

LOCATION: Ravensfield House, Fenella Buildings, 1 - 3 Burroughs Parade And 3 Egerton Gardens, The Burroughs, London, NW4 4BD

REFERENCE:	23/2868/FUL	Received:	4 July 2023
		Accepted:	12 July 2023
WARD:	Hendon	Expiry:	11 October 2023

CASE OFFICER: Andrew Dillon

APPLICANT: London Borough of Barnet

PROPOSAL: Demolition of Ravensfield House, Fenella Building, nos. 1 - 3 Burroughs Parade, no.3 Egerton Gardens. Erection of part 4, 6 and 7-storey block and freestanding 5-storey rotunda building over cleared site, and existing car park comprising an Arts and Creative Industries facility (4,112 sqm), new university floorspace on the ground floor and basement of the rotunda building (953 sqm), community floorspace (805 sqm), retail floorspace (415 sqm), MSU Marketing Suite/office (170 sqm), 384 x purpose-built student accommodation units (8,671 sqm), 28 x C3 Affordable Accommodation units above ground floor (2340 sqm), provision of 15 x blue badge parking spaces and 3 x car club parking spaces

RECOMMENDATION 1:

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

RECOMMENDATION 2:

Subject to Recommendation 1 above, the applicant and any other person having a requisite interest in the site be invited to enter into an agreement or unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of securing the following planning obligations, subject to any changes as considered necessary by the Director of Planning and Building Control or Head of Development Management 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):

1. Legal Professional Costs Recovery
Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. Enforceability
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Indexation
All financial contributions listed to be subject to indexation.

4. Affordable Housing
 - i) 100% of C3 Residential Units to be provided as affordable housing, 100% Social Rented with early stage review.
 - ii) 50% of student accommodation (sui generis) to be provided as affordable, as set out in para 4.15.8 of The London Plan.
5. Employment and Enterprise

The applicant would be required to enter into a Local Employment Agreement with the Council in order to provide an appropriate number of employment outcomes for local residents. Alternatively, the applicant may wish to make a financial contribution in lieu of the employment outcomes. Such a contribution would be commensurate with the number of outcomes secured and in line with the Barnet Delivering Skills, Employment, Enterprise and Training SPD guidance.
6. Community Access Agreement
7. Student Management Plan
8. Carbon Offset Contribution

Payment of £337,830 index-linked as a contribution to ensure that the development achieves net zero carbon dioxide emissions, in accordance with the London Plan 2021 and based on £95 per Tonne per annum over 30 years.
9. Highways Improvement / Works Contributions
 - i) All measures identified within the Active Travel Zone (ATZ) assessment, including accident mitigation.
 - ii) Local Cycle Lanes identified by LBB Highways on Station Road.
 - iii) Feasibility study into the viability of a cycle facility for the Burroughs.
 - iv) Improvements to cycling/walking experience along Chapel Walk and West View.
 - v) Improvements to pedestrian pinch-points along the Burroughs.
 - vi) High quality (segregated/semi-segregated) cycle facility on the A503 through Brent Street & Church Road. The A406 junction into Golders Green Road from Brent Street is one of the more straightforward North Circular Road crossings in the area for a cyclist.
 - vii) Improved Signals scheme at Church Road/Parson Street/Finchley Lane with enhanced ped facilities/cycle ASLs in design.
10. Section 278 Highway Works

All necessary works to the public highway under section 278 of the Highways Act to facilitate the implementation of the development in agreement with the Local Highways Authority.
11. Framework Travel Plan Monitoring

Financial contribution towards a travel plan monitoring, final sum to be agreed.
12. Framework Travel Plan Incentives Fund
 - i) Travel Plan with robust targets demonstrating commitment to London plan mode share targets.
 - ii) Framework Travel Plan Incentive Fund - Car club credit/membership.
13. Control Parking Zone (CPZ)

Financial contribution towards Local CPZ monitoring, consultation and implementation, final sum to be agreed.

14. CPZ Restriction and Traffic Management Order
 - i) Financial contribution (per phase if applicable) towards the amendment of Traffic Management Order (TMO) to ensure that all new occupants, both student and residential occupants, are prevented from purchasing parking permits in local CPZs.
 - ii) Middlesex University Student Accommodation contracts shall prevent students parking within the University campus.

15. Greenspaces
 - i) CAVAT payment contribution required to compensate the loss of trees located within the application site.

 - ii) Playspace contribution of £18,899.49 to compensate shortfall in play provision. Index Linked towards the improvement and enhancement of a park or open space in the Hendon ward.

 - iii) Amenity Open Space total of £13,650 to compensate shortfall in amenity open space. £10,500 (Index Linked) towards the improvement and enhancement of for a park or open space in the Hendon ward; and £3,150 (Index Linked) towards Tree planting in the vicinity of the development

16. Student Accommodation – Nomination Agreement

Student accommodation should be operated directly by Middlesex University and if not then a Nomination Agreement will need to be secured for the majority of the bedrooms in perpetuity in line with policy LPP H15.

17. Bus Service Contribution

A financial contribution to provide an additional bus service in the vicinity of the site. Amount to be agreed with TfL.

18. Monitoring Fee

A contribution of £5,000 towards the monitoring of the S106 agreement.

RECOMMENDATION 3:

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Director of Planning and Building Control or the Head of Development Management to approve the planning application reference 23/2868/FUL under delegated powers, subject to the conditions as set out within this report.

That the Committee also grants delegated authority to the Director of Planning and Building Control or the Head of Development Management 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).

CONDITION(S) and INFORMATIVES

1. 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.

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

Drawings

P_S2_500_01 Site Redline Plan
P_S2_500_02 Site Overlay
P_S2_500_09 Site Mastepan
P_S2_500_10 Ground Floor Masterplan
P_S2_500_11 First Floor Masterplan
P_S2_500_12 Second Floor Masterplan
P_S2_500_13 Third Floor Masterplan
P_S2_500_14 Fourth Floor Masterplan
P_S2_500_15 Fifth Floor Masterplan
P_S2_500_16 Sixth Floor Masterplan
P_S2_500_17 Roof Level Masterplan
P_S2_500_20 Long Elevations
P_S2_500_30 The Burroughs Sections
P_S2_500_31 Sections
P_S2_500_70 Existing Site Masterplan
P_S2_500_71 Existing Long Elevations
P_S2_500_72 Existing Fenella & Ravensfield Elevations
P_S2_500_73 Existing Usher Hall Elevations
P_S2_500_74 Existing Egerton Gardens Elevations
P_S2_500_75 Existing Egerton Gardens Elevations
P_S2_500_76 Existing Babington Road Elevations
P_S2_500_80 Extent of Demolition Plan
P_S2_B1_500_10 Building 1 + 2 Ground Floor Plan
P_S2_B1_500_11 Building 1 + 2 First Floor Plan
P_S2_B1_500_12 Building 1 + 2 Second Floor Plan
P_S2_B1_500_13 Building 1 + 2 Third Floor Plan
P_S2_B1_500_14 Building 1 + 2 Fourth Floor Plan
P_S2_B1_500_15 Building 1 + 2 Fifth Floor Plan
P_S2_B1_500_16 Building 1 + 2 Sixth Floor Plan
P_S2_B1_500_17 Building 1 + 2 Seventh (roof) Plan
P_S2_B1_500_21 Building 1 ACI Elevations
P_S2_B1_500_22 Building 1 ACI Elevations
P_S2_B1_500_23 Building 1 ACI Elevations
P_S2_B1_500_24 Building 1 ACI Elevations
P_S2_B1_500_40 Building 1 ACI Typical Bay
P_S2_B2_500_21 Building 2 Student-Resi Elevations
P_S2_B2_500_22 Building 2 Student-Resi Elevations
P_S2_B2_500_23 Building 2 Student-Resi Elevations
P_S2_B2_500_24 Building 2 Student-Resi Elevations
P_S2_B2_500_40 Building 2 Typical Bay (front)
P_S2_B2_500_41 Building 2 Typical Bay 2 (front)
P_S2_B2_500_42 Building 2 Typical Bay (rear)
P_S2_B3_500_09 Building 3 Basement Floor Plan
P_S2_B3_500_10 Building 3 Ground Floor Plan
P_S2_B3_500_11 Building 3 First Floor Plan
P_S2_B3_500_12 Building 3 Second Floor Plan
P_S2_B3_500_13 Building 3 Third Floor Plan
P_S2_B3_500_14 Building 3 Fourth Floor Plan
P_S2_B3_500_15 Building 3 Fifth Floor Plan

P_S2_B3_500_21 Building 3 Library Elevations
P_S2_B3_500_22 Building 3 Library Elevations
P_S2_B3_500_23 Building 3 Library Elevations
P_S2_B3_500_24 Building 3 Library Elevations
P_S2_B3_500_40 Building 3 Typical Bay

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).

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

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

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

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

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

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

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

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

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

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

7. a) Prior to the occupation of the hereby approved development, details of a Landscape and Ecological 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 and Ecological 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 The London Plan 2021.

8. Before the development hereby permitted commences, the applicant shall submit for approval details of measures to improve biodiversity on the site as set out within Preliminary Ecological Appraisal Report August 2021 clause 5.5 Biodiversity Enhancements.

This shall be in accordance with guidance set out within BS42040:2013: Biodiversity – Code of practice for planning and development, and guidance documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval. The development shall be implemented in full accordance with these details.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 and G7 of the London Plan 2021.

9. 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. Dust Management Plan – to ensure 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.

10. 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 London Plan 2021.

11. Part 1 - Before development commences other than for investigative work:

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

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

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

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

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

Part 2

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

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

12. The level of noise emitted from all of the external and louvred building plant and substation 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 The London Plan 2021.

13. 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 all of the external and louvred building plant and substation 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.

14. a) No development other than demolition works shall commence on site in connection with the development hereby approved until an overheating report is carried out which assesses the overheating in the proposed development in line with current best practice and provides mitigation measures which shall be submitted to and approved in writing by the Local Planning Authority.

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 prevent the future occupiers of the building from overheating in line with the London Plan.

15. a) Notwithstanding the details submitted with the application and otherwise hereby approved, prior to first occupation, details of:

- (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider;
- (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable; and
- (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021.

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

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

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

- i. Location and layout of car parking spaces;
- ii. On site parking controls;
- iii. The enforcement of unauthorised parking; and
- iv. Disabled parking spaces in accordance with London Plan (2021) guidance

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and London Plan Policy T6

18. Before the relevant block/building of the development hereby permitted is occupied the associated car parking space(s) shown on the plans hereby approved shall be provided and

shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

19. a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with London Plan Standards (for all Use Classes) and 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 set out in Policy T5 and Table 10.2 of The London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

20. a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

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

21. Prior to commencement of the development dimensions of parking arrangements and swept path analysis shall be submitted to and approved in writing by the Local Planning Authority.

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

22. Prior to commencement of the development, details of any highways to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and approved in writing by the Local Planning Authority.

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

23. 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 on other days unless previously approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

24. 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 SI 12 and SI 13 of the London Plan 2021.

25. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

26. Prior to the occupation of the site an External Lighting Strategy and Assessment together with full details, specifications and plans of any proposed external lighting to be installed as part of the development shall be submitted and approved in writing to the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to the first occupation of the relevant part of the development and thereafter be maintained as such.

Reason: To ensure that appropriate lighting is provided as part of the development in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

27. A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

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

28. 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: This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme.

29. a) Notwithstanding the details shown and submitted in the drawings otherwise hereby approved, the development is not to commence (other than for Demolition, Groundwork's and Site Preparation Works) until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas, permitted by this permission shall 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 Conservation 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.

30. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for Demolition, Groundwork's and Site Preparation Works) until details (necessary details specified in brackets) of the following features and elements of the works have been submitted to the Local Planning Authority and approved in writing:

- Brick bonding (annotated plans at a scale of not less than 1:50).
- External windows and doors (annotated plans at a scale of not less than 1:50).
- Balconies including the balustrading to balconies and at roof level (annotated plans at a scale of not less than 1:50).
- External gates and external doors and their canopies (annotated plans at a scale of not less than 1:50).
- Brick detailing including arches, recessed panels, blind windows, brick aprons and window heads (annotated plans at a scale of not less than 1:50).
- Rainwater goods (annotated plans at a scale of not less than 1:50).
- MVHR (Mechanical Ventilation with Heat Recovery) and other external air extraction, intake and ventilation points (annotated plans at a scale of not less than 1:50).
- Gates and bollards at the site vehicular access points (annotated plans at a scale of not less than 1:50).

The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the development is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and The London Plan 2021.

31. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the relevant phase of the development shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of all boundary treatments to be installed as part of the development. These details shall include materials, type and siting of all boundary treatments. The development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the future occupiers and in the interests of the appearance of the development, in accordance with policies DM01 and DM02 of the Barnet Local Plan.

32. a) All non-residential buildings/units, are required to meet the BREEAM 'Very Good' rating.

b) Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan 2021.

33. Prior to commencement of the development hereby permitted (other than for Demolition, Groundwork's and Site Preparation Works), a scheme for the provision of communal/centralised satellite and television reception equipment to be installed on all blocks hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be retained and made available for use by all occupiers of the development.

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

34. Prior to the commencement (apart from demolition and enabling works) of works on each building/block, details of any roof level structures shall be submitted to and approved in writing by the Local Planning Authority for that phase. This shall include details of roof level plant, water tanks, ventilation/extraction equipment, flues, television reception equipment, solar photovoltaic panels, any other built structure. The details shall include a justification for the height and size of the roof level structures, their location, height above parapet level, specifications and associated enclosures, screening devices and cladding.

The development shall be carried out in accordance with the approved details and no roof level structures shall be installed other than those approved.

Reason: In the interests of good design and also to ensure that the Local Planning Authority is satisfied that any roof-level structures do not have a harmful impact on the character and appearance of the area, in accordance with Policies CS05 and DM05 of the Barnet Local Plan (2012) and The London Plan 2021.

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

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

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

36. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a

development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

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

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2021.

INFORMATIVES

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' where gross internal area of new build on the relevant land will be 100 square metres or more, or where development will comprise one or more dwellings. Details of how the calculations work are provided in guidance documents on <https://www.gov.uk/guidance/community-infrastructure-levy>.

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. This was increased to £60 per sqm on 1st of April 2019. The London Borough of Barnet

first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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

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

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

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

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

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

4. 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.

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

6. 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 For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

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

7. 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.

8. The applicant is advised that written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs.

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

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

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

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

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

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

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

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

11. GLAAS Informative:

Written schemes of investigation will need to be prepared and implemented by a suitably qualified 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.

I envisage that the archaeological fieldwork would comprise the following:

Evaluation

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches.

A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

Evaluation trenches should be focussed on open areas between existing buildings, and in gardens of the terraced housing that previously existed on the site.

12. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions.

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

13. Tree and shrub species selected for landscaping planting should 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 non-British trees to be planted must have been held in quarantine."

14. It is important to reiterate that all bat species and their roosts are strictly protected under the Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2017 (amended by the Conservation of Habitats and Species Regulations (amendment) (EU Exit) Regulations 2019). Therefore, a European Protected Species Licence (EPSL) will be required to enable the proposed development to be lawfully undertaken, whilst ensuring the favourable conservation status of the species concerned in their natural range. The BMCL application requires that all surveys have been undertaken within the most recent active bat season and planning permission must have been granted and all relevant wildlife-related conditions have been discharged prior to submission." The EPSL must be in the necessary pre-commencement conditions outlined within the licence e.g., bat roost boxes, discharged before any works which would direct impact the bat roost can begin.

The applicant is responsible for submitting the application for the BMCL to Natural England. They as the statutory nature conservation organisation will determine whether the details outlined within the licence application e.g., bat mitigation and compensation

measures, are satisfactory to enable approval of the application and submission of the BMCL. The applicant will then be responsible for discharging all conditions of the licence, as per the methods and work schedule stipulated, and within the time frame of the Natural England licence.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application, is set out in subsequent sections of this report dealing with specific policy and topic areas.

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

National Planning Policy Framework (December 2023)

This document replaces the previous versions of the National Planning Policy Framework (NPPF) first published in 2012. The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states at Para 131, "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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."

In addition the NPPF retains a 'presumption in favour of sustainable development', unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

The 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 now supersedes the previous Plan (2016).

The new London Plan policies (arranged by chapter) most relevant though not exclusive to the determination of this application are:

Chapter 1

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

Chapter 2

- Policy SD6 Town centres and high streets

Chapter 3

- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D8 Public realm
- Policy D11 Safety, Security and resilience to emergency
- Policy D12 Fire safety
- Policy D14 Noise

Chapter 4

- Policy H1 Increasing housing supply
- Policy H4 Delivering affordable housing
- Policy H5 Threshold approach to applications
- Policy H6 Affordable housing tenure
- Policy H7 Monitoring of affordable housing
- Policy H8 Loss of existing housing and estate redevelopment
- Policy H10 Housing size mix
- Policy H15 Purpose-built student accommodation

Chapter 5

- Policy S1 Developing London's social infrastructure
- Policy S2 Health and social care facilities
- Policy S4 Play and informal recreation

Chapter 6

- Policy E2 Providing suitable business space
- Policy E11 Skills and opportunities for all

Chapter 7

- Policy HC1 Heritage conservation and growth

Chapter 8

Policy G1 Green infrastructure
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands

Chapter 9

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

Chapter 10

Policy T1 Strategic approach to transport
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T6.2 Office Parking
Policy T6.5 Non-residential disabled persons parking
Policy T9 Funding transport infrastructure through planning

Chapter 11

Policy DF1 Delivery of the Plan and Planning Obligations

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Although other policies are of relevance, the Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework - Presumption in favour of sustainable development)
CS1 (Barnet's Place Shaping Strategy - Protection, enhancement and consolidated growth - The three strands approach)
CS4 (Providing quality homes and housing choice in Barnet)
CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS7 (Enhancing and protecting Barnet's open spaces)
CS8 (Promoting a strong and prosperous Barnet)
CS9 (Providing safe, effective and efficient travel)
CS10 (Enabling inclusive and integrated community facilities and uses)
CS11 (Improving health and well-being in Barnet)
CS12 (Making Barnet a safer place)
CS13 (Ensuring efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM06 (Barnet's heritage and conservation)
DM07 (Protecting housing in Barnet)
DM08 (Ensuring a variety of sizes of new homes to meet housing need)
DM09 (Specialist housing – including student accommodation)
DM10 (Affordable housing contributions)
DM13 (Community and education uses)
DM14 (New and existing employment space)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

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

Local Supplementary Planning Documents:

Planning Obligations (April 2013)
Residential Design Guidance (April 2013)
Sustainable Design and Construction (April 2013)
Delivery Skills, Employment, Enterprise and Training from Development through S106 (October 2014)

Mayoral Supplementary Planning Documents and Guidance:

Barnet Housing Strategy 2015-2025
Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Wheelchair Accessible Housing (September 2007)
Planning for Equality and Diversity in London (October 2007)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
All London Green Grid (March 2012)
Housing (March 2016)
Affordable Housing and Viability (August 2017)
The Control of Dust and Emissions during Construction and Demolition (July 2014)
Mayor's Transport Strategy (2018)

Barnet's Local Plan (Reg 24) 2024

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 24 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 67 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 Barnet 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.

The independent Examination in Public commenced on Tuesday 20th September 2022 and concluded in November 2022. On the 17th August 2023, the Council received the Inspectors' interim findings and next steps.

The Council is now work on progressing Main Modifications to the Plan. Following the submission of a draft Main Modifications schedule the Inspectors will work with the Council, through the Programme Officer, to finalise the wording of proposed Main Modifications, together with any updates to the Sustainability Appraisal, Habitat Regulations Assessment and Policies Map if necessary ahead of a consultation.

The sites identified in the Local Plan Schedule of Proposals and which remain relevant to the Hendon Hub regeneration project and the current set of planning applications are tabled below. The application site covers nos.35, 36 and 38.

Site No.	Site Address	Indicative Units
35	Egerton Gardens Car Park, The Burroughs	23 (69 student)
36	Fenella, The Burroughs	60 (180 student)
38	Ravensfield House, The Burroughs	84 (252 student)
40	Meritage Centre, Hendon	36 (108 student)
41	PDSA and Fuller St Car Park, Hendon	12 (36 student)

The Inspector did not raise any objections to the inclusion of the above sites subject to an amendment changing the categorisation of the sites to developable rather than deliverable, which effectively means it is counted towards the 6-10 year land supply rather than the 1-5 year land supply.

The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development.

Environmental Impact Assessment Regulations (2017)

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

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

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

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

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

As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 5 hectares or 150 residential units.

When considering the original Hendon Hub proposals, given the nature and scale of the development, it was common ground with the applicant that the application would need to be accompanied by an ES in line with the Regulations.

An EIA Scoping Report was submitted to the London Borough of Barnet (LBB) as the relevant local planning authority (LPA) by GL Hearn on behalf of the London Borough of Barnet (LBB) as the 'Applicant'. The Report requested an EIA Scoping Opinion (under Section 13 of the Regulations) in respect of information required to be submitted in support of planning application(s) for the redevelopment of a number of sites within the Hendon area.

These would come forward as separate planning applications, however given the proximity and interconnection of these sites, for the purposes of EIA Regulations, they collectively are considered to constitute a single development known as the 'Hendon Hub'. The Local Planning Authority subsequently issued a Scoping Opinion in May 2021 confirming that the proposed scope of the ES was acceptable.

The current revised applications on both the Ravensfield and Fenella and Building 9 sites are accompanied by an updated Environmental Statement, which assess the impact of the revisions in relation to these two schemes. The overall findings of these environmental statements is that the impact of the revised schemes are unchanged from the previous schemes assessed at committee, which is expected as the overall quantum of development does not differ significantly between the schemes. The ES concludes that in relation to each environmental topic scoped in, there are no anticipated residual significant adverse effects, following adoption of the mitigation measures outlined in the ES.

2. PLANNING CONSIDERATIONS

2.1 Background & Site Context

The Hendon Hub Project originally consisted of 7 separate sites providing proposals for development, refurbishment and landscaping focused primarily in and around the Burroughs area in Hendon. The sites are principally focused around the civic centre of Hendon, running along the west and east sides of The Burroughs from Watford Way in the south to Church Road in the north.

The Burroughs (A504) is a major road that connects the A41 (Watford Way) through to Finchley in the north east. At the southern end of The Burroughs is the Burroughs Conservation Area. This broadly extends from Watford Way in the south to St Josephs Grove in the north in linear form.

To the north of St Josephs Grove is the civic core to Hendon, characterised by larger civic buildings which include Hendon Town Hall, Hendon Library on the western side of The Burroughs and Middlesex University Buildings to the east. There are also several listed buildings in this area, the Town Hall, Public Library, and Fire Station.

To the north of The Burroughs is Church Road. This area is the southern extent of the Hendon Church End Conservation Area. Hendon Church End is a linear development, with St Mary's Parish Church at its heart, and links Church Road to the south with Watford Way to the west.

The Hendon Hub proposals originally consisted of seven separate proposals, 1 of these (*21/5054/FUL – Linear Woodland*) was withdrawn by the applicant and did not form part of the subsequent committee consideration.

The six remaining planning applications were reported to the Strategic Planning Committee meeting of 10th January 2022. These were as follows:

21/4709/FUL – Ravensfield & Fenella

Three new buildings providing a mix of student accommodation, affordable housing, new teaching and student facilities, with community and retail uses at street level. There will also be two important new civic buildings; the relocated Hendon Library and the new Arts and Creative Industries (ACI) facility.

This application was subject to the referral to the GLA. A subsequent Stage 2 report was issued by the GLA dated 11th August advising that the GLA was happy for the Local Authority to determine the application. The application was also subject to a holding directive from the SoS, who subsequently wrote to Barnet on the 11th September 2022 advising that the SoS did not want to call in the planning application.

The accompanying S106 for the development was completed in December 2023. While there is no lawful impediment to issuing the Decision, this has not been issued at the time of writing this report.

21/4722/FUL – Meritage Centre

Redevelopment which will deliver new student accommodation, a healthcare-based community use and new shared accommodation for young adults.

The application was also subject to a holding directive from the SoS, who subsequently wrote to Barnet on the 11th September 2022 advising that the SoS did not want to call in the planning application.

The accompanying S106 for the development was completed in December 2023. Planning Permission subsequently issued on 12th January 2024 following the completion of the S106.

21/4723/FUL & [21/4724/LBC] – Building 9/Hendon Library
New grade A teaching Facility for Middlesex University.

The application was also subject to a holding directive from the SoS, who subsequently wrote to Barnet on the 11th September 2022 advising that the SoS did not want to call in the planning application. The Listed Building Consent was separately referable to the SoS due to the nature of the application. The SoS also wrote to LB Barnet on 30th August 2022 advising that the SoS was happy to allow LB Barnet to approve Listed Building application 21/4724/LBC

The accompanying S106 for the development was completed in December 2023. While there is no lawful impediment to issuing the Decision, this has not been issued at the time of writing this report.

21/4612/FUL – Fuller Street
New building to house the re-located PDSA (Pet Hospital).

Planning Permission for the development was issued on 15th June 2023

21/4613/FUL – Former Quinta Club
Change of use and refurbishment of the existing building for the relocation of Schools Libraries Resource Service (SLRS)

Planning Permission for the development was issued on 15th June 2023

21/5061/FUL – Land @ Prince of Wales Estate
Provision of car parking spaces as well as the creation of informal play areas and landscaping works within the estate.

Planning Permission for the development was issued on 15th June 2023

Hendon Hub Masterplan:



2.2 Site Description

The land to which this proposal relates lies entirely within the London Borough of Barnet. The application site is located on The Burroughs and comprises of Ravensfield House, Fenella House, 1-3 The Burroughs Parade, car park and no.3 Egerton Gardens. Together this site (referred to as R&F) is approximately 0.87ha in size.

Fenella House sits to the north of the site and is a two-storey brick built office building. The building is currently used by Middlesex University as their administrative hub for around 300 staff. The main use is to provide teaching and staff facilities for Middlesex University and is leased from Barnet Council for a 20-year period.

Ravensfield House is adjacent to Fenella House to the south and is a two-storey prefabricated office block. Ravensfield House is currently used as part of Middlesex University to teach performing arts courses and in March 2013 a 20-year lease was approved with Barnet Council on this site for educational purposes.

To the south of Ravensfield is the terrace of three properties 1-3 The Burroughs Parade, which are three storeys in height with retail at ground floor and residential above. At the southern end of the site is a surface level car park with access/egress from Egerton Gardens. Finally, 3 Egerton Gardens is a two-storey detached residential building located at the south east corner of the site.

To the east (rear) of the application site are the residential dwellings located between Babington Road and Egerton Gardens. These residential properties are two storey mainly semi-detached and terraced. Our Lady of Dolours Church is situated to the south on Egerton Gardens and The Hendon Methodist Church is further to the south west on The Burroughs. Both locally listed.

The site is not located within a Conservation Area and there are no Listed Buildings within the site. However, the Grade II Listed Hendon Town Hall, Hendon Library and Hendon Fire Station sit opposite to the west. To the immediate north of this group of three civic buildings is the Middlesex University locally listed building and the main campus. Opposite the university campus is Usher Hall which provides student accommodation to Middlesex University.

Brent Street District Shopping Centre and Hendon Central Shopping Centre are both less than 0.5 km away from the site. The site is located within Flood Zone 1 and has a PTAL rating of 4 (good).

2.3 Proposed Development

This application seeks planning permission for the demolition of Ravensfield House, Fenella Building, nos. 1 – 3 Burroughs Parade, no.3 Egerton Gardens. Erection of part 4, 6 and 7-storey block and freestanding 5-storey rotunda building over cleared site, and existing car park comprising an Arts and Creative Industries facility (4,112 sqm), new university floorspace on the ground floor and basement of the rotunda building (953 sqm), community floorspace (805 sqm), retail floorspace (415 sqm), MSU Marketing Suite/office (170 sqm), 384 x purpose-built student accommodation units (8,671 sqm), 28 x C3 Affordable Accommodation units above ground floor (2340 sqm), provision of 15 x blue badge parking spaces and 3 x car club parking spaces.

There would be three new buildings with the circular rotunda building to the south which would accommodate new university floorspace at ground level (in lieu of the previously proposed re-located public library and safer neighbourhood facility which is now being proposed to be retained and refurbished in its existing location in Building 9 across the road). The building would be five storeys in height with the top floor set back and residential units on the upper floors. These units would all be affordable and not in private tenure.

To the north would be a new Arts and Creative Industries (ACI) facility four storeys in height with the top floor set back on three sides. These two civic elements of the scheme book end the central building which at ground level would house the community and retail uses.

This includes the relocated community uses from the Meritage Centre site: Citizens Advice Bureau, Meridian (Chinese Mental Health) and African Cultural Association. There would also be a new Community Hall; new retail units and Middlesex University marketing suite. These units would all be located at ground level providing new active frontages alongside public realm improvements with hard and soft landscaping to The Burroughs.

New student accommodation would be provided on the upper floors. The recessed centre mass of the building would be five storey with the flanks on either side increasing to seven storeys with the upper floor set back with a mansard roof. To the rear of the building (east elevation) these flanks are four storeys with set backs at sixth and seventh storey level.

Land Use

The detailed planning submission and documents (e.g. planning statement, floorspace schedule, appendix 2) confirm that there would be an overall net increase of community use floorspace and affordable housing. All existing residential and community uses within the Meritage Centre and the existing Hendon Library, will be re-provided within this development.

A summary table has been provided below:

Table 3(a): Proposed [and MC re-located] Floorspace and Uses on RFC Site			
Description	SQM GIA	Use Class	Student Bedrooms
Citizens Advice Bureau	340	E	
MDX	953	F.1	
Affordable dwellings	3523	C3	
Arts and Cultural Industries / ACI (Middlesex University)	4112	F.1	
Purpose Built Student Accommodation	8671	Sui generis	384
Retail Space	415	E	
MSU Suite	170	F.1	
Community Hall Space	150	F.2	
African Cultural Association (ACA)	65	E	
Meridian	250	F.2	

Citizens Advice Bureau currently has GIA of 273.55 sqm, this would increase to 340 sqm, a gain of 66.45 sqm within a new modern facility. The Meridian (Chinese Mental Health) currently has GIA of 548.2 sqm. They would be provided with 250 sqm, plus the use of the community, which gives a total of 552 sqm, a marginal gain within but still within new modern facilities. The African Cultural Association currently has GIA of 81 sqm and would be provided with 65 sqm of space however they would also have the ability to use the adjoining community hall (150 sqm).

The applicant has confirmed that Mencap would be relocated to 154 Station Road, Hendon.

2.4 Relevant Planning History

There main relevant history concerning this site, consists of the original planning application submitted in 2021 and considered by the Strategic Planning Committee in January 2022 and the earlier scoping request submitted and agreed prior to the submission of the Hendon Hub applications.

Reference: 21/4709/FUL

Address: Ravensfield House, Fenella Buildings, 1 - 3 Burroughs Parade And 3 Egerton Gardens, The Burroughs, London, NW4 4BD

Decision: N/A,

Decision Date: N/A

Description: Demolition of Ravensfield House and Fenella Building, nos. 1 - 3 Burroughs Parade, no.3 Egerton Gardens and Erection of part 4, 6 and 7 storey block and freestanding 5 storey rotunda building over cleared site and existing car park comprising new public library (675 sqm), Arts and Creative Industries facility (4,450 sqm), Safer Neighbourhood Team Unit (70 sqm), community floorspace, retail floorspace (415 sqm), 384 x purpose built student accommodation units, 28 x C3 residential dwellings, provision of 15 x blue badge parking spaces and 3 x car club parking spaces and landscaping. The application is accompanied by an Environmental Statement (and an Environmental Statement Addendum).

It is noted that the Strategic Planning Committee resolved to grant planning permission for the above development on 10th January 2022, the resolution was subject to referral to the Mayor of London and the completion of a legal agreement. As mentioned above the Mayor wrote to the Local Authority in August 2022 advising that the Mayor did not want to call in the application or direct refusal and was happy for Barnet to determine the application. A holding objection was also submitted by the SoS which was lifted by letter in September 2022. The S106 agreement was completed in December 2023 although no formal decision notice had been issued at the time of writing this report.

Reference: 21/2885/ESC

Address: Hendon Hub In And Around The Burroughs, Church Road And Church End Hendon London NW4

Decision: Statement Scope Acceptable

Decision Date: 16 July 2021

Description: Environmental impact assessment scoping opinion

There are other minor planning applications relating to the various buildings contained within the red line boundary however these are generally not considered to be directly relevant to this application.

2.5 Pre-application Consultation by the Applicant

While significant pre- submission community consultation was carried out in relation to the original Hendon Hub proposals, due to the limited nature of the proposed changes, a series of non-statutory public consultation events were held in April / May 2023 to inform surrounding residents regarding the changes proposed in the current application. This level of pre application engagement is considered appropriate in this instance and proportionate to the application.

2.6 Public Consultations

As part of the consultation exercise, 1181 letters were sent to neighbouring properties and residents. In addition the application was advertised in the local press and site notices were posted. At the time of preparing this report a total of 210 letters of objection were received. While one representation of support has been received, the content of the correspondence raises objections to the scheme and as such has also been treated as an objection to the scheme.

2.6.1 Public Objections:

The letters of objection received are summarised as follows:

- Considerable opposition to these developments by residents, so should be refused.
- Complaints about timing consultation in August
- Councillors should start listening to local residents rather than ignoring their objections.
- Previous proposals which were similar were opposed by labour councillors who should similarly oppose the current application.
- Other than the library, proposals are identical to previous proposals so should be similarly opposed.
- The area is being overtaken by the University.
- Insufficient demand for this student accommodation.
- The new blocks are too tall, bulky and out of character for the area. Overshadow heritage buildings such as the Town Hall, the Library and the adjoining Church.
- Design of replacement buildings is poor and inappropriate, particularly the 'rotunda'
- Over-development, would lead to over-use of a very small area by university staff, students, community groups, residents, public, people using the library and civic buildings etc.
- This will result in overcrowding, increased noise, littering, antisocial behaviour, crowded pavements, more traffic and congestion.
- Serious transport and parking issues. The Burroughs is a main road, the cycle route through narrowing the road, will make the traffic even worse and could cause accidents and not effective.
- Loss of community spaces at Meritage Centre to be relocated to this site which are not of such a preferred location by the community
- Proposed scale of buildings totally out of scale with surrounding low rise residential areas.
- Proposals will result in the change in the character of the area from a family area to a student area.

- The development would cause serious transport and parking issues due to the loss of Egerton Car park which has been used by local residents at the weekend and in particular persons who attend the Methodist Church on Sunday.
- Impact on local bus and train services
- Impact on services including doctors, dentists, sewage networks etc.
-
- Failure to provide doctor's surgery as part of the development.
- There would be severe detrimental effects on the residents with a very obvious change of character and outlook in the area.
- The existing buildings are perfectly sound and should not be demolished, undermines Barnet's policies on environment and climate change.
- The footprint and urbanisation of the site is considerably increased over the existing buildings and should be reduced in size.

Officer Comment

These representations have been taken into account and are considered within the relevant sections of this report and which form part of the assessment set out below.

2.6.2 Neighbouring/Residents Associations & Local Amenity Groups:

Save Hendon

Save Hendon is a group set up by locals in January 2021 who had concerns about the Hendon Hub scheme. Around 1000 Hendon residents have subscribed to our mailing list or joined our Facebook Group - Hendon Residents Planning Forum. After 32 months of online and in-person discussion, we have put together a list of objections to this Planning Application.

CHANGE OF USE OF AREA:

- This proposal is similar to the previous Planning Application 21/4709/FUL which Labour councillors unanimously rejected. Many issues remain the same. The primary goal is clearly to enlarge Middlesex University's campus to the east of The Burroughs and in Church End area and this development cements that location as fully 'University Campus'. If you remove the spin, the reality is that in a 7-minute walk through central Hendon, the fire station will be the ONLY building not annexed by the university, streets will be dominated by overbearing MDX blocks and hundreds more students will be domiciled there. This is a clear change of use of an area to the detriment of the residential community.

NEW BUILDINGS ARE TOO HUGE, UNATTRACTIVE AND DO NOT FIT:

- This overblown development will have a negative impact on the street scene. Blocks 1, 2 and 3 are too bulky and tall. They are not designed sympathetically to the locale nor in keeping with the character of the area and do not complement the grade II listed grand, charming civic buildings opposite.

- The newbuilds' footprint is twice that of the existing buildings - we object to the size, scale and mass of what is proposed.
- The Town Hall, public library and fire station will lose their places as the notable buildings of The Burroughs.
- This development is too dense and brings too many groups of users into a very short stretch - 160 m - of The Burroughs. It should be scaled down and user groups reduced to prevent overcrowding and overdevelopment.

The use of the new buildings on The Burroughs as student accommodation, residential flats, community and educational facilities will cause widespread disruption and raise numerous issues (noise, littering, antisocial behaviour, crowded pavements, busy bus stops, more comings and goings, more traffic, more traffic queues and pollution from standing traffic).

SERIOUS TRANSPORT & PARKING ISSUES:

- The massive increase in footfall to this 160m stretch is unworkable. Meridian Wellbeing alone received 15,000 visitors last year.
- Cars and taxis attempting to drop residents and visitors off at the site, including senior citizens and children attending community groups plus additional traffic to this overdeveloped, multi-use site will cause major traffic and safety issues.
- The new cycle lane to be provided along the A504 The Burroughs from Egerton Gardens to the A41 Watford Way in the south will narrow The Burroughs which is already a narrow road and congested at peak and other times and will cause grid lock.
- The nearby bus stops will be serving thousands more people a week. How is this feasible?
- The 412 (minimum) new residents in this development will mean more deliveries and more congestion.
- The proposal to place a residential (Rotunda) building at the corner of Egerton Gdns is primarily to add to the 'contribution to affordable housing' element of the proposal at RFC site. This could be re-provided on site in the Church End area (as suggested by residents in the 2021 proposals) where homes are being demolished at the Prince of Wales Close site. It demonstrates that the priority is student housing at the Meritage site, therefore any social housing re-provision has to be shunted to the RFC site. The Rotunda building is on a much-used council car park and none of the goodwill parking, afforded to hundreds of religious users of 2 churches and the Hindu Mission for decades, is replaced.

Removing Egerton Gdns car park will force people to park on street which is hazardous and causes more accidents.

SEVERE IMPACT ON RESIDENTS:

- Bringing in so many services and occupants to these buildings will unquestionably lead to a significant increase in noise and disturbance for residents.

- Noise levels from RFC's plant machinery and an external substation will adversely affect homes in Egerton Gardens and Babington Road. Ambient noise levels are already regularly exceeded by the student residence, Usher Hall. There will also be significant adverse effects

during construction of the buildings. These will be impossible to mitigate, especially for those working from home offices or with those young children, elderly needing their rest.

- Even though Block 2 has stepped down storeys, there is still overlooking into rear gardens of properties along both Egerton Gardens and Babington Road from the setback units, meaning a loss of privacy, light and overshadowing.

ENVIRONMENTAL ISSUES:

- The demolition of perfectly sound, existing buildings undermines Barnet's policies on environment and climate change. Policies: ECC01 Mitigating Climate Change and ECC02 Environmental Considerations

- The Urban Greening Factor is mainly delivered by green roofs on tall buildings and planting in the periphery. During winter months, the RFC site would not be a thriving green oasis and will appear to be soulless concrete blocks. The green roofs are also not visible to the public, even from Egerton Garden and Babington Road and only serve to get the proposal passed.

COMMUNITY:

- The Health Impact Assessment admits there will be additional strain for health provision due to the increased population.

- In the Statement of Community Involvement, which is based on the results of the latest Hendon Hub consultation, 90% of respondents stated they did not want community services situated inside university buildings, despite this not being offered as an option.

Residents want a purpose-built community building.

- With community services moved from Meritage Centre to RFC and the 3 retail units to be reprovided on site, there is hardly any space left to 'broaden the range of services available to local people'. Any use will be weekend or evening use which will create noise, pollution and traffic issues for the local residents.

- Moving community services from Meritage Site to RFC Site is said to increase accessibility for service users. However, the same bus routes serve both areas (both PTAL 4) and switching the locality of community services further away from Brent District Centre takes away the custom of retailers there. There is also the issue of cramming so many service users in a 160m stretch of The Burroughs rather than spread out in a larger area of Hendon.

- With this new application, Barnet Council (developer) should now take the opportunity to address the objections that were not fully addressed in the previous application in regard to the height and size of the RFC buildings.

The Rotunda building should be scrapped.

ENDS

Officer Comment

These representations have been taken into account and are considered within the relevant sections of this report and which form part of the assessment set out below.

The Burroughs Residents Association:

We object in the strongest terms to this Planning Application for the following reasons:

LIBRARY SHOULD REMAIN SOLELY AS THE PEOPLE'S PUBLIC LIBRARY

- The library building is a symbol of the Hendon community. It should remain as the people's public library and the flagship library of Barnet and not be annexed to a university building nor to the Town Hall Annexe.
- Building 9 is under a restricted covenant (1899) that says "...no building shall be erected on the said piece of land within 40 feet of the boundary of the north side other than for the purposes of a private residence or as the professional residence of a medical man or a solicitor".
- There is risk of damage to the library roof and rear facade as much of the works entails REMOVING THE ROOF to connect to new roof of new building and covering over parts of the original rear walls to facilitate 2 storey rear extensions.
- The glass connections also accentuate the mass of proposed building works. Rather than allowing passers-by to view the original library and the Town Hall Annexe, it ruins the character of these listed buildings as if a huge barnacle has been squished in between and tacked onto the 2 existing buildings.
- Any development on this site should be of a design that retains the separation of buildings. They do not have to be of a 1920s style but the current modern sleek lines of bricks, steel and glass do not complement the original buildings at all.
- With the above in mind, paragraph 130 from the NPPF, Section C1, I1 and I2 from the National Design Guide, and Section 1 and Section 6 from the Building for Life guidance will be contradicted. Similarly, Policy CS5 from the Barnet Local Plan Core Strategies document and DM01 from the Barnet Local Plan Development Management Plan will also be contradicted.

Comments: CONTINUED - PART TWO

- The proposed landscaping is minimal and restricted by gross increase of footprint of the new development. It will not diminish the negative impact of the excessive size, bulk, height, design and density of the development.

CAMPUS CREEP'S IMPACT ON PARKING AND COMMUNITY

- By annexing the Hendon Library building to B9 new block and the Town Hall Annexe, the Middlesex Uni expansion treats Hendon not as a community of which it is part of but as an asset the university is entitled; a resource to be colonised to the university's financial advantage.

- Increase in educational facilities will bring an increase of staff and students activity on this part of the campus. There is no increase in parking spaces as Egerton Gardens carpark is being removed. Parking pressures will increase on nearby residential roads.

- Why was Building 9 not repurposed to a modest block of student accommodation? Because it wouldn't sit correctly next to the most important building in Barnet, our Town Hall. So why is it ok to place 2 student blocks next to St Mary's Church in the Church End Conservation area? - What consideration has been paid to the impact of the closure / reduction / relocation of Hendon Library when its very location was a key part of the New Library strategy of Core and Community libraries?

With all the above in mind, we urge Barnet Council to reconsider their current Hendon Hub proposals and instead create a plan that is equally beneficial to BOTH Hendon residents and Middlesex University.

ENDS

Officer Comment

All of the above representations have been taken into account and are considered within the relevant sections of this report and which form part of the assessment set out below.

Vivian Avenue Residents Group:

Comments: As a group of residents living in Vivian Avenue area, we are aghast that the Hendon Hub planners considered in the recommendation report (Jan 2022) that we are too far from the RFC site & any changes there will not affect us. Many of us use the civic centre, Library, churches & Church End area as well as Brent St District Centre.

The consultation area is very limited for such huge proposals that will change the way Hendon will look, feel & function for the future.

We strongly object to the large oversized Block B9. The proposals will require demolition of the rear of the library & the former medical clinic to provide a combined teaching block of 4160 sqm.

We disagree that the library building should be fitted with a lecture hall for MDX. All that floor space can be used for the Schools Learning Resource Services and the library can remain a separate civic building.

The risks of damage to internal features and roof have been noted by Historic England.

The new build is of a dominant design and will completely dwarf the Town Hall and fire station as Hatchcroft currently does with its glass walls and square lines.

The landscaping proposed is superfluous when there is so much urbanisation on that enlarged footprint.

Options to extend/improve B9 (former Clinic) have not been considered. The proposal to remove existing 70s extensions from the rear of the library should be an opportunity

to revamp the public library, to retain its reputation/use as the flagship library of Barnet, not to make it a part of MDX expansion.

This nothing but a gross overdevelopment that signifies the area is more campus than civic centre.

Barnet Council should take this opportunity as the developer of the Hub to amend the plans instead of persistently putting the MDX expansion first.

Officer Comment

Vivian Avenue is located some distance away from the application site beyond the consultation radius of the planning application. Nevertheless these representations have been taken into account and are considered within the relevant sections of this report and which form part of the assessment set out below.

The Barnet Society:

The Barnet Society objects to this application.

This project is a great opportunity to create a better setting for the existing civic and listed buildings, but the proposed scheme fails to take it.

The replacements for the Fenella and Ravensfield should be more deferential and complementary to the civic buildings opposite. They should be more restrained, and harmonious in form and materials with the civic buildings. At present they are too competitive and over-bearing.

Building B3 is less over-bearing than Fenella and Ravensfield but its circular form seems arbitrary: it is alien to the existing civic and church buildings and to its new neighbours. Nor is it successful in townscape terms, implying as it does parity between The Burroughs and Egerton Gardens, when what is called for is a more consistent massing and building line. The resulting effect would not be helped by the landscape fronting the new buildings. There is an opportunity here for a bold and unifying planting and paving scheme that could transform The Burroughs (especially if complementary improvements could be made on the N-W side of the road). Instead, it is given over mainly to paving and hard surfaces which contribute to the sense of disparate parts.

The scale, mass and height of the proposed scheme would have a serious detrimental effect, not only on the listed buildings opposite but also on the two conservation areas either side.

We also regret that no thought has been given to the option of incorporating additional floors to the existing Ravensfield, which would be a far greener alternative than demolition and rebuild.

Officer Comment

These representations have been taken into account and are considered within the relevant sections of this report and which form part of the assessment set out below.

2.7 Responses from External Consultees

Greater London Authority (GLA)

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

The proposal Demolition of Ravensfield House, Fenella Building, nos. 1 - 3 Burroughs Parade, no.3 Egerton Gardens. Erection of part 4, 6 and 7-storey block and freestanding 5-storey rotunda building over cleared site, and existing car park comprising an Arts and Creative Industries facility (4,112 sqm), new university floorspace on the ground floor and basement of the rotunda building (953 sqm), community floorspace (805 sqm), retail floorspace (415 sqm), MSU Marketing Suite/office (170 sqm), 384 x purpose-built student accommodation units (8,671 sqm), 28 x C3 Affordable Accommodation units above ground floor (2340 sqm), provision of 15 x blue badge parking spaces and 3 x car club parking spaces The applicant

The applicant is WSP and the architect is ESA Architects.

Strategic issues summary

Land use principles: The proposed redevelopment of the sites to deliver purpose-built student accommodation, residential accommodation, publicly accessible community, education, and social infrastructure and re-provided retail floorspace is supported.

Housing: The proposal aims to deliver 50% of student accommodation units as affordable, which is acceptable. The proposal aims to deliver 100% of residential units as affordable with 64% Social Rent and 36% London Living Rent, which is acceptable. These should be appropriately secured.

Urban design and heritage: The mass, scale and layout of the buildings are broadly supported. A low level of less than substantial harm would be caused to the nearby heritage assets which could be outweighed by the benefits of the proposal.

Transport: The car and cycle parking strategy should be revised. Highway, transport, and public realm improvements should be secured. The delivery and servicing plan, construction logistics plan and travel plans should be secured. Other issues on sustainable development and environmental issues also require resolution prior to the Mayor's decision making stage.

Recommendation That Barnet Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 107. Possible remedies set out in this report could address these deficiencies.

Transport for London (TfL)

Location

The site is located on the east side of The Burroughs south of Babington Road and north of Edgerton Gardens

The nearest section of the Transport for London Road Network (TLRN) is A41 Watford Way located approximately 250m to the south.

The nearest Underground station is Hendon Central, which is located approximately 800m to the south-west of the site, served frequently by the Edgware branch of the

Northern Line. The area is well served by buses with the nearest routes on the Burroughs; 143, 183 and 326 and a further three routes on A41 Watford Way around 250m to the south. As such, the Public Transport Access Level (PTAL) of the site is 4 (on a scale of 1 to 6 where 6 is excellent and 1 is very poor). The site forms part of the Middlesex University Hendon Hub Master Planning area.

Access

Site access will be relocated from The Burroughs to a one-way route from Babington Road through to Egerton Gardens; and the existing access from The Burroughs will be removed. While this access proposal is supported, the applicant shall clarify access arrangements for both pedestrians and cyclists and Barnet Council should consider whether the changes should be supported by a stage 1 road safety audit.

Nevertheless, it is understood that the proposal will improve walking and cycling condition on site, in line with London Plan T2 Healthy Street, which is supported.

Car parking

The proposal does not include general parking provision and existing car parking (123 spaces) within the red line boundary will be removed, which is welcomed as it will help to reduce car parking and car reliance for the university. While the student accommodation element will be 'car free' except for 15 blue badge parking spaces (12 for social housing and 3 for students) and 3 car club parking spaces. It is considered that the provision of 3 car club spaces are excessive and should be reduced to no more than 1 space. The development should be subject to a permit free agreement, to be secured by s106 agreement to prevent all new residents, students, and employees from accessing on street permits

Trip Generation and Mode share

A trip generation forecast based on TRICS has been undertaken; it is expected that the proposal will generate more person trips than the existing. The proposed development is predicted to generate 2536 person trips compared with 1707 from the existing site during the day. It is also estimated that a peak of 479 (07:00-08:00) movements in an hour in the proposed development compared to 357 (08:00-09:00) in the existing situation. This reflects the higher level of trip making from the student accommodation throughout the day whilst the existing properties are vacant throughout the night. As the proposal forms part of the Hendon Hub Masterplan, the applicant shall also consider cumulative impact from other applications forming part of the Master Plan project.

It is predicted in the TA that up to 54% (258) of the daily AM trips will be undertaken by public transport, further information provided by the applicant on public transport trip distribution have concluded that the proposal is unlikely to cause significant impact to local public transport services, as such no financial contribution will be sought for this aspect of the proposal. Having said that Barnet Council is encouraged to upgrade bus stop shelter adjacent to the Middlesex University main entrance on The Burroughs.

Healthy Streets & Public Realm

The proposal would enable improvements for pedestrians and cyclists to be delivered, which is supported and is in line with London Plan policy T2 Healthy Street. They include new pedestrian crossing facilities with traffic calming to improve safety; this is strongly supported. TfL should be further consulted on the

detailed design prior to implementation to ensure that bus reliability would not be adversely impacted. It is also welcomed that a cycle lane has been proposed on the section of the A504 The Burroughs between the A41 Watford Way in the south to the site, which would improve safety and attractiveness of cycling.

The of the site, enabling improvements for pedestrians and cyclists to be delivered as part of these proposals, which is supported and is in line with London Plan policy T2. They include new pedestrian crossing facilities with traffic calming to improve safety; this is strongly supported. TfL should be further consulted on the detailed design prior to implementation to ensure that bus reliability would not be adversely impacted.

An Active Travel Zone (ATZ) assessment has not been undertaken for the latest submission. However, an ATZ assessment was carried out for an earlier similar scheme, resulting in an ATZ improvement contribution of £180K, of which £55K toward TfL been secured by s106, it is therefore expected this contribution/ obligation, alongside with other highway and transport related improvement will be re-secured by the Council for this proposal.

The Council should also consider the accident data within the ATZ and secure necessary measures to overcome them in line the Mayor's Vision Zero agenda.

A Stage 1 Road Safety Audit (RSA) shall be undertaken for all highway proposal ensuring the proposal would not compromise safety for road users.

Cycle parking

A total of 227 cycle parking spaces for the proposal will be provided; this meets the adopted London plan cycle parking standards across all land use within the site and is in line with London Plan policy T5. The applicant is reminded that adequate changing and shower facilities should be provided for the non- residential elements to facilitate staff/ employees commute by bike; the applicants shall commit to provide large spaces for 5% of the cycle parking provision is welcomed.

It is also understood that the cycle parking proposal would not lead to an overall increase of cycle parking in the Middlesex University campus as the applicant consider that existing cycle parking is underutilised. The university is therefore strongly encouraged to explore potential improvement to existing facility alongside with other initiative to make cycling more attractive for both students, staff and visitors. This can be achieved by means of a Cycle monitoring and improvement strategy, which may form part of the Trave Plan measure and action.

Highway Impact

It is not expected that the level of vehicular trip generation would give rise to significant highway and traffic capacity impact to the TLRN (A41 and A1) in the area.

Servicing

In line with the Draft London Plan policy T2 and T7F, a Draft Delivery & Servicing Plan (DSP) has been submitted and the proposed servicing strategy is principally supported which regulate servicing activities on site. It is expected that the final Delivery & Servicing Plan (DSP) the proposed development would submit and be secured by condition. However, the applicant shall seek to consolidate servicing

with the wider Middlesex University estate to improve efficient and reduce highway impact.

Construction

The applicant expects that construction of the proposal will generate is 10 per day (representing 20 HGV two-way) during the construction peak.

A Construction Logistics Plan (CLP) should be secured by the Council as Pre-commencement condition in line with London Plan policy T7 Deliveries, Servicing & Construction. The CLP should identify efficient, safe and sustainable arrangements to be employed at each stage of implementation the development to reduce and mitigate impacts of freight vehicle movements arising from the scheme, including impacts on the expeditious movement of traffic, amenity and highway safety. Details should, where relevant, include Freight Operator Recognition Scheme (FORS) Silver Level or similar accreditation, site access, loading/unloading and parking arrangements, booking systems and timing of arrivals at and departures from the site, vehicular routes, scope for load consolidation and use of alternative modes and measures to reduce risks and impact of collisions with vulnerable road users like pedestrians and cyclists.

Construction consolidation should also implement to enable the delivery of the Hendon Hub Masterplan proposals more efficiently.

Travel Plan

A Framework Travel Plan has been produced; it is considered that more ambitious target for should be set to further encourage uptake of sustainable travel mode. The Plan currently target an increase of 5% increase in public transport use and 5% decrease in car use are insufficient, and is therefore recommended to review the targets, measures and action in the Travel Plan ensuring it would be aimed to achieve the Mayor's Strategic Target of 80% trips to be made by sustainable transport modes. An Action shall be included to detail exact measure and expected time scale to achieve the targets.

The applicant shall therefore review the Travel Plan considering comments above and secure the final Travel Plan by s106 agreement accordingly.

Community Infrastructure Levy

The MCIL2 rate for London Borough of Barnet is £60 per square metre.

Summary

The following matters should be resolved before the application can be considered in line with the transport policies of the Intend to Publish London Plan;

1. Secure the details of cycle and car parking provision by conditions
2. Secure the finalised 'Car Parking Management Plan' by conditions
3. Reduce/ Remove 'car club' spaces
4. Secure legal restrictions to exempt future residents/ students' eligibility for local parking permits
5. Re-secure the delivery of appropriate improvements/ contribution toward local walking/ cycling/ public realm/ Healthy Street improvements as per previous consent, including but not limited to an ATZ improvement contribution of £180K, of which £55K be ringfenced toward TfL
6. Undertake Stage 1 Road Safety Audit for all highway proposal

7. Secure the DSP and CLP by conditions.
 8. Review the Travel Plan ensuring it contribute positively toward the Mayor's sustainable travel goal and secure them by s106 agreement; and
 9. Secure appropriate Mayor CIL payment from the proposal toward Crossrail.
- I trust that these comments are of assistance. If you have any further queries, please let me know.

Officer Comment

Various contributions would be secured through the formal s106 agreement, such as the Residential Travel Plan and other elements secured through conditions. In relation to the three car club spaces, this is the same number as the previous scheme for which similar comments were made by TfL. Barnet Council officers are content with the number of car club spaces proposed.

Historic England – Heritage Assets

Thank you for your letter of 13 July 2023 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Hendon Town Hall, Hendon Library and Hendon Fire Station are all listed Grade II and form a group of monumental civic character. They form part of a wider area, notable for its locally distinctive qualities including a range of listed buildings as well as The Burroughs and Church End Conservation Areas. The Hendon Hub redevelopment, which spans several different sites within the locality, will provide additional civic and university accommodation. Historic England has no objection to this redevelopment in principle.

However, the height, scale, form, massing and detailing of the drum building which stands at the corner of The Burroughs and Egerton Gardens challenges the established grain of development found in this area. We recommend that this element of the scheme be reconsidered in order to better reflect the locally distinctive civic character and that of the wider area.

Advice

Significance of the area

The Hendon civic complex is an important group of early twentieth century municipal buildings at the heart of the Hendon suburb.

Hendon Town Hall dates from 1900 and is the ceremonial civic centre for the London Borough of Barnet. Hendon Library, dating from 1929, is a distinguished example of a Neo-Georgian public library. Hendon Fire Station, in the Arts and Crafts style, was designed by Herbert Welch in 1911. He is also notable for his work as architect for much of the centre of Golders Green. These buildings share characteristics of height, scale, bulk and mass. The shared material palette of red brick, stone dressings and tiled roofs reinforce this still further. Each of these buildings is listed Grade II and together they form an impressive group of early twentieth century municipal buildings. The 1930s former Technical College, which is now part of the Middlesex University campus, complements these buildings. Brick with stucco detailing, tiled hipped roof and of a height, scale and that complements the civic character, it is identified on LB Barnet's Local List.

None of the municipal listed buildings form part of either of the conservation areas, Church End and The Burroughs, that 'bookend' the civic quarter. Both conservation areas are, instead, based on the original hamlets found here until the mid-nineteenth century and the buildings and street patterns that survive.

Impact of the proposals

The proposed development would demolish the remnant of a late C19 terrace and a series of post-war buildings opposite the civic complex to provide a combination of council and university buildings. These would be of a greater height, bulk and scale than found in the immediate vicinity.

The drum building at the corner of The Burroughs and Egerton Gardens would provide a new library space with residential student accommodation, including balconies, on the upper floors. The height, bulk, mass and form of this aspect of the scheme is a significant departure from the rectilinear form of the civic complex and established grain of development found locally.

The width of the main road combined with the set-back of the listed municipal buildings from the pavement edge affords them long views when approaching from the south through The Burroughs Conservation Area. The town hall is prominent in these views.

The greater height and bulk of the corner building will be clear and dominating. Its form, so markedly different, will compound this further.

Given its prominence on the corner and opposite the ceremonial Grade II listed town hall, I am not convinced that this is the optimum urban design solution. Its location at the edge of the pavement would further emphasise its presence in the townscape. The inclusion of balconies, the use of which is unregulated but can impact on visual appearance, will give the building even greater prominence than may be intended by the design.

Relevant National and Regional Planning Policy

The 1990 Planning (Listed Buildings and Conservation Areas) Act makes it a statutory duty for a planning authority to give special regard to the desirability of preserving listed buildings or their setting (section 66) when making decisions which affect them.

Guidance on the fulfilment of statutory planning duties is set out in the government's National Planning Policy Framework 2023 (NPPF). The NPPF makes clear that when considering the impact of a scheme, any conflict with the conservation of heritage assets should be avoided or minimised (para.201). Great weight should be given to the conservation of heritage assets, and this weight should be greater for the most important assets (para.205). Clear and convincing justification should be provided for any harm caused), and any harm should be weighed against the public benefits of the scheme.

The strategic policy framework for London is set out in the London Plan. Its policy HC1(C) on heritage conservation and growth reinforces the requirement for development proposals affecting heritage assets to be sympathetic to their significance and appreciation, and to avoid harm. It justifies this by explaining the unique sense of place created by London's historic environment, and the irreplaceable nature of its heritage assets.

Historic England's Position

Whilst Historic England does not have any objection to the proposed development in principle, I have concerns regarding the potential impact of the development on the setting of designated heritage assets.

In its current form, the development would cause some harm, albeit less than substantial, to the listed municipal buildings through development within their setting with the greatest impact on Hendon Town Hall.

Given the civic and ceremonial importance of the town hall, I would recommend that changes to the design be considered to reduce this harm. Options for these changes could include:

- alterations to height, scale and form, particularly in relation to the drum
- adopting a form that uses the shape of the road junction
- setting the building back on the site to alleviate the impact of its height and mass
- amendments to the elevational detailing such as the omission of balconies on principal street elevations

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:
<https://www.historicengland.org.uk/services-skills/our-planning-services/greaterlondon-archaeology-advisory-service/our-advice>

Officer Comment:

The comments have been taking into account, although it is noted that the previous historic England officer raised no objections to the original scheme which was functionally identical in appearance. The scheme has also been assessed by the Council's Heritage Officer in light of the above comments who has advised that any harm would be less than substantial so hence should be weighed up in the planning balance.

Historic England – GLAAS

No objection – recommended Archaeological Condition:

Recommend Archaeological Two-Stage Condition

Thank you for your consultation received on 2023-07-13.

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

Assessment of Significance and Impact

The site is located slightly to the south of the historic core of the settlement. Roman, medieval and post-medieval archaeological finds have been recorded in the area

and may exist within the site.

Archaeological deposits in the area are generally found at shallow depths, so are likely to have been disturbed in the footprints of modern buildings, however survival between buildings may be good. The proposed development is likely to cause significant impacts to any surviving archaeological remains on the site.

Planning Policies

NPPF Section 16 and the London Plan (2021 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 194 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.

NPPF paragraphs 196 and 203 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities.

If you grant planning consent, paragraph 200 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.

Recommendations

I advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

I therefore recommend attaching a condition as follows:

Condition 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.

Informative 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.

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition, please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 205.

I envisage that the archaeological fieldwork would comprise **Archaeological Evaluation trenching**.

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

Evaluation trenches should be focussed on open areas between existing buildings.

You can find more information on archaeology and planning in Greater London on our website.

This response relates solely to archaeological considerations. If necessary, Historic England's Development Advice Team should be consulted separately regarding statutory matters.

Officer Comment:

Appropriate Conditions and Informatives are included in the recommendations.

Thames Water

No objections.

Waste Comments

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

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

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-Development/Working-nearor-diverting-our-pipes>.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission.

No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>

Officer Comment:

As recommended the proposed condition will be added.

MET Police – Secured by Design

Thank you for inviting the Metropolitan Police Service (MPS) to comment upon the planning application regarding: Various ('Hendon Hub') - The Burroughs, Hendon, NW4 I have reviewed the crime rates in the local area of the proposed application on Police.uk (past 12 months) and I have noted that the highest recorded issues affecting the local ward of Hendon is violence & sexual offences (548 recorded offences - note this includes domestic-related assaults), anti-social behaviour (ASB - 424 reported incidents), vehicle crime (213 reported offences), other theft (184 offences), burglary (162 reported offences) and public order (161 offences).

The London Borough of Barnet as an entirety has a higher than average rate of burglary, significantly higher than other nearby London boroughs of Harrow and Hillingdon amongst others. Please see Appendix A for crime statistics.

Due to borough-wide burglary and wider crime statistics, it is recommended to incorporate crime prevention measures and police-preferred, tested and certified physical security products into a new-build or refurbishment project. This can be achieved through the adoption and compliance with the Secured by Design (SBD) accreditation process. This process is free of charge throughout and the services of a police design out crime officer (DOCO) to assist the applicant to achieve SBD accreditation for this scheme is both free and impartial.

As per the applicant's design and access statement (DAS), I originally met with the agent, architect and local planning authority for a site visit and walk of the sites prior to the previous submission. Comments were submitted to the local authority planning officer at that time and I have attached these within Appendix B for any reference.

The applicant has included a good summary of some of my observations and recommendations made during and after the visit – this is very positive and will help to contribute towards the overall safety and security for the local community. Elements such as sufficient lighting compliant to BS 5489-1, inclusion of formal surveillance (CCTV) and future-proofing, careful design of the public realm (eg. seating, planting etc) can all help in this respect. This is especially important to help to contribute towards key crime prevention initiatives such as violence against women and girls (VAWG), serious youth violence and so on.

Formal surveillance via CCTV is recommended for the public realm areas of this site. Levels of anti-social behaviour remains high for this ward and CCTV can greatly help as an overt deterrent to perpetrators and reassurance for legitimate persons using these areas. It is recommended that CCTV is installed by a member company of either the National Security Inspectorate (NSI) or Security Systems and Alarms Inspection Board (SSAIB), as they can issue a certificate of compliance to reflect that this can meet relevant guidelines, data policies and so on. CCTV complimenting the lighting scheme and vice versa is recommended and briefly referred to within the DAS.

It is very important to consider the permeability (access/egress points) of a site in order to help to address current/future levels of ASB and crime. Permeability is a major factor for any proposed development, whereby increased permeability can be reliably linked to increased levels of crime and disorder. Widely available research has proven that “neighbourhood permeability... is one of the community level design features most reliably linked to crime rates, and the connections operate consistently in the same direction across studies: more permeability, more crime”. (Taylor R B, 2002 – Crime prevention through environmental design). Measures recommended via Secured by Design guidance can help to make areas such as this site as safe and secure as possible.

In respect of the new buildings, it is recommended that there are sufficient lines of physical security such as ensuring that the main external communal door-sets to buildings (primary line of defence) are security rated and certificated to one of the following standards: LPS 1175 Issue 7:SR2 (LPS 1175 Issue 8:B3), STS 202 BR2. These ratings contain a higher standard of security testing and maintenance to help to protect against attack. It is recommended that where possible, premises are capable of implementing a ‘dynamic lockdown’ in case of intrusion/attack/threat. Intruder alarms installed by an NSI or SSAIB approved installer can also help to protect against forced entry.

Glazing is often one of the most vulnerable parts of a site and somewhere a potential perpetrator may attack. Securing relevant glazed areas with appropriate measures is essential and this can also help to protect against criminal damage and burglary incidents amongst others. From an SBD perspective, it is recommended that glazing is laminated to a minimum of security standard BS EN 356:2000 P2A in areas deemed as ‘accessible’ to an intruder. This can help to provide a robust level of protection against attack.

The above recommendations help to form a part of Secured by Design guidance, where these and other proven crime prevention methods can help to protect a site and its occupants from crime and disorder. Advice, guidance and the SBD process can be provided to the applicant free of charge.

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

A full breakdown of the required recommendations for the development to meet SBD accreditation can be provided to the applicant/LPA etc via a meeting and ongoing consultation, whereby this consultation would remain free of charge throughout.

These comments do not constitute full or final SBD consultation for the applicant. It is important that where applicable, SBD consultation with a police DOCO is sought by the agent/developer at each stage of the design, building and construction process, to ensure that the development can remain SBD compliant. This should also help to remove any potential issues further down the line. It is likely that the agent/developer will need to request continuing consultation with a DOCO to ensure that security rated and third party certificated products (in name of fabricator) and where specified, comply with SBD guidelines. I remain able to assist with this advice as and where necessary. As there is often a delay between planning proposals and

any eventual construction (dependent upon planning approval), advice and the incorporation of this to achieve SBD accreditation will be provided from the most recent SBD guide available.

Officer Comment

These comments are duly noted and this matter can be secured by condition.

Highways England

National Highways raises no objection.

2.8 Responses from Internal Consultees

Ecology

Further ecological information is required to support the application. A single updated bat emergence survey and endoscope inspection of T1 false acacia will need to be submitted prior to determination.

Ecology

An updated Technical Note (WPS, July 2023) and Ecological Appraisal Report (GL Hearn, June 2023) was submitted as an addendum to the previous Ecological Appraisal Report (July 2021) following design changes that had occurred. The following contain recommendations for further surveys and mitigation as appropriate.

Further surveys

- The LPA will need to request a **single updated bat emergence survey** of Ravensfeild House to confirm either the continued absence or presence of roosting bats within the building as two years have elapsed since the date of the previous bat emergence survey (June 30th, 2021, Ecological Appraisal Report (Capita, July 2021)). The single emergence survey will need to be conducted between May and August/September by suitable qualified ecologist and must be submitted prior to determination.
- An **endoscope survey** of T1 false acacia (*Robinia pseudoacacia*) will be required to be undertaken by a suitable qualified bat ecologist to confirm the presence of likely absence or roosting bats within the knothole of the tree. The endoscope survey can be undertaken at any time of year and will need to be performed by a suitably qualified bat ecologist. The endoscope survey will need to be submitted prior to determination.

Mitigation

- Avoid all vegetation clearance during the active nesting bird season (March to August inclusive) if this cannot be reasonably avoided then a pre-commencement nesting bird check by a suitable qualified ecologist to ensure that no nesting birds are disturbed.
- The false acacia present onsite is a Category 4 listed species on the London Invasive Species Initiative <http://www.londonisi.org.uk/wp->

[content/uploads/2013/10/LISI-species-of-concern -Nov 2014.pdf](#) will need to be removed as per the tree removal plan.

- All external artificial lighting will need to be designed to accord with Guidance Note 08/18 Bats and Artificial Lighting in the UK (ILP, 2018)

<https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/> .

Any such artificial lighting should be of low level, be on downward deflectors and ideally be on PIR sensors. Using LED directional lighting can also be a way of minimizing the light spill affecting the habitat. No up-lighting should be used. These measures will reduce the risk of disturbance to the local bat populations.

It is important to note that bats and their roost are protected from damage or disturbance under the Conservation of Habitat and Species Regulation 2017, and Wildlife and Countryside Act 1981 (as amended). Barnet Council as the Local Planning Authority (LPA) have a statutory duty of care to ensure adequate safeguarding of protected species and biodiversity under the Natural Environment and Rural Communities Act 2006 and Paragraph 98 ODPM Circular 06/2005. The requirements for the above ecological information are in line with National Planning Policy Framework policy 180; London Plan Policy G7, and Barnet Local Plan (Development Management Policies) DM01 and Policy DM16

Biodiversity Net Gain

- No objections to the revised BNG calculation to incorporate the expansion of the green roof under the current proposed design (Technical Note (WPS, July 2023)). The proposed scheme is expected to achieve an additional 1.28 habitat unit (70.46%) as opposed to the previous of 10.08% (Ecological Appraisal Report (Capita, July 2021)).
- It is important to note that any subsequent design changes to the proposed soft landscaping in line with the recommendation outlined within these comments will necessitate a revision to BNG calculation as appropriate.
- The LPA will need to **request** that the Excel BNG calculation sheets and GIS digital plans of the site include shapefiles will need to be submitted in order have on our system and keep track of the required BNG habitat monitoring that will need to be submitted by the applicant or their estates management company over the required 30-year period under the Environment Act 2021.

The requirement for developments to ensure 10% biodiversity net gain is due to come into force as of winter 2023 as outlined in Schedule 14 of the Environment Act 2021, and within the Barnet Development Local Plan which is currently under review and is due to become live as of Spring 2023. The requirements for developments to seek measurable biodiversity net gains is further outlined with National Planning Policy Framework (Section 180) and the London Local Plan 2019 (Policy G6).

Endoscope Survey

A subsequent Endoscope Survey for the Hendon Library and Building 9 was submitted on the 12th October 2022 confirming that no bats were present in the buildings concerned.

The ecology officer subsequently advised that the content of the survey was acceptable and raised no further objection subject to the inclusion of an informative reminding the applicant to maintain a watching brief for bats during demolition.

Environmental Health

No objections, subject to appropriate conditions.

Street Lighting

Have no comments to make

Trees and Landscaping

Objection in relation to application as submitted not achieving the relevant 0.4 Urban Greening Target, although with modifications i.e. to the roofs the development can reach it.

Compensation for the loss of existing trees in accordance with the Council's adopted tree policy must be made. The Capital Asset Value for Amenity Trees (CAVAT) value of the tree will be required to mitigate the loss, and the money received used to support the planting targets.

Recommend a number of conditions relating to:

- Levels
- Hard & Soft landscaping
- Excavation for services
- Pre-commencement, Tree protection and method statement
- Pre-construction tree protection and method statement
- Green roof
- Landscape management

Officer Comment

It is noted that the figure referred to by the Council arboricultural officer refers to the standard of 0.4 for a predominately residential development as opposed to the commercial standard of 0.3. As the proposed use is a mixed use building containing a mixture of commercial and university teaching facilities as well as an element of residential accommodation the proposed level of 0.33 is broadly in accordance with Policy G5 and would not warrant the refusal of the application.

The quantum of green versus hard space is unchanged from the previous application which was considered acceptable by members. Suitable conditions are attached to the permission as suggested above, which would also allow for improvements to the Urban Greening Factor to bring it nearer to the 0.4 figure.

Affordable Housing

No Objections Raised

Heritage

No objections.

This proposal involves the demolition of Ravensfield House, the Fenella Building, nos. 1–3 Burroughs Parade, no.3 Egerton Gardens and the erection of a part 4, part 6 and 7 storey building, and a 5 storey rotunda building on the site of the existing car park. The development will include an Arts and Creative Industries building, Middlesex University marketing suite/office, new university floorspace on the ground floor and basement of the rotunda building, community and retail floorspace and 384 purpose-built student accommodation units and 28 affordable residential flats.

On the 10th January 2022, a series of related planning applications (six) and one listed building consent application were considered and approved by the Strategic Planning Committee subject to conditions and completion of s.106 legal agreements.

Following the change in political administration in May 2022 the applicant acting for LB Barnet received new instructions to prepare and submit new planning and listed building consent applications which would include only minor design changes to the proposed scheme. During the public consultation in 2021 concerns were raised locally about the relocation of the library services to a new building on The Burroughs and the loss of public access to the Grade II listed library. In response Hendon Library is now proposed to be retained within the existing listed building and expanded and fully refurbished to a high standard and in keeping with the character and appearance of the building.

As part of the original proposal, the ground floor of the Rotunda building would have been occupied by the new public library. As the library will remain within the listed building the ground floor will now be used as teaching space and for students to work with local businesses and start-ups. Additional space will be located at the lower ground floor level which is envisioned to be used for back of house requirements such as storage. The scale and design of the development will otherwise remain largely as approved in January 2022. Consequently, the comments below repeat those made in relation to the previous proposals.

The site is not itself within a conservation area, although it lies to the north-east of the Hendon, The Burroughs conservation area. Hendon, Church End conservation area lies further away to the north. On the western side of The Burroughs, opposite the site are a group of three statutorily listed civic buildings - Hendon Town Hall, Hendon Library and Hendon Fire Station, all Grade II. To the south and east of the Egerton Gardens car park site are the locally listed churches, Hendon Methodist Church and Our Lady of Delours Church. Although the site is not within a conservation area, the impact on the setting of the adjoining conservation area should be taken into consideration, along with any impact on the setting of the listed buildings, which are in close proximity.

The existing developments on the site, including the Ravensfield and Fenella (R&F) buildings, Egerton Gardens car park, and nos.1-3 Burroughs Parade do not collectively make a positive contribution to the setting of the neighbouring conservation area, nor to the group of listed civic buildings. The R&F buildings are undistinguished architecturally and do not contribute positively to the streetscene. Of the buildings on the site only the Burroughs Parade possesses some architectural quality, although it is compromised by its irregular-shaped, projecting ground floor shopfronts. The opportunity exists therefore for redevelopment of the site with replacement buildings which make a positive contribution to the character of the immediate area.

The three proposed buildings have been designed to appear as freestanding, distinctive structures, but integrated together to sit as a group. The buildings are, however, larger in scale and with a coarser grain than their listed neighbours on the western side of the road. In particular, the taller central blocks will appear prominent, although their upper storey's have been revised to lessen their bulk and massing. Variations in architectural design, the sensitive use of materials, articulation, varied building lines and roof finishes all help to provide each of the buildings with their own identity.

The proposed buildings will have a greater visual impact in The Burroughs when compared to the existing buildings on the site, due to their bulk, mass and height

However, the existing buildings are modest in size and discreet in presence, whilst there is an absence of a building on the corner of Egerton Gardens. Consequently, the new buildings will be more apparent in views, for example, when looking northwards from the Hendon, The Burroughs CA. Similarly, the new buildings will appear more dominant in the context of the group of listed civic buildings, due to their greater scale.

Their increased presence should, however, be balanced against the qualities of their architectural design and use of contextual materials. Improvements to the hard and soft landscaping will also bring about visual and practical benefits to the streetscape. This will include a widened public footway and additional planting to supplement the retention of the existing mature street trees. The principal views of the listed buildings will remain unaltered by the proposals, although the cumulative bulk and massing of the new buildings will be noticeable and apparent within the streetscene, having some adverse effect on their setting and the way in which they would be experienced.

The less than substantial harm that results due to the visual prominence of the buildings when seen from within the northern part of the CA and their impact on the setting of the listed buildings within The Burroughs will need to be balanced against the public benefits of this proposal, in accordance with the National Planning Policy Framework. The retention of the public library within the Grade II listed library building and its refurbishment are considered to be heritage benefits which will support the long-term conservation of the building. This is welcomed. If permitted, the selection of appropriate facing materials for each of the new buildings will be very important, particularly the choice of red brick and stone dressings to reflect the materials used on the civic buildings, as will the attention to detail of individual features and the use of high quality hard and soft landscaping.

Transport and Regeneration

Summary - No objections. The development is acceptable on transport grounds subject to a legal agreement and planning conditions. The detailed comments provided by transport officers has been incorporated in the highways section of this report.

Waste/Refuse

No objections raised.

Drainage/SuDs

Recommendations

We have reviewed the information provided and do not recommend the granting of planning permission due to the following concerns:

- No existing and proposed hydraulic calculations have been provided for the development. As such, it is not possible to validate the suitability of the proposed design;
- The pipes within the proposed drainage layout have not been labelled;
- No exceedance overland flow path plan has been provided;
- No flood risk information has been provided for the site;
- The proposed surface water drainage layout appears to indicate that a geo-cellular tank will be located beneath proposed trees. Information regarding the prevention of root ingress is required;
- No operation and maintenance information has been provided for the proposed drainage assets;

- No information regarding the water quality of surface water runoff has been provided
- The report indicates that Thames Water have been consulted regarding the development, but no evidence of this has been provided; and,
- No standard design information for the proposed drainage assets has been provided.

Officer Comment

The proposed drainage strategy is unchanged from the previous committee consideration, where the above matters were secured by means of appropriate condition. Similarly on the current scheme it is considered that the proposal can adequately be dealt with by means of condition. It is noted that clarification to similar points are currently being prepared in relation to comments made by the GLA and will need to be addressed as part of the Stage 2 referral process.

3. PLANNING ASSESSMENT

3.1 Principle of development

Background

The current application is functionally and in form identical to the previous application 21/4709/FUL, other than in so far as the library and safer neighbourhood team is not now being proposed on the ground floor of the rotunda with university space provided in its place. As such many of the application assessments below are unchanged from the officer consideration of 21/4709/FUL other than in those instances where there have been additional changes in policy subsequent to the previous committee consideration or to assess comments arising from the public consultation including consultation responses from statutory consultees.

Housing Delivery

Section 38(6) of the Planning and Compulsory Purchase Act 2004, and the National Planning Policy Framework 2023 (NPPF), require applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that that accords with an up-to-date Local Plan should be approved.

The new London Plan 2021 Policy H15 identifies a strategic requirement for 3,500 purpose-built student bedspaces over the plan period. The London Plan also recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. The previous London Plan (2016) had set an annual monitoring target of 2,349 homes for Barnet between 2015-2025, with a minimum provision of 23,489 over the same 10 year period. In the new London Plan 2021, the 10 year target for 2019/20 – 2028/29 is 23,640 for Barnet.

The London Plan states that non-self-contained accommodation for students should count towards meeting housing targets on a 2.5:1 ratio. Therefore the proposed 384 student units plus the proposed 28 C3 residential units would give a figure of 181.6 conventional housing units; which would assist Barnet in meeting 10 year housing target. Taking the Hendon Hub project overall, including the redevelopment of

Meritage Centre site (21/4722/FUL) the total figure would be 254 units. This would be an important contribution to Barnet's 5 Year Housing Land Supply.

The student accommodation should be operated directly by Middlesex University and if not then a Nomination Agreement will need to be secured for the majority of the bedrooms in perpetuity in line with London Plan Policy H15. This will be secured through the formal legal agreement.

In accordance with London Plan Policy H8 and Local Plan Policy DM07 all seven of the existing residential units which would be lost on site (together with the thirteen lost at the Meritage Centre) would be re-provided at this application site. This results in an overall uplift of 8 new residential units.

Affordable Housing

London Plan Policy H6, H8, H15 and Local Plan Policy CS4, DM10 and Draft Policy HOU1 all require the provision of Affordable Housing on the site for both student and residential units. All the residential (C3) units would be affordable with 100% 'Social Rented'. The scheme would provide an overall net gain of 538.9 sqm of C3 residential floorspace which would be entirely affordable and the existing social rented accommodation has been fully re-provided on site. This is in accordance with London Plan Policy H8 and this has been endorsed by the GLA.

In addition 50% of the student accommodation would also be affordable in full accordance with London Plan Policy H15.

The applicant is reminded that where the development is not operated directly by a higher education provider, the affordable student accommodation bedrooms should be part of the PBSA that is subject to a Nomination Agreement. Allocation of affordable student accommodation should be by the higher education provider(s) which operates it or has the nomination right to it, and the provider(s) should allocate the rooms to students it considers most in need of the accommodation.

Community/Education Uses & Social Infrastructure

This proposal would relocate all the existing community uses from the Meritage Centre site within this redevelopment, involving Citizens Advice Bureau, Meridian (Chinese Mental Health) and African Cultural Association. The re-provision of these community uses is strongly supported in line with Local Plan Policies CS10 and DM13.

The proposal also includes a new flexible community floorspace, and an arts and cultural industries facility. The London Plan Policy GG1 confirms good growth is inclusive growth which encourages openness, diversity and equality, and help deliver strong and inclusive communities. The supportive text to London Plan S1 Policy also confirms, social infrastructure covers a range of services and facilities that meet local and strategic needs and contribute towards a good quality of life. It includes health provision, education, community, play, youth, early years, recreation, sports, faith, criminal justice and emergency facilities.

Therefore these proposed uses, in particular the new arts and cultural industries facility should also be made available to the public to ensure the scheme is cohesive and accessible to the community and residents. The details and arrangements should

be agreed through a Community Access/Management Plan and secured via s106 legal agreement.

Retail/Office Use

Local Plan DM14 and London Plan Policy SD7 confirm new retail developments should be focused within town centres or if not available, edges of centres which can have strong public transport and existing centre links. The retail use proposed, would be a small percentage of the overall quantum of floorspace, and more importantly would be replacement retail floorspace.

The proposals would result in the loss of 159.25 sqm office floorspace at no. 1 The Burroughs Parade. Policy DM14 advises that the loss of office space will only be permitted in town or edge of town centre locations where it has been demonstrated that the site is no longer suitable and viable and a suitable period of active marketing has been undertaken. However DM14 is silent in relation to the loss of offices outside such locations. Furthermore the proposal would also result in a net increase in employment. The applicant has demonstrated using HCA Employment Densities Guide 2015, that the existing floorspaces equates to 12.25 FTE jobs, the retail space would increase the net retail employment on the site, equivalent to 23 FTE jobs. Therefore this is considered acceptable and is supported by officers and the applicant would be required to enter into a Local Employment Agreement with the Council in order to provide an appropriate number of employment outcomes for local residents.

3.2 Housing Quality

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

Unit Mix – Residential Units (C3)

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan 2021 and Barnet Development Management Policies DPD policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

In terms of dwellings types which constitute family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2 bedroom 3 person units. Based on this definition the proposal would provide a total of 14 family units, 50% of the total number of units on site. Notably the proposal would provide 100% affordable housing with all the largest units (2B 4P) all in social rented.

Overall it is considered that the proposed scheme comprises a good mix of housing types and sizes to address the housing preference and need. Officers therefore consider the proposed dwelling mix to be acceptable and in accordance with Policy DM08 of the Local Plan.

Residential Internal Space Standards

The London Plan and Barnet's Sustainable Design and Construction SPD outlines the minimum gross internal floor area required for different dwelling sizes. All the C3 residential units would meet the minimum standards in relation to the unit sizes and also meet the minimum areas for bedrooms, bathrooms w/c's and storage and utility rooms. For clarity this will be also be secured through a planning condition.

There are no defined space standards for student accommodation specifically set out in the London Plan. However Policy H15 does state that student accommodation should provide adequate functional living space and layout for the occupants. The proposed development would provide student accommodation with adequately sized rooms and good-sized communal areas. The applicant has confirmed that typical student residential units would have an internal GIA of minimum of 11.5sqm and a typical disabled room minimum of 18.5msq. In addition on each floor there would be separate communal areas with a typical floor having a total of 9 separate communal areas ranging from 21sqm to 31sqm providing a total of 244sqm. This is generally considered acceptable and to ensure the student accommodation does not fall below the minimum sizes, suitable condition would be added.

Wheelchair Accessible Housing

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst Policy DM02 sets out further specific considerations. All units should have 10% wheelchair home compliance, as per London Plan Policy D7 Accessible housing.

The planning submission sets out that 10% of the residential units would be provided as wheelchair adaptable in line with aforementioned policy context and in accordance with Part M4(3) of the Building Regulations. This is considered to be acceptable and a condition would be attached which would secure these as wheelchair adaptable units.

Amenity space

Barnet's Sustainable Design and Construction SPD Table 2.3 outlines the minimum external amenity space standards required for new residential developments. For flats, the SPD requires 5sqm of space per habitable room for all minor, major and large-scale developments. Kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space compliance. The minimum requirements are set out in the table below:

Outdoor Amenity Space Requirements	Development Scale
For Flats: 5m ² of space per habitable room	Minor, major and large scale
For Houses: 40m ² of space for up to four habitable rooms	Minor, major and large scale

55m2 of space for up to five habitable rooms 70m2 of space for up to six habitable rooms 85m2 of space for up to seven or more habitable rooms	
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

The Mayor's housing SPG sets out a requirement of 5 sqm of private amenity space for 1 and 2 person dwellings with a further 1 sqm per additional person.

All the residential units would benefit from private amenity space in the form of balconies, each measuring 6.1m² in compliance with the GLA standards. The development has a shortfall of 100.7 square meters of play provision, based on the councils charge rate per square meter this equates to a section 106 contribution of £18,899.49 for a park or open space in the Hendon ward within the London Borough of Barnet.

The development has a shortfall of 210 square meters of open space, based on the councils charge rate per square meter this equates to a section 106 contribution of £10,500 for open space amenity for a park or open space in the Hendon ward within the London Borough of Barnet.

It is noted that this shortfall is identical to that previously considered under application 21/4709/FUL.

Children's Play Space

London Plan 2021 Policy S4 Play and Informal Recreation, requires housing development to make provisions for play and informal recreation. Barnet Core Strategy Policy CS7 requires improved access the children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.

The proposed scheme has a requirement to provide 10m² of playspace for each child, based on the accommodation schedule of 28 units this equates to 10.1 children, thus a requirement of 100.7m² playspace. The applicant would provide an off-site contribution via a planning obligation, which would be sufficient to cover the costs associated with developing the same facility on-site. This is considered acceptable, and the details would be secured via legal agreement. This is unchanged from the previous application 21/4709/FUL.

Secured by Design

Policy DM01 requires that the principles set out in the national Police initiative, 'Secured by Design' should be considered in development proposals. The proposed development was subject to consultation with the Met Police who have raised no objections subject to the standard condition requiring the development to achieve secured by design accreditation which is secured by condition.

3.3 Design

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

The London Plan 2021 also contains a number of policies, such as Policy D3, promoting a design led approach having regard to various matters such as character, layout, scale, sustainability, public realm and landscaping for example. The London Plan 2021 emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. The London Plan 2021 states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

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

The submitted Planning Statement along with the Design and Access Statement (DAS), outlines the evolution of the masterplan. The proposed design emerged from an understanding of the site and context, heritage setting and a consideration of both the constraints and opportunities of the site.

The proposal seeks the creation of vibrant and active spaces within a high quality development delivering student accommodation, affordable housing and a new Arts and Cultural facility for the University and Barnet Council. A series of public, retail and community uses would be located at ground floor level to create an active frontage to The Burroughs. This would be set within a revitalised and enhanced public realm to The Burroughs.

Section 5 of the DAS illustrates the evolution of the masterplan following the extensive pre-application discussions with officers over the period of 16 months, plus public and stakeholder engagement.

Character, Layout and Scale

The Barnet Characterisation Study 2010 identifies the site being located within campus typology – large buildings/urban scale and coarse grain with a range of uses across the Borough, including colleges, hospitals, civic buildings and business parks. The character description notes that although the land use is generally residential, there are larger footprint buildings providing education and employment uses in the central part of the Hendon character area (campus typology), and a large area of open space at Sunny Hill Park in the northwest and Hendon Park in the south.

The proposed development seeks to reflect the existing character of The Burroughs by providing three distinct buildings, each with their own architecture but which together form a cohesive collection of buildings. This mirrors the principle of the existing built form opposite on the west side of The Burroughs with the existing Hendon civic group of buildings.

The scheme would deliver new civic based buildings, including a new purpose-built Arts and Creative Industries (ACI) facility for the University. The ACI building footprint has been centred between The Burroughs and the rear of the site boundary to help increase spatial distances to the residential properties at the rear, on Babington Road and also to the front along The Burroughs.

The new standalone circular rotunda building, as the GLA state, would be ‘unique and distinctive’ which ‘holds the corner of the site well’ (para 40). The building is set back significantly from the corner edge which allows sufficient permeability into the site along with the scope to enhance the public realm and provide new tree planting.

This building has the main change from the previous application considered for the site, as previously the proposed re-sited Hendon Library was located on the ground floor of the building, while now it is proposed that the library will be retained in its existing location in Building 9 together with a Safer Neighbourhoods Team facility. This floorspace has now been converted to Middlesex university floorspace although the external visual appearance does not significantly change as a result.

These two civic type buildings would effectively book-end the larger central building which provides the community uses at ground level with student accommodation set out in the upper floors. As the DAS explains the last refinement to the proposal involved the upper storeys of the central element being stepped back in a mansard roof form to further reduce mass and height of this tallest 7 storey element to The Burroughs. There is now also a consistent approach to roof materials across all 3 key buildings and the flank walls to the central accommodation spines have been visually broken with additional reconstituted stone banding reflecting detailing that occurs on the existing civic buildings on the opposite side of The Burroughs.

In addition, the existing landscaping in The Burroughs has also been studied and informs the landscaping designs around the replacement buildings to the east side of The Burroughs to align with the quality of the existing western side of The Burroughs. Vegetation, trees, gaps, and setbacks from the pavement will provide a significant improvement and pleasant environment which would respect the historic buildings on the western side. Furthermore, due to the setback and building line of the new Library building will create a new public open space in the southern corner which acts as a gateway to The Burroughs.

Height and Massing

The submission documents highlight that, height has been carefully considered and, alongside massing and scale, have been tested at length through the pre-application process via modelling and key view evaluation with a resultant reduction in both the initial proposed height of the scheme and the footprints.

The ACI building at the northern end of the site is generally no greater in height than the existing Usher Hall immediately to the north with the upper floor set well back so that it would not be readily visible from ground level. The tallest elements of the scheme are located in the central front part of the site at 7 storeys and tier downwards at the rear to 4 storeys. As detailed above, the upper storeys of the central building are also stepped back in a mansard roof form to help further reduce the mass and height when viewed from The Burroughs.

The overall massing is further broken up by setbacks and gaps between the proposed buildings. This approach allows for larger buildings of scale to be introduced to the Burroughs. Officers agree that the scale and massing of individual building envelopes varies to account for the proposed uses and the scale of the spaces that they frame. This provides variation in character, visual interest and assists in way-finding across the masterplan.

As the characterisation study identifies and which has been acknowledged by the applicant, there is a distinct change of urban form, switching immediately from the larger footprints and massing of the buildings fronting The Burroughs to the tighter residential grain to the east of the application site. The rear elements have therefore been reduced in height and the central mass of the building set back. There are indeed a series of stepped forms and setbacks which articulate the rear elevation and along with the landscaped courtyards, green roofs and terraces; help break up the mass and soften the appearance to the rear.

In addition given the proposed layout and access road to the rear with limited carparking, and well landscaped areas, would also allow for a further physical and visual break to the existing residential buildings to the rear.

Conservation and Heritage

Barnet Policy DM06 indicates that all heritage assets will be protected in line with their significance and development proposals must preserve or enhance the character and appearance of Barnet's conservation areas.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA 1990), imposes a statutory duty on Local Planning Authorities and states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". Under Section 72(1) there is also an equivalent duty in regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

The NPPF (Paragraph 205) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

At Paragraph 208 the NPPF confirms where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In addition the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application (Paragraph 209).

The Planning Statement confirms that a Heritage, Townscape and Visual Impact Assessment (HTVIA) has been prepared by Montagu Evans which should be considered along with the Environmental Statement (ES). The HTVIA identifies the principal consideration is the setting of the listed buildings on the west side of The Burroughs, the trio of Hendon Civic buildings. The proposals do not directly affect the listed civic buildings. It is accepted that the proposals do not directly affect these listed buildings.

In addition although the site is not within the conservation area it is close to the boundary of The Burroughs CA to the south and therefore its setting is also relevant to the assessment. It is accepted that due to the scale, street layout, orientation and existing developments there would be no effect on the Hendon Church End Conservation Area to the north.

Both the HTVIA and ES conclude that there would be no direct effect on any heritage asset arising from the proposed development.

The GLA Stage 1 Report states at paragraph 52:

The site faces three Grade II listed buildings; Hendon Library, the Town Hall, and the Fire Station. The proposed development relates more positively to the listed buildings than the existing building, is more sensitively designed to reflect the proportions and plot widths of the building frontages and would make a positive contribution to the existing and emerging street character.

The GLA also confirm at Paragraph 53 that there would be no material heritage impact to Hendon Church End Conservation Area. On the southern side of the site, the scale, massing and design of the rotunda responds well to the street corner and therefore will not harm the character and appearance of the conservation area.

Historic England have also been consulted as part of this planning application, as detailed under the consultation section above, Historic England have raised concerns relating to the design of the building which are outlined in full above. It is noted however that Historic England officer was clear that English Heritage were not objecting and that any harm would be less than substantial and as such any harm needs to be assessed against any benefits to assess the acceptability of the proposals.

It is also worth noting that Historic England (albeit a different officer) did not raise any concerns regarding the visually identical (other than ground floor) previous proposals.

The Council's Conservation Officer has reviewed the scheme and associated heritage reports. The officer confirms the site is not itself within a conservation area, although it lies to the north-east of the Hendon, The Burroughs conservation area. Hendon, Church End conservation area lies further away to the north. On the western side of The Burroughs, opposite the site are a group of three statutorily listed civic buildings - Hendon Town Hall, Hendon Library and Hendon Fire Station, all Grade II. To the south and east of the Egerton Gardens car park site is the locally listed Our Lady of Delours Church and the Hendon Methodist Church. Although the site is not within a conservation area, the impact on the setting of the adjoining conservation area should be taken into consideration, along with any impact on the setting of the listed buildings, which are in close proximity.

The existing developments on the site, including the Ravensfield and Fenella (R&F) buildings, Egerton Gardens car park, and nos.1-3 Burroughs Parade do not collectively make a positive contribution to the setting of the neighbouring conservation area, nor to the group of listed civic buildings. Only the Burroughs Parade possesses some architectural quality, although it is compromised by its irregular-shaped, projecting ground floor shopfronts. The opportunity exists therefore for redevelopment of the site with replacement buildings which make a positive contribution to the character of the immediate area.

The three proposed buildings have been designed to appear as freestanding, distinctive structures, but integrated together to sit as a group. The buildings are, however, larger in scale and with a coarser grain than their listed neighbours on the western side of the road. In particular, the taller central blocks will appear prominent, although their upper storeys have been revised to lessen their bulk and massing. Variations in architectural design, the sensitive use of materials, articulation, varied building lines and roof finishes all help to provide each of the buildings with their own identity.

The proposed buildings will have a greater visual impact in The Burroughs when compared to the existing buildings on the site, due to their bulk, mass and height. However, the existing buildings are modest in size and discreet in presence, whilst there is an absence of a building on the corner of Egerton Gardens. Consequently, the new buildings will be more apparent in views, for example, when looking northwards from The Burroughs CA. Similarly, the new buildings will appear more dominant in the context of the group of listed civic buildings, due to their greater scale.

Their increased presence should, however, be balanced against the qualities of their architectural design and use of contextual materials. Improvements to the hard and soft landscaping will also bring about visual and practical benefits to the streetscape. This will include a widened public footway and additional planting to supplement the retention of the existing mature street trees. The principal views of the listed buildings will remain unaltered by the proposals, although the cumulative bulk and massing of the new buildings will be noticeable and apparent within the streetscene, having some adverse effect on their setting and the way in which they would be experienced.

Officers are therefore agreed that the less than substantial harm that results due to the visual prominence of the buildings when seen from within the northern part of the CA and their impact on the setting of the listed buildings within The Burroughs will need to be balanced against the public benefits of this proposal, in accordance with the National Planning Policy Framework and assessed against the statutory tests.

The applicant has provided a full list of the public benefits which include:

- Significantly enhanced teaching space and ancillary facilities. The University is one of Barnet's largest employers, employing c.1,500 local and London-based staff.
- Re-providing improved community space and allowing for the release of site for redevelopment.
- Public Access, the community and residents will have access to the new facilities along with a Management Plan to ensure a cohesive integrated approach.
- Economic effects on local and regional economy during construction and operational use, e.g. job creation, wages as detailed within the ES.
- Enhanced landscaping across the whole masterplan area.
- Optimum reuse of previously developed land, providing 100% affordable housing and 50% affordable student housing.

As required by the NPPF, applications that directly or indirectly affect the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Policy DM06 also requires a balancing of harm with identified benefits.

The applicant has identified the benefits of the schemes, which include the provision of provision of new community facilities, new teaching facilities, provision of new student housing and affordable housing. The benefits of the proposal and the balancing of these will be made within the 'Planning Balance' section at the end of the report and also assessed against the statutory presumptions .

Non-designated heritage assets

As detailed above, given the setbacks and the overall massing with set downs from the front to the rear, the mass is articulated to minimise any adverse impact to the surrounding buildings to the rear and south of the application site. Officers therefore consider that there would be no impact on any non-designated heritage assets, in particular, to the locally listed Our Lady of Dolours Church and Hendon Methodist Church.

Views

The visibility of the scheme has also been considered from the surrounding areas throughout the design process to ensure there would be no detrimental visual impact. The planning submission is supported with both photographic and measured surveys (prepared by vista3d) undertaken at a number of viewing points from the surrounding area and key vantage points, which had been agreed with heritage and design officers during the pre-application discussions.

Whilst it is accepted that the assessment of any proposal is best understood as part of a kinetic moving experience around the site and vicinity, the viewpoints do help to provide a snapshot to demonstrate that there are no adverse impacts to the either the heritage assets, residential properties or the character and appearance of the area.

Materiality

The application submission confirms the overarching approach to the character and materiality of the scheme is to produce contemporary buildings which overall reflect the character of the Burroughs and wider campus in form and materials. Materials have been chosen for their appropriateness and relationship with the immediate context of the site and especially to the Civic buildings that are directly opposite the site. The proposed metal infill panels to the residential units at upper levels of the rotunda building would be laser cut with a detail that reflects the upper level glazing to the town hall.

Officers consider that the selection of appropriate facing materials for each of the buildings will be very important, particularly the choice of red brick and stone dressings to reflect the materials used on the civic buildings, as will the attention to detail of individual features and the use of high quality hard and soft landscaping. Accordingly these matters will be controlled by way of conditions with all elements to be agreed.

3.4 Amenity Impact on Neighbouring Properties

Privacy/Overlooking and Outlook

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

There are no adjoining residential properties with habitable rooms directly overlooking the application site. The boundaries of the closest properties on both Egerton Gardens and Babington Road are also over 10.5m away. Therefore given the separation distances and the reduced scale of the proposed buildings towards the rear perimeter edges of the site, it is considered there are no residential properties within the vicinity which would be adversely affected by the proposal.

Daylight/Sunlight

The applicant has undertaken a Daylight, Sunlight and Overshadowing assessment for the proposed development and neighbouring residential properties based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide' (2022).

The BRE guidelines explain that the guidelines are not mandatory and that the guide should not be seen as an instrument of planning policy; its aim to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstance the developer or planning authority may wish to use different target values.

A Daylight/Sunlight and Overshadowing Report has been prepared by GL Hearn in support of the proposed development and analyses the effect of the development on

the daylight and sunlight levels received by the 14 neighbouring properties. Overall the daylight and sunlight levels received to the neighbouring properties, following the development are in line with BRE guidance and therefore occupiers are unlikely to notice a change in their skylight levels.

Where there was some minor adverse effect, this was limited to some of the student accommodation bedrooms located at Usher Hall and the Hatchcroft Building. However it is noted that Paragraph 2.1.13 of the adopted GLA Housing SPG (2016) states that the Mayor's housing standards does not apply to student housing. Furthermore, student bedrooms are not occupied all year round and only occupied in term time only.

Therefore it is considered that the proposal would not have a significantly detrimental impact on the daylight/sunlight levels enjoyed by the neighbouring properties. Based on the high level of compliance the proposed layout of the development satisfies the standards set out in the BRE Guidance.

Future Occupants

A separate Daylight/Sunlight and Overshadowing Report was prepared by GL Hearn which seeks to assess the amount of daylight received by future occupants at the development. The daylighting has been assessed to 395 rooms using the ADF test. 353 rooms achieve the levels detailed in the BRE. This equates to a 90% pass rate, which is considered to be a high level of compliance. It is noted that of 42 rooms which are subject to deviations, 20 of them are Communal Living Rooms and only 22 are Student Rooms.

In regards to the C3 residential units, the results found that 58 of the total proposed habitable rooms met the BRE standards. Out of the 17 habitable rooms that did not meet the BRE Standards, 8 were bedrooms where there is not a significant need of natural daylight. The majority of the upper levels of the Rotunda building will receive excellent levels of daylight/sunlight as well as outlook and privacy. Due to the more desirable open plan layouts of the kitchen/dining rooms, the lower levels of daylight occur on the lower floors only. However taking account of the overall assessment officers consider the standard of accommodation overall would be acceptable.

Noise

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

The proposal has been reviewed by the Council's Environmental Health team and conditions are recommended ensuring that any plant or machinery associated with the development, extract and ventilation equipment, achieves required noise levels for residential environment.

In considering the potential impact to neighbours, conditions are recommended to ensuring that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have also recommended appropriately worded conditions for noise reporting and impact mitigation, extract and ventilation equipment and plant noise. It should be

noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

Air Quality

The development proposal and details were reviewed by the Council's Environmental Health team who have advised that the proposed development is acceptable. The proposal does not, in air quality terms, conflict with national or local policies, or with measures set out in the London Borough of Barnet's Air Quality Action Plan. There are no constraints to the development in the context of air quality.

Suitable conditions are attached regarding ventilation and the submission of details of proposed plant and equipment. In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the travel plan statement encourages sustainable travel modes to and from the site. In respect of the design, the scheme contributed towards overall reductions in CO2 production, having regard to energy and sustainability policies.

3.5 Transport / Highways

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

The application was accompanied with a Transport Assessment which has been reviewed by the council's transport highway officers who have advised that having read through the transport assessment that there are no significant changes from the previous transport comments which still apply. Subject to the satisfactory completion of a legal agreements and conditions the development is acceptable to LBB officers on transport grounds. For ease of reference the previous highways assessment (with minor changes where appropriate to the amended scheme) are set out in the comments below.

Existing Conditions

TfL's WebCAT tool indicates that the site has a PTAL value of 4 which represents a good level of accessibility. Measures that seek to improve the public transport accessibility and active travel credentials of the site should be a priority in order to deliver a sustainable development in transport terms.

The car parking facilities can accommodate up to 93 spaces (Fenella building and Ravensfield House) plus 30 spaces within the Council car park. This results in a current total of 123 car parking spaces on the application site. Both car parks link together and can share accesses.

Ravensfield House is currently used for educational purposes whilst the main use of the Fenella building is to provide for university administrative staff facilities.

Baseline Transport situation

The main purpose of the development overall is to provide student accommodation near to the existing University campus. The applicants have submitted that there will be no net increase in the total number of students at the University. As existing students travel to the University including from Wembley, where there is an existing halls of residence, the development will reduce the number of students travelling and therefore reduce the use of tube, rail and bus. The staff employed at the Ravensfield & Fenella (R&F) site will work in the proposed B9 use on site; The applicants have also confirmed that the staff numbers are not changing.

Although the number of staff and students are not predicted to change, nor are their modes of travel (in the short term), Middlesex University (MXU) are predicting that the frequency of staff and students travelling to the university will reduce due to more flexible working and some lectures taking place online. This will therefore reduce the impacts on public transport, the highway network and also reliving pressure on car parking facilities.

LBB officers generally accept that travel patterns including commuting are likely to see permanent changes as a result of Covid 19. However, the development will require a robust Travel Plan with strong mode shift targets and associated incentives as well as careful monitoring to ensure these are being met. This should be secured through a s,106 contribution and conditions.

The Personal Injury Accident (PIA) review that has been provided is based on the 'Crashmap' database and therefore does not provide sufficient details as to the exact nature of the incidents and possibly does not contain the most current data. The TA concludes that *'the data does not suggest that there are any safety issues that need to be taken account of and resolved as part of the re-development proposed for the site.'* LBB cannot verify this based on available data and have requested a more detailed PIA review. This is being undertaken and will be included with the results of the Active Travel Zone healthy streets assessment.

Proposed Development

The planning application seeks to provide the following:

- Citizens Advice Bureau (340 sqm)
- Arts and Creative Industries facility (4,450 sqm)
- Safer Neighbourhood Team Unit (70 sqm)
- Community floorspace (425 sqm)
- Middlesex University Accommodation Administration Suite (100 sqm)
- Meridian (Chinese Mental Health) (250 sqm)
- African Cultural Association (65 sqm)
- Retail floorspace (415 sqm)
- 388 purpose-built student accommodation units
- 28 residential dwelling flats (social housing)

Car Parking

The site is currently located within a CPZ (HC2) (Monday-Friday 10am to 5pm and 11am to 3pm in other areas). A recent experimental CPZ extension in the Prince of Wales Estate to cover roads previously left out us to be made permanent. Overall,

there is good coverage around the site. However, the hours of control do not cover the general peak periods of residential parking demand and there is concern that the proposed development with low on-site car parking provision would have potential for overspill parking onto the surrounding road network resulting a negative impact on the local amenity.

The proposal does not include general parking provision and existing car parking (123 spaces) within the red line boundary will be removed. The student accommodation element will be 'car free' except for 15 blue badge parking spaces (12 for social housing and 3 for students) and 3 car club parking spaces. All blue badge spaces should be provided with active Electric Vehicle Charging Point (EVCP) provision, secured by condition.

London Barnet Local Plan Policy (DM17) recognises that its residential parking standards will be applied flexibly based on different locations and issues related to public transport accessibility, parking stress and controls, ease of access by cycling and walking, and population densities. Appropriate parking for disabled people should always be provided.

Following publication of the London Mayor's transport strategy TfL recommend that the starting point for all developments should be 'car-free'. Nevertheless, it is recognised that this is not suitable for all locations, especially in outer London Boroughs. The recommended Parking ratios for locations in Outer London under PTAL 4 allow for the provision of parking spaces up to a maximum of 0.5-0.75, however TfL generally encourage much lower provision than this in their formal advice. The removal of parking from within the red line boundary is supported by TfL, with the caveat that permits for new residents are restricted. All other existing parking will be re-provided. The University will make use of its own existing car parks, utilising space made available through shifts in working patterns and remote working.

The number of staff driving to the new development will reduce as a result of changes to working patterns associated with Covid-19. The university will introduce a new car park booking system to allow access for all staff without increasing the number of journeys due to blended working arrangements. For further information on the blended working arrangement see paragraph 6.3.6 of the Transport Assessment.

The community and retail uses are being re-located [same amount of floorspace] from the Meritage Centre (MC) and R&F site respectively. There are currently no on-site or off-site parking provision for any of these facilities and therefore the re-provision of these uses should not create additional parking stress within surrounding streets. The fact that these uses which do not currently have assigned parking are being re-provided on a like for like basis and that within the same area and that the existing car parking facilities on site (93 spaces) will be largely incorporated within the existing university car parks justifies a zero-parking car free approach and this is also supported by Policy T6.2 Office Parking and Policy T6.3 Retail parking.

The University will also make use of dedicated parking at Saracens West Stand, with bus transfers to the site. There is a proposal to provide up to 3 car club spaces which is supported by LBB.

Council Policy recognises and states that 'some developments may have difficulty meeting parking requirements, particularly in town centres.' The council will show flexibility in the assessment of parking requirements and will consider restricting

occupiers from obtaining parking permits within CPZ's via a legal agreement, as this will help reduce parking congestion in town centres for other uses.

LBB Development Management Document Policy DM17:

Residential development may be acceptable:

- i) With limited or no parking outside a CPZ but only where it can be demonstrated through a survey that there is sufficient on street parking capacity;
- ii) With limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the application will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

Parking Stress Survey

There have been three parking stress surveys undertaken in the vicinity of the site to understand the residential parking demand. The first was a single weekday survey in March 2021, this was followed up by two consecutive weekday surveys and a Saturday in July 2021 following the lifting of lockdown restrictions (however schools had broken up) and most recently another three-day (Tue, Wed and Sat) survey in October 2021. The last survey has not been provided for comparison.

Based on the July 2021 parking stress survey the surrounding roads within reasonable walking distance from the site, for residential land uses, experience high levels of parking stress (refer to table 5.1 within the TA report). Brampton Grove which has the highest spare capacity is for the most part further than the standard 200m extent for residential developments (refer to Lambeth Council Parking Survey Guidance Note).

The TA report mentions that it is proposed to have both accessible and car club parking spaces and 14 spaces for social housing and that parking provision associated with the social housing is to be accommodated within the local CPZ (HC2). This is not acceptable to Barnet officers. A development should be sufficient on its own merit and should not rely on the public highway to accommodate their operational needs. We consider that the C3 element of the development is effectively rendered 'car-free' with only disabled parking provided within the red line boundary. Permits for future residents should be restricted in accordance with Barnet's policy DM17 and SPD 2013 (3.1.10).

The provision of disabled parking spaces (for all land uses) and electric vehicle charging points (20% active and remaining passive) in accordance with the London Plan should be demonstrated and conditioned.

Overall, the proposed low levels of parking would only be supported by the LB Barnet Transport Team subject to the following:

- Satisfactorily provision of sustainable transport and active travel measures / improvements;
- Implementation of a Travel Plan (to be conditioned);
- Protection of the local amenity from overspill parking via ongoing review / expansion of the Controlled Parking Scheme (CPZ);
- Residents of the development should be prevented from applying for on-street parking permits; and

- Implementation of a Parking Design and Management Plan (to be conditioned).

It is proposed for students to sign an agreement in their accommodation contracts preventing them from bringing cars into the University campus. Students would also not be able to apply for permits within the CPZ area. These measures would need to be appropriately secured.

The proposed development should help enable a review / expansion of the CPZ scheme in order to address the above concerns. A request will be made for a financial contribution towards a CPZ review / upgrade (secured via s106 agreement). A review of Traffic Orders in relation to on-street parking bays and prevention of on-street servicing / loading should be undertaken.

Further details of the car parking booking system and the blended working arrangements need to be provided and appropriately secured by Condition through a Car Park Management Plan.

Cycle Parking

A total of 239 cycle parking spaces for the proposal will be provided as follows:

- Student Accommodation - 194 long stay + 10 short stay = 204 total
- Retail – 3 long stay + 11 short stay = 14 total
- Community* – 1 long stay + 10 short stay = 11 total
- Total = 227

This meets the adopted London plan cycle parking standards across all land use within the site and is in line with London Plan policy T5 Cycling. The applicant is reminded that adequate changing and shower facilities should be provided for the non-residential elements to facilitate staff/ employees commute by bike, The applicants commitment to provide large spaces for 5% of the cycle parking provision is welcomed.

General Layout

The site layout plan should be fully dimensioned to help with the review process (e.g. carriageway / aisle / access / footway widths, car parking bays etc.).

The car parking layout plans should be fully dimensioned to help with the review process. This should be supported with swept path analysis where appropriate (e.g. aisle widths, manoeuvrability into / out from parking bays with geometric constraints, two-way vehicle turning within entry / exit of parking areas).

Clarification is sought as to whether any improvement works / physical changes are proposed to the highway infrastructure as well the need for a s278 agreement. Reference is made in relation to the improved infrastructure relating to a cycle lane on the A504 The Boroughs. LBB officers are concerned that there is insufficient road-space to incorporate a meaningful length of cycleway on the Boroughs. However, we would welcome a feasibility study into the potential for achieving this in the future – through a s.106 contribution.

The vehicle / pedestrian and vehicle / vehicle visibility splays should be shown on plan to demonstrate that there would be no obstructions to visibility requirements. Clarification is required as to whether any sections of the public highway will be subject to a Stopping Up application or if any sections are to be given up for adoption. All the above items should be secured by condition to be provided prior to construction.

Healthy Streets Assessment

A detailed Active Travel Zone assessment of the key walking and cycling corridors surrounding the Development is being undertaken by the applicants. Proposed improvements within reasonable distance from the site will be included within the s.106 agreement for funding contributions towards their implementation. This is in line with LBB and TfL sustainable travel policies and future mode share targets.

Travel Plan

A Framework Travel Plan has been produced; Barnet transport Officers are in agreement with TfL's assessment that a more ambitious target should be set to further encourage uptake of sustainable travel modes. The Plan currently target an increase of 5% increase in public transport use and 5% decrease in car use are insufficient, and is therefore recommended to review the targets, measures and action in the Travel Plan ensuring it would be aimed to achieve the Mayor's Strategic Target of 80% trips to be made by sustainable transport modes.

The applicant should therefore secure the final Travel Plan by s106 agreement accordingly.

Car Parking Design and Management Plan

A Car Parking Design and Management Plan should be conditioned as part of the planning consent. This would detail how car parking will be designed and how they are to be controlled / managed. This should also include the areas where existing parking demand are proposed to be relocated.

Delivery and Servicing Management Plan / Refuse Collection Strategy

Details of servicing, delivery and refuse arrangements for all land uses proposed have not been provided. This may need to be supported by swept path analysis with plans demonstrating trolleying distance compliance in relation to refuse collection. The swept path analysis should show vehicles being able to successfully pass standing refuse / delivery vehicles at locations that appear to be geometrically constrained. The swept paths of the large delivery vehicles entering / leaving each of the access points should be provided

All servicing / delivery requirements should be accommodated within the confines of the site as opposed to relying on the public highway.

A Delivery and Servicing Management Plan should be conditioned as part of the planning consent. The maximum size of vehicles anticipated to use the site should be confirmed and controlled via a Delivery and Servicing Management Plan.

Construction

A Construction Logistics Plan (CLP) along with a Construction Worker Travel Plan (CWTP) should be conditioned as part of the planning consent. This should take into account the cumulative impacts of works in the surrounding area and comments received in TfL's formal response.

Trip Generation and Impact Assessment

Vehicular Highway Impact

It is not expected that the level of vehicular trip generation would give rise to significant highway and traffic capacity impact to either the Local Barnet roads or the TLRN (A41 and A1) in the area. This position is shared by LBB and TfL officers.

Public Transport Impacts

The cumulative impact of development, within the Hendon area, on London Buses, London Underground and Rail should be clearly set out and discussed.

Comments in relation to the cumulative impacts on the public transport network should be agreed with TfL and would be subject to a s.106.

HEADS OF TERMS S.106/278

- Funding for measures identified in ATZ, including accident mitigation
- Funding for local Cycle lanes identified by LBB Highways on Station Road
- Funding for a feasibility study into the viability of a cycle facility for the Burroughs
- Funding to improve Cycling /walking experience along Chapel Walk and West View
- Funding to improve pedestrian pinch-points along the Burroughs
- Travel Plan with robust targets demonstrating commitment to London plan mode share targets
- Contribution towards a high quality (segregated/semi-segregated) cycle facility on the A503 through Brent Street & Church Road. The A406 junction into Golders Green Road from Brent Street is one of the more straightforward North Circular Road crossings in the area for a cyclist
- Contribution towards an improved Signals scheme at Church Road/Parson Street/Finchley Lane with enhanced ped facilities/cycle ASLs in design –
- CPZ Monitoring contribution
- Travel Plan Monitoring Contribution
- Public Transport Contribution (TBC with TfL)
- Car Club

All Highway Works associated with the development to be provided via s.278 Agreement

CONDITIONS

- A Servicing and Delivery Plan - Condition
- A Construction Logistics Plan - Condition
- Car Park Management Plan – Condition
- Refuse & Recycling Strategy - Condition
- EVCP provision to London Plan Standards – Condition
- Cycle parking provision to London Plan Standards - Condition
- Swept Path analysis - Condition
- Undertake Stage 1 Road Safety Audit for all highway proposals
- Prior to the commencement of the development, details of any highways to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and agreed with the Local Planning Authority.

3.6 Landscaping, Trees and biodiversity

The 'sustainable development' imperative of NPPF includes enhancing the natural environment and improving biodiversity. London Plan 2021 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

The landscape masterplan approach has 3 main elements; The Burroughs Public Realm, semi private courtyards to the rear and green roof terraces.

The proposed layout of the buildings has been considered from the outset to allow for a generous area of public realm adjacent to The Burroughs that would be comparable in scale to the area in front of the existing Hendon Library and Town Hall, creating a more balanced and integrated with the wider public realm.

The development retains the mature trees on The Burroughs frontage which provide a high level of visual amenity. Trees in the mid-eastern boundary close to the boundary will be retained. All other trees, most of which are lower quality, will be removed. The arboricultural impact assessment (AIA) reports that 13 trees are to be retained; 25 and one hedge removed of which 5 are Category B, moderate value, and 20 are Category C, low value; and 38 trees are to be planted as part of the proposed development. This results in a net gain of 13 trees.

These details have been reviewed by the council's Arboriculturalist who has confirmed the principle as set out is acceptable. However the value of the trees to be removed is required using the CAVAT value (appropriate valuation system) and set out how this has been accounted for through replacement tree planting. In addition officers also note that details and specifications are also important along the eastern perimeter edge which adjoins the existing residential area to the east. Therefore it agreed that the details should be secured through conditions including for example a comprehensive landscape and ecological management plan. Some alternatives to the proposed species are also proposed.

In relation to the Urban Greening Factor the Council's Arboricultural Officer advises that the proposal would achieve an Urban Greening Factor of 0.33, as opposed to the target of 0.4 for predominate residential development as specified in Policy G5 of the London Plan 2021. With alterations to the landscaping and changing green roofs to bio diverse roofs the application could reach the 0.4 target.

As mentioned above under comments, officers note that the target for commercial developments is 0.3 which the development exceeds, as the proposal is for a mixed use development including university teaching accommodation as well as residential accommodation a figure between the two standards is considered reasonable. It is also unchanged from the previous application which while no decision has been issued at the time of writing this report can be lawfully issued and the Council could not withheld issuing. Notwithstanding this landscaping conditions are suggested which would allow for further improvements in the UGF score and on balance the scheme is considered acceptable in this regard.

Ecology

The Council's Ecology Consultants have reviewed the submitted Environmental Ecology Appraisal Report and have raised no objections. Their comments are set out below.

An updated Technical Note (WPS, July 2023) and Ecological Appraisal Report (GL Hearn, June 2023) was submitted as an addendum to the previous Ecological Appraisal Report (July 2021) following design changes that had occurred. The following contain recommendations for further surveys and mitigation as appropriate.
Further surveys

- The LPA will need to request a **single updated bat emergence survey** of Ravensfeild House to confirm either the continued absence or presence of roosting bats within the building as two years have elapsed since the date of the previous bat emergence survey (June 30th, 2021, Ecological Appraisal Report (Capita, July 2021). The single emergence survey will need to be conducted between May and August/September by suitable qualified ecologist and must be submitted prior to determination.
- An **endoscope survey** of T1 false acacia (*Robinia pseudoacacia*) will be required to be undertaken by a suitable qualified bat ecologist to confirm the presence of likely absence or roosting bats within the knothole of the tree. The endoscope survey can be undertaken at any time of year and will need to be performed by a suitably qualified bat ecologist. The endoscope survey will need to be submitted prior to determination.

Mitigation

- Avoid all vegetation clearance during the active nesting bird season (March to August inclusive) if this cannot be reasonably avoided then a pre-commencement nesting bird check by a suitable qualified ecologist to ensure that no nesting birds are disturbed.
- The false acacia present onsite is a Category 4 listed species on the London Invasive Species Initiative <http://www.londonisi.org.uk/wp-content/uploads/2013/10/LISI-species-of-concern-Nov-2014.pdf> will need to be removed as per the tree removal plan.
- All external artificial lighting will need to be designed to accord with Guidance Note 08/18 Bats and Artificial Lighting in the UK (ILP, 2018) <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>. Any such artificial lighting should be of low level, be on downward deflectors and ideally be on PIR sensors. Using LED directional lighting can also be a way of minimizing the light spill affecting the habitat. No up-lighting should be used. These measures will reduce the risk of disturbance to the local bat populations. It is important to note that bats and their roost are protected from damage or disturbance under the Conservation of Habitat and Species Regulation 2017, and Wildlife and Countryside Act 1981 (as amended). Barnet Council as the Local Planning Authority (LPA) have a statutory duty of care to ensure adequate safeguarding of protected species and biodiversity under the Natural Environment and Rural Communities Act 2006 and Paragraph 98 ODPM Circular 06/2005. The requirements for the above ecological information are in line with National Planning Policy Framework policy 180; London Plan Policy G7, and Barnet Local Plan (Development Management Policies) DM01 and Policy DM16

Biodiversity Net Gain

- **No objections** to the revised BNG calculation to incorporate the expansion of the green roof under the current proposed design (Technical Note (WPS, July 2023)). The proposed scheme is expected to achieve an additional 1.28 habitat unit (70.46%) as opposed to the previous of 10.08% (Ecological Appraisal Report (Capita, July 2021).

Bat Survey September 2023

Subsequent to the above comments a Preliminary Bat Roost Assessment and Endoscope Survey of Trees was carried out by the applicant in September 2023 and submitted to the Council. The report found no evidence of bats being present in the buildings and the Council's Ecology Officer confirmed that the content of the report was acceptable and raised no further objection subject to the inclusion of an appropriate informative reminding the applicant to maintain a watching brief for bats.

It is also noted that the disturbance of bats would in any event constitute a separate offence under Wildlife legislation.

Archaeology

The development boundary falls within an identified 'Local Areas of Special Archaeological Significance'. A Desk-Based Archaeology Assessment was produced to identify the archaeological potential of deposits on the application site and consider the proposed scheme's likely impact on them.

Accordingly, The Greater London Archaeological Advisory Service (GLAAS) was consulted on this application and they have confirmed there are no objections and have requested an archaeological condition which could provide an acceptable safeguard. This will therefore be included.

3.7 Energy/Sustainability

London Plan 2021 Policy SI 2 requires development proposals to make the fullest contribution to minimising greenhouse gas emissions in operation and minimising both annual and peak energy demand, in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy
- Be seen: monitor, verify and report

Policy SI 2 5.2 'Minimising Greenhouse Gas Emissions' states major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35% beyond Building Regulations is required for major development. The London Plan 2021 sets out the sustainable design and construction measures required in new developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

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

The proposed development is accompanied by an Energy and Sustainability Strategy. The proposed strategy follows a best practice approach, based on the Mayor of London's Energy Hierarchy. The supporting Energy Statement outlines the energy strategy which is predicted to achieve a 73% site-wide saving in CO2 emissions, split out as a reduction of 79% (Domestic) and 72% (Non-Domestic).

A feasibility of the different low and zero-carbon technologies was carried out at an early stage and the preferred route is to incorporate air source heat pumps for heating and cooling, supplemented with photovoltaic (PV) arrays on the main roof. The CO2 emissions at the Be Green step are predicted to achieve a 73% site-wide reduction compared to the baseline, satisfying the minimum on-site reduction target of 35%. The shortfall in achieving the net zero-carbon target is 126.3 Tonnes CO2 Site-wide which over 30 years amounts to 3,790.3 Tonnes CO2. This shall be off-set by a carbon off-set contribution of £337,830.

3.8 Flood Risk / SUDS

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

A flood risk assessment technical note has been prepared in support of the proposal. The report confirms the site is assessed to have very low risk of fluvial, surface water, ground water, and sewer flooding. As the site is located in Flood Zone 1 and is not identified as being at risk of flooding, the impact to the proposals and potential impact to third party receptors as a result of the proposed development is considered to be negligible.

In addition a Drainage Strategy has also been provided. In accordance with the requirements of NPPF (National Planning Policy Framework), and accompanying Planning Practice Guidance, a review of the development site was undertaken for the use of suitable SuDS techniques. The sustainable drainage systems hierarchy identified and outlined in The London Plan (2021), Chapter 9, Policy SI 13, requires that an assessment for the drainage proposals has been conducted. In this instance, attenuating the rainwater for gradual release via the use of below ground geo-cellular storage tanks is to be adopted for the development, with appropriate run-off rates. All drainage is to be assessed for a 1 in 100-year return period + 40% climate change event, so that no on-site flooding of the buildings will occur.

Comments regarding the proposed drainage strategy have been made by the GLA flooding team, as well as by WSP Drainage which from a policy perspective are the Lead Local Flood Authority (LLFA) representing Barnet, requiring further flood risk calculations, details of the proposed SUDS Strategy, underground attenuation tanks in relation to on site trees and off site drainage infrastructure. A lot of these issues will be further addressed as part of the Stage 2 Mayoral Referral and a is also covered by planning condition requiring the submission and approval of a revised drainage strategy prior to the commencement of works.

4 Planning Obligations & CIL

Planning Obligations

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

In accordance with development plan policies the list of obligations as set out in the heads of terms at the beginning of this report; are required to be secured through a legal agreement with the developer.

Community Infrastructure Levy (CIL)

Barnet CIL

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

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

Mayoral CIL

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

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

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

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

5. Planning Balance

As stated earlier, after an assessment of the proposed development, Officers find that less than substantial harm will be caused to the designated heritage assets of the trio of the Hendon Civic listed buildings and The Burroughs CA. In accordance with Barnet policy DM06 and paragraph 208 of the NPPF, the harm should be weighed against the public benefits.

The Hendon Hub Project aims to bring a number of benefits, the proposed benefits of the scheme and the weight attributed to each is set out below:

- Optimisation of brownfield site delivering 384 student units with 50% affordable and 28 residential units with 100% affordable (equal to 181.6 conventional housing units) – significant weight.

- Modern community floorspace and a new Arts and Cultural Industries Facility, which are all to be accessible by the general public – significant weight.
- Public realm, Net 10.03% Gain in Biodiversity, pedestrian crossing improvements and promotion of Healthy Streets and active travel – moderate weight.
- Community Infrastructure Levy (CIL), job creations and local economic benefits – limited weight.

6. Conclusion of Planning Balance

Large levels of pre-application meetings and community consultation was undertaken prior to the submission of the application which heavily focused on heritage and design including the public realm and landscaping. A detailed submission has been provided in respect to these elements which seeks to appropriately integrate the proposed development within the specific site constraints, existing character of the site and surrounding area including the context of the nearby conservation area.

For the reasons given in the assessment sections above, it is identified that there would be less than substantial harm to the significance of the designated heritage assets which although of a limited nature has nonetheless been given considerable weight by officers.

In this case there would be a package of benefits that would arise from the development which have been attributed substantial and moderate weight. With limited weight applied only to the financial benefits. In accordance with the NPPF it is considered that the overall package of these public benefits is of considerable and substantial importance and that it would clearly outweigh the less than substantial harm that would arise through the proposed development.

In arriving at this planning judgement officers have had fully in mind the requirements of sections 66(1) and s.72(1) of the P(LBCA)A 1990, by which Parliament intended that the desirability of preserving the settings of listed buildings and conservation areas should not simply be given careful consideration but “considerable importance and weight” when carrying out the balancing exercise. This gives rise to a strong statutory presumption against granting planning permission for development which would cause (any) harm to the settings of listed buildings or to settings of conservation areas, even where the harm would be “less than substantial” the balancing exercise cannot ignore the overarching statutory duties imposed by sections 66(1) and s.72(1).

In the present instance, officers have attached considerable importance and weight to the section 66(1) and s.72(1) duties when carrying out this assessment and have found that having regard to the less than substantial harm caused to heritage assets (as identified above) any presumption against the grant of consent has been clearly displaced by the substantial public benefits arising from the proposal.

The cumulative impact of the applications has also been considered as part of the overall impact of heritage issues. The EIA confirms the effects relating to individual sites and Townscape, Heritage and Visual Impact aspects do not interact with each other. This is because there is no direct intervisibility between the Proposed

Developments. Therefore it is considered that there would be no adverse cumulative impacts on the heritage assets even when the developments are considered overall.

Therefore, subject to mitigation, measures relating to design, character and appearance, landscaping, highways, noise, contamination, air quality, transport impacts and sustainability will be secured via S106 obligations and relevant conditions.

7. **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 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. The site will provide 10% wheelchair adaptable units.

The development includes level, step-free pedestrian approaches to buildings to ensure that all occupiers and visitors of the development can move freely in and around the public communal spaces. Lift is also provided to provide step-free access between the ground and the upper levels at Site 2. Dedicated parking spaces for people with a disability will be provided in convenient locations.

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. 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 legislation.

Overall, it is not thought that any of the protected characteristics are majorly negatively affected. It is considered that the majority of vulnerable groups are impacted positively to some extent, including: disability, pregnancy/maternity, gender reassignment, and race/ethnicity. A significant number of mitigations and adjustments have been made to the scheme since then to accommodate for concerns regarding equalities and from consultation feedback. These include:

- Reduction in student accommodation unit numbers by 26%
- Introduction of additional placemaking improvements improving lighting and quality of space, and further service provisions, including a healthcare service and a potential Safer Neighbourhoods Team base
- CPZ and parking restrictions for new student population (introduced for non-disabled students only)
- Compliance of buildings, with 10% of accommodation provided being disability-friendly
- Removal of 2 car parks from the scheme with no overall net loss in parking
- Introduction of gender-neutral toilets in public space
- Relocation of community uses to a more prominent community hub on the RFC site

As a result, the cumulative impact of the scheme is thought to be slightly positive from an equalities perspective. In this regard account has been taken of the impact on older people (65+), disabled persons and other persons of restricted mobility and other protected characteristics. The impact on these groups is considered minimal, due to the close proximity of the proposed siting of the new facilities, including the library, to the existing facilities (i.e. across the road), the position of no net reduction in car spaces across the Hendon Hub Estate, the provision of disabled blue badge parking on site and the fact that the proposed replacement facilities including the proposed library will be provided in a modern fit for purpose building complying with modern standards including for disabled access.

Existing users of the Hendon Hub Estate facilities such as the Residents' forums, African Culture Association, Citizen's advice Bureau, and the Chinese Mental Health Association Age Concern and Mencap and Scouts will continue to be open across the remainder of the development period and will be provided with equally commodious new replacement facilities of greater floorspace than their existing facilities as a result of the redevelopment. These facilities will be close to the current locations and as such it is not considered that there will be a detrimental equalities impact.

Officers conclude that there is no adverse equality impact from this application. The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all. Officers conclude that the proposed development will overall contribute to the objective of the legislation

It is also noted that the applicant has submitted an Equalities Impact Assessment (EQIA) in support of the application and advised that this document will be kept under constant review and updated throughout the lifecycle of the Hendon Hub development to manage Equalities considerations.

In addition, officers have also considered the proposal in terms of the HRA 1998 and in particular, articles 2 (right to education), 8 (respect for home and family life) and 14 (non discrimination) of the ECHR. Officers consider that granting planning for this development proposal would not breach of the HRA 1998.

8. Crime and Disorder

Section 17 of the CDA requires local authorities to consider the crime and disorder implications of their decision. As specified earlier in this report, the crime prevention officer of the metropolitan police was consulted on this application and responded advising that the application has taken designing out crime into account in the design of the proposal. The Secured by Design Officer raises no objections to the proposal subject to appropriate conditions and the applicant securing final secured by design accreditation. These matters have therefore been carefully considered and are secured by condition to ensure the proposal is in full accordance with Section 17 of the CDA.

9. Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development overall accords with the relevant development plan policies. There are no material considerations against the proposal which would outweigh the presumption in favour of the grant of planning permission. It is considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Legal Agreement, **APPROVAL** is recommended subject to conditions as set out above.

SITE LOCATION PLAN – Reference: 23/2868/FUL

