

STRATEGIC PLANNING COMMITTEE

Wednesday, 17th January 2024

ADDENDUM TO DIRECTOR OF PLANNING AND BUILDING CONTROL'S REPORT

Agenda Item No. 6

Reference: 23/4026/FUL

679 High Road London N12 0DA

Pages: 9 - 66

- **Correction to opening paragraph of the committee report:**

Approve subject to s106

AND the Committee grants delegated authority to the ~~Service~~ Director of 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).

- **Updating of the Recommendation I - Planning obligations under Section 106:**

3. Affordable Housing

Two options have been proposed for the committee to consider:

1. On-site provision of 22no. shared ownership units within Block B, plus a commuted sum of £265,000; or
2. A commuted sum of £2million in lieu of on-site provision, secured in instalments.

Both options are subject to early and late-stage review mechanisms.

6. CPZ Contribution

Contribution of ~~£100,000~~ **£60,000** towards the review of the existing CPZ and implementation of CPZ extension if need demonstrated. Contributions to be sought in instalments.

A contribution of £100,000 was agreed with the previous scheme of 250 units. Since the scheme has been reduced to 149 units, with the shortfall in spaces reducing as well, the revised contribution reflects a proportionate reduction of contribution sought.

14. A1000 Cycle Lane

Contribution of £10,000 towards cycle lane proposals following the making permanent of the A1000 cycle lane.

- **Updating of Recommendation II - Conditions considered necessary:**

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

Existing Site Plans

Site Location Plan - Dwg No. 1299D6000 I1 Application Boundary Plan - Dwg No. E1299D6001 I1

Site Topographical Survey - Dwg No. E1299D6002 I1 Proposed Demolition Plan - dwg No. E1299D6003 I1

Proposed GA Site Plans

Proposed Ground Floor Plan - Dwg No. E1299D6100I3

Proposed First Floor Plan - Dwg No. E1299D6101 I3 Proposed Second Floor Plan - Dwg No. E1299D6102 I3

Proposed Third Floor Plan - Dwg No. E1299D6103 I3 Proposed Roof Plan - Dwg No. E1299D6104 I3

Building GA Floor Plans

Proposed Ground Floor Plan (Sheet1 of 2) - Dwg No. E1299D1100 I3

Proposed Ground Floor Plan (Sheet 2 of 2) - Dwg No. E1299D2100 I3

Proposed First Floor Plan (Sheet 1 of 2) - Dwg No. E1299D1101 I3 Proposed First Floor Plan (Sheet 2 of 2) - Dwg No. E1299D2101 I3 Proposed Second Floor Plan (Sheet 1 of 2) - Dwg No. E1299D1102 I3

Proposed Second Floor Plan (Sheet 2 of 2) – Dwg No. E1299D2102 I3

Proposed Third Floor Plan (Sheet 1 of 2) - Dwg No. E1299D1103 I3 Proposed

Third Floor Plan (Sheet 2 of 2) - Dwg No. E1299D2103 I3 Proposed Roof Plan (Sheet 1 of 2) - Dwg No. E1299D1104 I3 Proposed Roof Plan (Sheet 2 of 2) - Dwg No. E1299D2104 I3

Proposed Coloured Street Elevations

Proposed Street Elevations 1 & 2 (Christchurch Avenue & Living - Dwg No. E1299D6200 I1

Proposed Street Elevations 3,4 & 5 (High Street, Woodberry Grove & Rosemont Avenue) - Dwg No. E1299D6201 I3

Proposed Elevations B&W

Proposed Elevations Building A and End Block - Dwg No. E1299D1200 I3

Proposed Elevations Building B and C - Dwg No. E1299D1201 I1

Proposed Elevation Building D - Dwg No. E1299D1202 I2

Proposed Elevations Terrace1 (Rosemont Avenue) - Dwg No. E1299D1203 I2

Proposed Elevations Terrace 2 and Endblock (Woodberry Grove) - Dwg No. E1299D1204 I2

Proposed Elevations Terrace 3 (Christchurch Avenue) - Dwg No. E1299D1205 I1

Proposed Elevations Terrace 4 (Living Street) - Dwg No. E1299D1206 I1

Proposed Elevations Terrace 5 (Living Street) - Dwg No. E1299D1207 I1

Proposed Part Elevations Colour

Proposed Part Elevations Terrace 1 (Rosemont Avenue) - Dwg No. E1299D3100 I2

Proposed Part Elevations Terrace 2 (Woodberry Grove) - Dwg No. E1299D3101 I2

Proposed Part Elevations Terrace 3 (Christchurch Avenue) - Dwg No. E1299D3102I1

Proposed Part Elevations End Block (Terrace 3) - Dwg No. E1299D3103 I1

Proposed Part Elevations Terrace 5 (Living Street) - Dwg No. E1299D3104 I1

Proposed Part Elevation Building A - Dwg No. E1299D3105 I3
Proposed Part Elevation Building B - Dwg No. E1299D3106 I1
Proposed Part Elevation Building C - Dwg No. E1299D3107 I1
Proposed Part Elevation Building D - Dwg No. E1299D3108 I2

Proposed GA Sections

Proposed Section AA - Dwg No. E1299D6300 I1
Proposed Section BB - Dwg No. E1299D6301 I1
Proposed Sections DD & EE - Dwg No. E1299D6302 I1
Proposed Section CC - Dwg No. E1299D6303 I1
Proposed Section FF & GG - Dwg No. E1299D6304 I1

Landscape Plans

Proposed Hard Landscape Plan D900H

Proposed Soft Landscape Plan D901 C

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).

- 5 a) No development other than demolition **and investigatory** works shall commence until the applicant has provided details, to be submitted to and approved by the Local Planning Authority, of special foundations that will be able to 'bridge' the rooting areas of **street** trees or foundations that can be inserted through the root system without harm.

Reason: To prevent harm to specially protected trees in accordance with local planning policy DM01, Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012).

- 7 a) Prior to the first occupation of the **development**, ~~relevant buildings hereby approved~~ details of the proposed green roofs **of the relevant structures hereby approved**, have been submitted to and approved in writing by the Local Planning Authority.

b) The green roofs shall be implemented in accordance with the details approved by 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).

- 12 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*). **Details of the location and route of hedgehog and toad highways shall be submitted to and approved in writing by the local planning authority. The hedgehog/toad holes should be with the introduction of a minimum of 300 13 x 13cm in size and provide** 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).

- 14 Prior to occupancy all the hereafter approved ecological enhancement features including all bat roost boxes, bird nest boxes, sparrow terraces, swift boxes, bee bricks, and bug hotels shall be installed onsite in accordance with the hereafter approved Landscape Strategy (06-07-2023, (D900 H, BM3).

The approved ecological enhancement features shall be installed, maintained and monitored in accordance with the measures outlined within the approved Landscape Ecological Management Plan (LEMP) (BM3, October 2023).

Reason: 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.

- 23 Before the development hereby permitted is first occupied, the parking spaces shown on Proposed Ground Floor Plan - Dwg No. E1299D6100 132 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies T6 and T6.1 of the London Plan 2021.

- 24 Part 1

Before development commences other than for investigative work:

- a) ~~If the approved desktop study and Conceptual Model indicate any risk of harm~~ **A**

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

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

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

b) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitorings 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).

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

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

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

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

- 30 a) Prior to carrying out above grade works of each **relevant** building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such parts of a building can achieve full Secured by Design' Accreditation.
- b) Prior to the first occupation of each residential building a 'Secured by Design' accreditation shall be obtained for the **relevant** building.

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

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

- **Updating of Recommendation III:**

- 1 That if the above agreement has not been completed ~~has not been submitted~~ by 28 April 2024, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):
1. The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing, carbon off-set, loss of street tree and highways mitigation. The proposal would therefore not address the impacts of the development, contrary to Policies CS4, CS5, CS9 and CS10 of the Local Plan Core Strategy (adopted September 2012), policies DM01, DM04, DM09, DM10, DM13 and DM17 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

- **Updating of Public Consultation – para. 2.19**

Since the publication of the committee report, 49 further letters of objection have been received. Therefore a total of 88 objections have been received. The additional comments received can be summarised as follows:

- Lack of retail in North Finchley;
- Overbearing and out of character;
- Overdevelopment of flats in the area:
- Characterless design;
- Lack of affordable housing;
- Four storeys is still too high;
- Inappropriate density;
- Insufficient properties benefit from dual aspect;
- Poor provision of play space;
- Too many flats proposed;
- Impact on privacy;
- Overshadowing;
- Reduction of light to neighbouring properties
- Increased traffic congestion;
- Insufficient provision of parking spaces on site;
- Impact on bats;
- Unsuitable and unsafe to have single point of access from Christchurch Avenue; and
- Pressure on local infrastructure.

- **Updating of Affordable Housing assessment – paras 3.26 – 3.28**

Since the publication of the committee report, officers and the applicant have been engaging in further negotiations around the scheme's affordable housing offer.

This note has been prepared to explain the viability review process that has been undertaken in respect of the proposal site. The context of this application coming forward is that it followed the refusal of a planning appeal for a 250 unit scheme which was subject to viability testing with an agreed provision of 15%. The revised scheme provides 149 new units and a reduction in 10,911sqm of floorspace against a backdrop of increased build costs and falling market demand.

The Council appointed Carter Jonas to review the viability assessment on behalf of the Council. As always, there has been some discussion around the core variables, particularly build cost, future sales values and land value. Whilst there remain some differences in opinion the gap has narrowed sufficiently to allow an agreement to be reached.

The conclusion of that viability review and the agreed position with the Council's Viability Officer was that the development could support 15% shared ownership units on site with a further £265,000 commuted sum. The value of the 15% on site shared ownership units equates to circa £830,000, which results in a total affordable housing offer of £1,095,000.

The applicant has put forward an alternative proposal for the Council to consider which is a commuted sum payment of £2m, almost double the figure agreed as part of the viability review process.

The applicant has submitted this alternative option on the basis of the following:

1. They are willing to take a view on their profit margin for greater certainty that they would be gained from an all market scheme;
2. There is a lack of RP's that are active in the market at the moment and there are concerns that it will be difficult to find a buyer for a relatively small number of affordable homes; and
3. The applicant is aware of the importance of affordable housing delivery for rented accommodation in the borough. The off-site contribution would maximise delivery and would enable the Council to apply it to one of its own housing schemes.