site biodiversity enhancements.

Accessibility and Sustainability

London Plan Policy SI 2 (Minimising greenhouse gas emissions) states that major development should be net zero-carbon and that development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the London Plan energy hierarchy. The Council's Energy and Sustainability Officer has reviewed the information submitted in support of the application and raises no objections to the proposal. As some details of the development are yet to be finalised, for example specific building fabric, a condition will be attached to ensure that an updated Energy Statement is provided prior to occupation.

Conditions would be attached to any permission to ensure the integration of water saving and efficiency measures insofar as a maximum of 105 litres of water consumption per person per day to comply with Policy 5.15 of the London Plan (2016) and a reduction of CO2 emissions over Part L of the 2013 Building Regulations in accordance with the requirements of Policy 5.2 of the London Plan (2016) and the 2016 Housing SPG's requirements.

In terms of water consumption, a condition would be attached to any permission to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with the London Plan (2021).

5.4 Response to Public Consultation

- o Wish the committee to consider measures to reduce construction traffic

Highways officers and TFL have been consulted as part of the application. Both have suggested a Construction Management and Logistics Plan condition. This will be secured by way of a condition and details will need to be submitted prior to commencement of works and approved by the LPA.

- o Wish the committee to consider measures to reduce impact of proposed heat pumps

Environmental Health officers have considered the application. Further reports are

suggested and can be secured by condition to assess any impacts of noise and ventilation and extraction plant.

- o Urban greening factor score is disappointing

The Council's ecological officer has reviewed the application. Whilst it is noted that the net gain cannot be obtained within the red site boundary, biodiversity enhancement will be achieved offsite through a legal agreement.

6. Equality and Diversity Issues

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

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

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

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

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

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

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

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

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

7. Conclusion

Having taken all material considerations into account, the proposal is considered to accord

with the requirements of the Development Plan and is therefore recommended for Approval.

