

LOCATION: Barnet House
1255 High Road
London
N20 0EJ

REFERENCE: 21/3726/FUL Received: 06.07.2021

WARD: Totteridge Expiry: 05.10.2021

APPLICANT: Healey Developments

PROPOSAL: Redevelopment of the site to deliver up to 260 homes and up to 709 sqm GIA of Class E commercial floorspace through the conversion of Barnet House from offices to residential, including extension at roof level, and the front, rear and side elevations alongside the provision of Class E use at ground floor of Barnet House. And the demolition of rear annex and erection of new residential buildings. Together with associated public realm, landscaping, access improvements, car and cycle parking.

RECOMMENDATION

Recommendation: That delegated authority is granted to negotiate and complete a Section 106 Agreement in the event that appeal reference APP/N5090/W/21/3289161 is allowed. The Section 106 would be based upon the heads of terms set out in this note.

PREFACE

Application reference 21/3726/FUL was appealed under non determination in January 2021. The application was subsequently reported to Strategic Planning Committee on 22nd February 2022 at which the committee resolved that had it been able to determine the application, it would have refused the application on the following grounds:

- 1) The proposed development, by virtue of its excessive height, scale, massing and density would represent an over development of the site resulting in a discordant and visually obtrusive form of development that would demonstrably fail to respect the local context and established pattern of development, to the detriment of the character and appearance of the area, and the visual amenity of adjoining residential occupiers. The proposal would therefore not create a high-quality building, not constitute a sustainable form of development and would be contrary to the provisions of the NPPF, Policies D3, D4 and D9 of the London Plan 2021 and policies CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies 2012

- 2) The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing, affordable workspace, carbon off-setting, highways mitigation, non-financial and financial skills, employment, enterprise and training obligations, or street scene and street tree improvements. Moreover, the quantum of development and absence of appropriate secured mitigation would result in an undue strain being placed upon local health services. The proposal would therefore not address the impacts of the development, contrary to Policies CS5, CS9 and CS11 of the Local Plan Core Strategy (adopted September 2012), policies DM01, DM04, DM10 and DM17 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013), Paragraph 7 of the NPPF, Policy S2 of the London Plan 2021.

These form the putative reasons for refusal of the application and will form on the basis of the Council's case in defending the appeal. However, in the event that the appeal is allowed, the Council must have in place a Section 106 Agreement in order to secure the necessary planning obligations and scheme mitigation. This note seeks the necessary delegated authority for officers to undertake this process. The outline heads of terms that will form the basis of the Section 106 Agreement are set out below.

PLANNING OBLIGATIONS

1. Affordable Housing

- Affordable housing – a minimum of 32 affordable housing units on the basis of the following mix:

London Affordable Rent

- 12x 1b2p units;
- 5x 2b4p units;
- 6x 3b5p units;

Intermediate

- 3x 1b2p units;
- 1x 2b4p units;
- 5x 3b5p units.

+ Early and late stage review mechanisms

2. Skills, employment, enterprise and training / Affordable workspace

Non-Financial Obligations / Heads of Terms

- Skills, Employment, Enterprise and. Training opportunities

Part 1a - Non-financial obligations	Outputs
a) Progression into Employment (unemployed under 6 mths)	10
b) Progression into Employment (unemployed over 6 mths)	6
c) Apprenticeships (min NQV Level 2)	15
d) Work Experience (min 10 days)	20
e) School/College/ University Site Visits	111
f) School/College Workshops	103
g) Local Labour	30%
h) Local supplier requirements	2

Number of Affordable Residential Units (as per Planning Application)	TBC
Part 1b - Construction Training Initiative	Applicable

NOTE: Refer to Affordable Housing SPD (Feb 2017), page 23 and Appendix 6

Number of End use jobs (as per Planning Application)	95
Part 1c -Local Employment Agreement (LEA)	Applicable

NOTE: Refer to SPD-SEET (Oct 2014), LEAs, page 10

- Affordable Workspace to be secured.

3. Highways

Financial Contributions

- £70,000.00 – For the CPZ Consultation, TMO, Design & implementation fees (to include Baxendale and streets surrounding the development up to the extent covered by the Parking Stress Surveys): £70,000 maximum. Should schemes not progress following consultation, any moneys unspent to be returned.
- £30,000.00 – Contribution for the Framework Travel Plan Monitoring (Based on LB Barnet SPD 3.1.19)
- £150.00 per unit for travel incentives
- £50,000.00 – The funding identified for the Feasibility study into the provision of a controlled crossing at Totteridge and Whetstone station- this is a standalone and not a duplication. The previous fee would have identified by Highways. The amount of £50K includes the feasibility study and part contribution towards a potential replacement of the refuges with a signal controlled crossing.
- £35,000.00 – Funding for a Feasibility Study on options to improve the High Road/Oakleigh Road/Totteridge Lane junction layout for all users, (including surveys and traffic modelling)

S278 Works

- The full list of pedestrian footpath improvements as listed in Appendix J of the Transport Assessment.
- The provision of a Car Club space on Baxendale;
- The full list of improvements identified in Table 8-1 of the Transport Assessment (Healthy Streets Improvements), including a contribution towards a feasibility study on options to improve the High Road/Oakleigh Road/Totteridge Lane junction layout for all users.

4. Carbon offset contribution

- £256,940.00 – Carbon Offset payment.

5. Landscaping / Trees

- £15,000.00 – Provide additional tree planting along Barnet High Road, A109, Totteridge Lane and Baxendale to assist/ improve the visual setting. Section 106 agreement for highway tree planting 20 trees @ £750.00/tree - £15,000 in total

6. Health

- NHS North Central London Clinical Commissioning Group (CCG) or its successor body have first refusal on all the commercial space within the development – The CCG have 9 month response time from receiving the offer in writing;
- The developer to provide the space at a Shell and Core fit-out specification;
- The ability to renew the lease on the same terms i.e. Shell and Core fit-out specification;
- An option to take a 25 year lease term;
- The space to be offered on a lower employment / new start-up business rental rate;
- 5 year rent reviews:
 - Index linked to the CPI
 - Cap 3% & Collar 1%
- An initial rent-free period while the space is being fitted out;
- A parking allocation that meets health facility guidance

7. Monitoring and legal costs

- Sum to be calculated, following final agreed contributions / heads of terms and completion of agreement.

Appendix 2: Conditions

1. This development must be commenced within three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by 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 and documents:

D2117 L.100, D2117 L.200, D2117 L.300, D2117 L.400, D2117 L.401, D2117 L.402, D2117 L.403, D2117 D001 and Planning Statement October 2014 by Rolfe Judd, NEAT Developments Ltd and DTZ Investment Management, Design and Access Statement October 2014 by Rolfe Judd, NEAT Developments Ltd and DTZ Investment Management, Residential Travel Plan October 2014 by Waterman Infrastructure & Environment Limited, Transport Assessment October 2014 by Waterman Infrastructure & Environment Limited, Designer's Response to Road Safety Audit Stage 1, September 2014 by Waterman Infrastructure and Environment Limited, Daylight and Sunlight Report by GVA, NEAT Developments Ltd and DTZ Investment Management, Landscape Design and Access Statement by NEAT Developments Ltd, Pedestrian Level Wind Microclimate Assessment Desk Study by RWDI Consulting Engineers and Scientists, Energy Statement by NEAT Developments Ltd, Dispersion Modelling for the Proposed Energy Centre October 2014 by Cambridge Environmental Research Consultants, Desk Study Report – Revision 3 October 2014 by Card Geotechnics

Limited, NEATS Development Ltd and DTZ Investment Management, Sustainability Statement by NEAT Developments Ltd and Flatt Consulting, Air Quality Assessment by JMP Consultants Ltd, Environmental Noise Assessment October 2014 by Paragon Acoustic Consultants, Flood Risk Assessment by Walsh Associates, Pedestrian Audit October 2014 by Waterman Infrastructure and Environment Limited, Archaeological Desk Based Assessment August 2014 by CGMS Consulting.

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 application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

3. The development hereby permitted shall not commence unless and until a phasing strategy is submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved strategy.

Reason: To safeguard the character and visual amenities of the site and the application site, and to ensure that the phasing of development is satisfactory in terms of highway safety and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policies CS5 and CS9 of Core Strategy (Adopted) September 2012 and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

MATERIALS, DETAILING & CONTROL

4. Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not proceed above ground floor damp proof course level unless and until:

(a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and

(b) a sample panel shall be constructed on site, inspected and approved in writing by the Local Planning Authority.

The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

5. Notwithstanding the details shown on the plans otherwise hereby approved, the development shall not proceed above ground floor damp proof course level unless and until detailed bay studies at an appropriate scale (1:10, 1:20 or 1:50) showing details of the

construction of the below features have been submitted and approved in writing by the Local Planning Authority:

- window reveals
- residential core entrances
- brickwork features and brick banding
- parapets, fascias and brick on edge details
- projecting and recessed balconies
- rainwater goods

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

6. 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 building(s) hereby permitted shall not be extended in any manner whatsoever.

Reason: To ensure the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties, as well as to ensure appropriate amenity space provision for future occupiers of the development, in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and the Council's Supplementary Planning Document: Residential Design Guidance (2013).

7. The 936m² of floor space hereby approved for purposes falling within Use Class B1a shall only be occupied for uses falling within Use Class B1a Office and shall not be used for any other purpose, including any other purpose within Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floor space within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

8. The 295m² of floorspace falling within Class D1 use and the 96m² of floorspace falling within Class D2 use shall be occupied for education and community purposes only and shall not be used for any other purpose, including any other purpose within Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any

provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floor space within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

9. The 97m2 of floor space hereby approved for purposes falling within Use Class A3 shall only be occupied for uses falling within Use Class A3 and shall not be used for any other purpose.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floor space within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

10. The C3 residential units hereby approved shall only be occupied for uses falling within Use Class C3 and shall not be used for any other purpose.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floor space within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

SITE LEVELS

11. Notwithstanding the details submitted in the drawings hereby approved no phase of the development hereby approved is to commence (other than ground works and site clearance) unless and until details of the levels of the proposed buildings, roads, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved in that phase are occupied.

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 amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

MEASURES TO ENSURE PRIVACY

12. Notwithstanding the details shown on the plans submitted and otherwise hereby approved none of the buildings shall be occupied until details are submitted to the Local Planning Authority and approved in writing which specify:
- (a) the siting and design of all privacy screens that are to be installed as part of the development; and
 - (b) a schedule of the parts of the roofs of the buildings hereby permitted that are to be used for amenity purposes and those which are to be restricted access for maintenance only.

Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the approved details for that phase and specifications and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings and neighbouring occupiers in accordance with polices DM01 and DM02 of the Barnet Local Plan.

13. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no phase of the development hereby permitted shall be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of boundary treatments to be installed as part of that phase 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 of the proposed residential dwellings and in the interests of the appearance of the development, in accordance with polices DM01 and DM02 of the Barnet Local Plan.

REFUSE AND RECYCLING

14. Notwithstanding the details submitted with the application, before any phase of the development hereby permitted is brought into use or occupied details of the:
- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
 - ii. satisfactory points of collection; and
 - iii. details of the refuse and recycling collection arrangements

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and the refuse and recycling facilities provided fully in

accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason: To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with polices CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

15. Prior to the occupation of the development a Waiver of liability and indemnity agreement must be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and 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.

ACCESSIBILITY

16. All of the new residential dwellings (Use Class C3) within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standards, whilst the units specified on the approved drawings to be easily adaptable for wheelchair use or to be 'Wheelchair Homes' standards complaint shall be constructed as such.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan and policy DM02 of the Barnet Local Plan.

SUSTAINABILITY

17. All residential units (Use Class C3) in the development hereby permitted shall all be constructed to achieve not less than Code Level 4 in accordance with the Code for Sustainable Homes (or the equivalent standard in such measure of sustainability for house design which may replace that scheme). No dwelling shall be occupied until formal certification has been issued confirming that not less than a Code Level 4 has been achieved and this certification has been submitted to the Local Planning Authority.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan.

18. The non-residential units (use classes B1 and D1) within the development hereby permitted shall all be constructed to achieve not less than a standard of 'Excellent' when assessed against a suitable and up to date (not prior to 2011) scheme under the Building Research

Establishment Environmental Assessment Method (BREEAM). No non-residential unit within the development shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a standard of 'Excellent' has been achieved (under the relevant BREEAM methodology) for the unit concerned and this certification has been submitted to the Local Planning Authority.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan.

19. Prior to the commencement of the development, a Site Waste Management Plan detailing how the development will minimise waste in the construction process and source materials sustainably where possible, shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan policy 5.3.

CONTAMINATED LAND

20. Construction method statement

a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

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

Reason: In the interests of highway safety 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 April 2013) and Policy 5.21 of the London Plan (2011).

21. Contaminated land

Part 1

Before development commences other than for investigative work:

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.

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

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

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 April 2013) and 5.21 of the London Plan 2011.

a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development have 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 development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted September 2012).

23 Impact of Noise on Development (road/rail noise)

a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings 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 amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings 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 2011.

24 Impact of noise from Ventilation and Extraction Plant on Development

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2011.

25 Insulation against Internally / Externally Generated Noise

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 from the ^IN; as measured within habitable rooms of the development shall be no higher than 30dB(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 2011.

26 Air Quality Report

a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.

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) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 of the London Plan 2011.

27 Biomass Boiler

a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler shall be submitted to and approved by the Local Planning Authority.

It shall also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.

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) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

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

Reason: To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013).

28 Noise from Plant

The level of noise emitted from the (specify machinery) 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 7.15 of the London Plan 2011.

BIODIVERSITY

- 29 Prior to the development proceeding above ground floor damp proof course level for each phase details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped shall be submitted to the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development in each relevant phase.

Reason: To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan.

WATER AND DRAINAGE

- 30 The development hereby permitted shall not commence (other than ground works and site clearance) until a drainage strategy detailing all on and off site drainage works for each phase of development (including Sustainable Urban Drainage Systems, such as permeable paving, attenuation measures and rainwater harvesting) to be carried out in respect of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. No foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works referred to in the strategy have been completed in their entirety for that phase of development.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

- 31 The dwellings hereby approved shall have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

- 32 Before the residential dwellings (Use Class C3) in each phase of development hereby permitted are first occupied details of the water efficiency measures to be installed in them to ensure that they achieve a water usage standard of not more than 105 litres per head per day shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include sufficient particulars to demonstrate how the water usage standard of not more than 105 litres per head per day shall be achieved, including dual flush (4 to 2.6 litre) toilets and flow restricted taps (maximum 5 litres per minute). The development shall be implemented in full accordance with the details as approved prior to the first occupation of the residential dwellings in each phase.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

LANDSCAPING

- 33 Notwithstanding the details submitted and otherwise hereby approved, development shall not proceed above ground floor damp proof course level in each phase until a detailed scheme of hard and soft landscaping (to include green and brown roof details) and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;
- means of planting, staking and tying of trees, including tree guards, planter depths and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
- existing site contours and any proposed alterations to these such as earth mounding;
- details of all proposed hard landscape, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

- 34 All work comprised in the approved scheme of hard and soft landscaping for each phase shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or

completion of the construction of the phase of development, whichever is sooner.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 35 Any existing tree or hedge shown to be retained or trees, hedges 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 and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 36 No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees adjacent to and within the application site have been erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority for each phase of development. The tree protection measures approved shall remain in place until after the development works hereby consented are completed for each phase and no material or soil shall be stored within any of the protected areas during the works associated with any phase of this development.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 37 Prior to the commencement of the any phase of development hereby approved details of the location, extent and depth of all excavations for drainage and other services in relation to trees to be retained, or trees on adjacent sites, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such approval for each phase.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 38 Notwithstanding the details shown on the plans otherwise hereby approved, prior to the first occupation of any phase of the development a scheme detailing all play equipment to be installed in the central square and communal amenity space as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and the play space shall thereafter be retained.

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan.

- 39 The dwellings hereby approved shall not be occupied unless and until a Landscape Management Plan, including details of the long term design objectives, management responsibilities and maintenance schedules for all areas of the site, have been submitted to the Local Planning Authority and approved in writing. The management of the landscaping at the site shall be carried out in accordance with the details in the approved Landscape Management Plan.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

- 40 No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days.

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

TRANSPORT

- 41 Before the development hereby permitted is occupied, a revised parking layout drawing showing the parking allocation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with 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.

- 42 Before the development hereby permitted commences a Car Parking Management Plan shall be submitted to and agreed in writing by the Local Planning Authority.

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

Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 43 The approved development shall make provision for 588 cycle parking for residential use in accordance with TfL requirement as per TfL's FALP Inspector's Report which was published by GLA on the 16th December 2014. The revised provision will be submitted to and approved by the Local Planning Authority. Such spaces shall be well located in relation to the entrances and lifts to encourage and their use permanently retained thereafter.

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

- 44 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 45 Before the permitted development is occupied a full Delivery and Servicing Plan 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.

- 46 Before the permitted development is occupied a full Construction Logistic Plan 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

- 47 Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include for the provision of 20% active and 20% passive parking spaces with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation and maintained thereafter.

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 6.13 of the London Plan.

- 48 Before the permitted development commences details of the refuse and recycling collection arrangements 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.

- 49 Before the development is occupied details of improvement works identified in Pedestrian Environment Review System (PERS) Audit on public highway shall be submitted to the Local Planning Authority for approval. The improvements identified in the PERS audit shall be carried out at the applicant's expense.

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.

LIGHTING

- 50 Prior to the first occupation of the dwellings hereby approved full plans, details and specifications of all external lighting to be installed as part of that phase of development

shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of each phase 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 policy DM01 of the Barnet Local Plan and 5.3 of the London Plan.

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

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan.

TELECOMMUNICATIONS EQUIPMENT

- 52 Prior to the development hereby permitted proceeding above ground floor damp proof course level, a scheme for the provision of communal/centralised satellite and television reception equipment to be installed on the roof of all blocks in that phase of development 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 townscape and character of the area, so that it accords with policies CS5 and DM01 Barnet Local Plan.

- 53 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 townscape and 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.

- 54 The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed flood risk assessment (FRA) 'Flood Risk Assessment for The Hyde, Rookery Way, Hendon, Rev D' has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

- 55 A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to the local planning authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

C) No development or demolition shall take place other that in accordance with the Written Scheme of Investigation approved under Part (B).

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF