

Homebase, Rookery Way

in the London Borough of Barnet

planning application no. H/05828/14

Strategic planning application stage II 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 the existing buildings and the erection of eight blocks of apartments of six to eight storeys with a building of 14 storeys adjacent to The Hyde (A5/Edgware Road) and three terraced blocks comprising housing and duplex apartments, providing 386 residential units (use Class C3), 936 sq.m of business hub (use Class B1), 97 sq.m of cafe (use Class A3), 298 sq.m of Class D1 use and 98 sq.m of Class D2 use. Associated car and cycle parking, storage and plant space located at basement level with private shared residential external amenity space and landscaping.

The applicant

The applicant is **Neat Developments Ltd** and **DTZ Investment Management**, and the architect is **Rolfe Judd**.

Strategic issues

The key strategic issues in this case relate to **land use, housing, affordable housing, urban design, sustainable development** and **transportation**.

The Council's decision

In this instance Barnet Council has resolved to grant permission.

Recommendation

That Barnet Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 On 13 November 2014 the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1A, 1B and 1C of the Schedule to the Order 2008:

1A: *“Development which comprises or includes the provision of more than 150 houses, flats of houses and flat.*

1B: *“Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings – (c) outside Central London and with a total floorspace of more than 15,000 square metres.”*

1C: *“Development which comprise or includes the erection of a building of – (c)... more than 30 metres high and outside the City of London ”.*

2 On 18 December 2014 the Mayor considered planning report D&P/3223/01, and subsequently advised Barnet Council that while the application was generally acceptable in strategic planning terms, the application did not comply with the London Plan for the reasons set out in paragraph 54 of the above mentioned report, but that the possible remedies set out in that paragraph could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 25 February 2015, Barnet Council decided that it was minded to grant planning permission, and on 6 March 2015 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Barnet Council under Article 6 to refuse the application or issue a direction to Barnet Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 25 March 2015 to notify the Council of his decision and to issue any direction.

4 The decision on this case, and the reasons will be made available on the GLA’s website www.london.gov.uk.

Update

5 At the consultation stage Barnet Council was advised that while the application was generally acceptable in strategic planning terms, the application did not comply with the London Plan, for the reasons set out in paragraph 54 of the above mentioned report; but that the possible remedies set out in that paragraph could address these deficiencies:

- **Housing:** Further information should be provided pending the outcome of the independent assessment of the applicant’s viability appraisal regarding the maximum reasonable amount of affordable housing in line with London Plan Policy 3.12.
- **Urban design:** The layout of the scheme should be reviewed to ensure the quality of the shared amenity space. The single aspect north facing units should be reviewed
- **Inclusive access:** Further details should be provided in relation to accessibility, particularly details of level access across the site.
- **Climate change:** Further information should be provided on how the demand for cooling and risk of overheating will be minimised. Plans of the layout and size of the energy centre should be provided and confirmation given that all units will be connected to it. Further information is required on the management of the CHP unit and justification for the size of unit chosen.

- **Transportation:** The number of car parking spaces should be reduced. The servicing and pedestrian conflict at the west of the site should be addressed and the access at Silk Stream should be included in the transport assessment. S106 payments of £150,000 for cycling measures and £450,000 for bus measures are requested.

6 Since the initial consultation, further details on the scheme have been provided to the Council which addresses the points raised above. Taking each of the outstanding points in turn, the following is noted:

Housing

7 The scheme would provide 78 of the 386 units proposed as affordable, which equates to 20%. This contribution has been assessed by an independent consultant on behalf of the Council who has concluded that 20% is the maximum reasonable amount of affordable housing that can be achieved on this site. This addresses the issues raised at consultation stage by GLA officers and would be in accordance with Policy 3.12.

8 Of the affordable housing units, 37 would be affordable rent units and 41 intermediate units. While this would not be strictly in accordance with the strategic tenure split within Policy 3.11 (which is 60% affordable rent to 40% intermediate), the Council has confirmed that the proposal would meet a local need in affordable housing, in line with the intent of the policy.

Urban design

9 At consultation stage, officers were generally very supportive of the approach to urban design. However, officers raised questions in relation to the route through the scheme, parallel of Rookery Way based on the concern that it would dilute the hierarchy of streets. The route through the site remains. The Council considered this route to be a significant benefit to the scheme which replicated historic routes through the site. Given that this part of the scheme would be heavily landscaped (which would be secured by an extensive condition) and would be pedestrian only with a ground treatment to reflect this, and that the Council are strongly supportive of the route, GLA officers are content that it would appear predominately as an amenity space and pedestrian cut through, and no further objection is raised in this regard.

10 The Stage 1 report notes that the position of the refuse store on the corner of the access to the Silk Stream route was unfortunate given the corner's prominence on Rookery Way. The landscaping strategy noted above would include planting along this boundary which would soften the edge of the building and is welcomed.

11 GLA officers also suggested that ground floor units were accessed directly off the central communal space. The units fronting Rookery Way do have individual access; as do the units to the north of the site, and those ground floor units onto the shared space do have private amenity space which offers the opportunity for direct access onto the shared space. While it is unfortunate that the opportunity for front door access to all ground floor units from this space has not been taken, given that the route would include a number of entrances, in this case no further objection is raised.

12 At consultation stage, the proposal for single aspect north facing units was raised. Following the Stage 1 report, the applicant provided further details of the scheme, highlighting that those units represent just 3% of the total and that they do meet all other housing standards. Given the overall scale of the scheme, this represents a very small proportion of the overall units and on balance, no further objection is raised.

Inclusive access

13 At consultation stage, further details of the accessibility of the public realm was requested. The applicant has confirmed that there is level access across the site which is welcome.

14 It is unfortunate that level access cannot be provided to Silk Stream. However, GLA officers acknowledge that the extent of land ownership and the requirements of the flood plain make ramping challenging. Officers note the opportunity to provide level access with development at the adjoining site and welcome the inclusion of a bike gully to ease access of this route for cyclists.

Climate change

15 Since Stage 1, further information has been submitted in relation to the energy issues. An overheating assessment has been submitted and solar control glazing will be used on the building along with openable windows. Further information has also been provided in relation to the CHP management, confirming that it will be given to a management company who will export any excess energy to the grid.

16 Additional plans showing the heat network and the energy centre have also been provided and demonstrate that one network will serve all uses on the site.

17 The additional information is welcome and addresses all energy issues raised at Stage 1.

Transportation

18 At Stage 1, concern was raised that the total number of car parking spaces (318) was excessive. This figure has not been altered and it is understood that Barnet's transport officers were seeking a higher level of provision. However, the residential car parking provision results in a car parking ratio of 0.8 which is within London Plan standards. In addition, a condition has been attached to the draft permission which requires the submission of a car parking management plan and a Section 106 contribution of £150,000 to implement a controlled parking zone.

19 Officers welcome the inclusion of a condition that requires any improvement identified through the pedestrian environment review system audit to be implemented at the applicant's expense. The amount of cycle parking has been increased to 588 spaces which would be compliant with the London Plan requirements and is to be secured by condition.

20 At Stage 1, TfL requested a £150,000 contribution to improve cycling infrastructure in the surrounding area, on the basis that there is a need to address the current poor cycle connectivity. However, Barnet Council has reviewed this request and have confirmed that it does not consider that this is necessary to mitigate the impact of the development, and TfL accepts this position.

21 A sum of £275,000 will be secured towards bus service improvements which is welcomed. It is important that the drafting of the S106 ensures this money is secured prior to first occupation and is limited to the funding of TfL bus services improvements in the surrounding area. Although the amount is lower than the £450,000 requested at Stage 1, this reflects the fact that funding for buses has also been secured from a nearby development which together, will enable bus capacity to be increased as intended.

22 Conditions have been imposed which require submission of a constructions logistics plan and delivery servicing plan. A residential Travel Plan will also be secured through S106 agreement and will include total travel incentives of £300 for each residential unit which can be used as Oyster card credit, car club membership and usage or bicycle purchase. Three parking spaces will be reserved for car club use. TfL have welcomed the inclusion of these incentives.

23 In conclusion, there are no outstanding concerns in relation to transport and the contributions secured towards bus services and Travel Plan incentives to be secured through S106 is welcome, as is the increased cycle parking.

Response to consultation

Local neighbourhood consultation

24 The application was advertised by site and press notices and consultation letters were sent to 1680 properties and 26 responses were received objecting to the proposal.

25 A summary of the issues raised in objection is provided below:

- Need more industrial space, not more flats
- The scheme reduces light to Rookery Way
- The scheme would increase congestion in the area
- The height of buildings raises concerns
- There is a concern that the infrastructure and services will be unable to cope with the cumulative impact of increased residents from the site and adjoining development sites and there will be an adverse impact on transport (bus, train, cars), library services, NHS services, schools, police services, utilities (gas, electricity, water), vehicular movements (roads, parking)
- There is a concern with the processing of the EIA screening opinion for the site
- There is a concern with the impact on nearby transport facilities
- There is concern that the cumulative impact of multiple developments will lead to overcrowding in the area
- There is concern with the impact of the proposal on local NHS services, particularly doctors and dentists which are already stretched
- The proposal will impact adversely on local school services which are already struggling
- The proposal lacks a community aspect
- There is concern that the proposal will impact adversely on crime levels in the area
- The loss of the Homebase store would impact adversely on the community
- The proposal would result in the overdevelopment of the site
- The proposal will impact adversely on parking in the area
- The proposal will increase pollution in the area
- Concern that there are inadequate vehicle movement facilities on primary and secondary junctions in the area to cater for the additional demand. This will reduce road safety.
- The development is too tall and will be an eyesore
- There should be sporting facilities on the sites for young people as this is lacking in the surrounding area
- The proposal fails to provide sufficient affordable housing
- The proposal would impact adversely on the amenity of neighbours at Geneva Court through a loss of light, privacy, overlooking and noise
- The proposal would be detrimental to the character and appearance of the surrounding area.
- The proposal would result in the loss of the existing car sales business
- The proposal would impact adversely on views through the site from the surrounding area
- The proposal would impact adversely on access to light from neighbouring sites
- The proposal will result in a cold wind tunnel
- The proposal will impact adversely on the amenity of existing residents in Rookery way though loss of light and overlooking

26 The issues raised have been considered in this report, the Mayor's Stage 1 report and the Council's committee report.

Statutory consultees and local bodies

27 A number of statutory bodies were consulted on the scheme. A summary of responses are as follows:

- **Highways Agency:** No objection
- **Environment Agency:** The revised Flood Risk Assessment is satisfactory and there is no objection to the scheme subject to recommended conditions.
- **London Fire and Emergency Planning Authority:** No objection
- **Natural England:** No objection
- **English Heritage Archaeology:** No objection subject to recommended conditions
- **Thames Water:** No objection
- **London Borough of Brent:** Object to the scheme on the basis that the development would have an unacceptable impact on the operation of the adjoining signalised junction of Edgware Road and Kingsbury Road, and that the scheme would not be accessible by pedestrians. The Barnet transportation officers have assessed the proposal plans and have confirmed that the arrangements proposed would have an acceptable impact on the highway.

Representations to the Mayor of London

28 In addition to those representations received by the local authority, two responses were addressed directly to the Mayor. The following points were raised:

- The Screening Opinion issued by the borough was incorrect and should be withdrawn
- There is no justification for the Mayor's support for the scheme and why GLA officers consider the scheme acceptable.
- The site is not allocated/highlighted in the 'Colindale Development Plan'.
- The scheme is in excess of the recommended density levels and would inflict a high social, economic & environmental cost on communities.
- The scheme would result in 13,770 additional cars on local road which are already congested roads.
- The scheme would result in 950 new residents and will put an unacceptable strain on local public transport services.
- Together with the sites identified in the 'Colindale Development Plan', the ward would experience development 300% above the recommended levels. This will result in a legacy of depravity and squalor due to overcrowding.
- The scheme has a significant lack of sound and positive contributions to the community.

29 The statutory and non-statutory responses to the Council's consultation and the responses received by the Mayor do not raise any material planning issues of strategic importance that have not already been considered at consultation stage and/or in this report.

Article 7: Direction that the Mayor is to be the local planning authority

30 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

31 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

32 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

33 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

34 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

35 Having regard to the details of the application, the matters set out in Barnet Council's committee report, consultation responses, the draft conditions and draft S106 agreement, the scheme is acceptable in strategic planning terms.

for further information, contact GLA Planning Unit (Developments and Projects Team):

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planning report D&P/3223

18 December 2014

Homebase, Rookery Way

in the London Borough of Barnet

planning application no. H/05828/14

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 the existing buildings, and the erection of eight blocks of apartments of 6-8 storeys with a building of 14 storeys adjacent to The Hyde (the A5, Edgware Road) and three terraced blocks comprising housing and duplex apartments, providing 386 residential units (Class C3), 936sqm of Class B1 (Business Hub), 97sqm of Class A3 use (Cafe), 295sqm of Class D1 use and 96sqm of Class D2 use. Associated car and cycle parking, storage and plant space located at basement level with private and shared residential external amenity space and landscaping.

The applicant

The applicant is **Neat Developments Ltd** and **DTZ Investment Management**. The architects are **Rolfe Judd**.

Strategic issues

The key strategic issues in this case relate to **land use, housing, affordable housing, urban design, sustainable development** and **transportation**.

Recommendation

That Barnet be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 54 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.

Context

1 On 13 November 2014 the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 24 December 2014 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1A, 1B and 1C of the Schedule to the Order 2008:

1A: *“Development which comprises or includes the provision of more than 150 houses, flats of houses and flats.*

1B: *“Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings – (c) outside Central London and with a total floorspace of more than 15,000 square metres.*

1C: *“Development which comprise or includes the erection of a building of – (c)... more than 30 metres high and outside the City of London”*

3 Once Barnet Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site measures 1.46 hectares in area and is located within the borough of Barnet. The site is currently occupied by a large retail warehouse unit (Homebase). The site has frontages onto The Hyde and Rookery Way.

6 The site is not located within a conservation area, but is located between the Colindale Opportunity Area to the north, Brent Cross/Cricklewood and West Hendon Opportunity Area to the south. The local area has a mixed residential and commercial character.

7 The site has a public transport accessibility level (PTAL) of 3 (on a scale of 1 to 6b where 6b is the highest), and therefore has good accessibility.

Details of the proposal

8 The proposals seeks the demolition of the existing buildings on site to make way for a residential led development comprising eight blocks of varying heights between six and eight storeys, one building of fourteen storeys and three terrace blocks comprising duplex apartments providing 386 new residential units. A business hub is also proposed which would provide 936 sq.m of B1 office space and 97 sq.m A3 use. Community uses are also proposed.

Case history

9 There have been no recent relevant planning permissions on the site. The scheme was presented to GLA officers at pre-application stage where the principle of the redevelopment was supported, but issues of detailed design, housing, energy and transportation required further considerations.

Strategic planning issues and relevant policies and guidance

10 The relevant issues and corresponding policies are as follows:

- Mix of uses *London Plan*

- Housing *London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context, draft SPG*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context, draft SPG; Housing SPG; London Housing Design Guide; Shaping Neighbourhoods: Play and Informal Recreation SPG*
- Access *London Plan; Accessible London SPG;*
- Sustainable development *London Plan; Mayor's Climate Change Adaptation Strategy*
- Transport *London Plan; the Mayor's Transport Strategy*

11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2012 Barnet Core Strategy, 2012 Barnet Development Management Policies and the 2013 London Plan.

12 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework
- The Further Alterations to the London Plan (intention to publish version) 2014.

Mix of Uses

13 The strategic development principle for the site being developed for a residential led development is in line with the requirements of London Plan Policy 3.3 which seeks increased housing supply and Policy 3.4 which seeks to optimise housing potential. It would assist in reaching Barnet's draft Further Alterations to the London Plan (FALP) housing target of 23,489 homes within the plan period and is welcomed.

14 The site is currently occupied by out of town centre retail floorspace and the loss of this floorspace is not of strategic concern. The inclusion of the business space, small retail space and a doctors surgery is supported and would assist in providing a balance of uses across the site.

Housing

15 The scheme proposes to provide 386 new homes. These would be provided as follows:

Tenure	Studio	1 bed	2 bed	3 bed	4 bed	Total
Market	29 (9%)	126 (41%)	97 (31%)	51 (17%)	5 (2%)	308 (80%)
Affordable total	0	29 (37%)	36 (46%)	13 (17%)	0	78 (20%)
Intermediate	0	24	20	0	0	44 (56%)
Affordable Rent	0	5	16	13	0	34 (44%)
TOTAL	29 (8%)	155 (40%)	133 (34%)	64 (17%)	5 (1%)	386

Affordable housing

16 Strategic priority is afforded to maximising affordable housing in London Plan Policy 3.12 which states that affordable housing contributions should represent the maximum reasonable amount, to be provided on site and based on a detailed and robust financial viability appraisal. The scheme proposes 20% (78 units) of the accommodation to be affordable. To demonstrate that this is the maximum reasonable amount to be gained from the scheme, the applicant has submitted a viability assessment to the Council for independent review. The results of the independent review should be shared with GLA officers as soon as this is made available.

17 London Plan Policy 3.11 establishes a strategic affordable tenure mix of 60% social or affordable rent and 40% intermediate housing. The scheme proposes an affordable tenure of 56% intermediate to 44% social rent (based on unit numbers). This mix should be justified in relation to the boroughs identified housing need to confirm compliance with Policy 3.11.

Housing choice

18 London Plan Policy 3.8 together with the Mayor's Housing SPG seeks to promote housing choice and seek a balanced mix of unit sizes in new development with particular focus on family homes. The submission confirms that a range of unit sizes, including family sized units would be provided across the scheme. The proposal is therefore in line with the requirements of Policy 3.8.

Children's play space

19 London Plan Policy 3.6 outlines the requirements of play space and recreational facilities. Based on the residential mix and the methodology within the Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG, the total minimum child yield for the development would be 73. This equates to a minimum dedicated playspace requirement of 734 sq.m. The design and access outlines that the space for 0-11 years (590 sq.m) will be provided on site through doorstep play and external play areas in the landscaped areas which would be well laid out and of high quality. Further details are required in relation to the provision for play provision in the wider area (within 400m and 800m) for children above 5 years old.

Residential density

20 The site has a PTAL level of 3 and is urban in character. On this basis the London Plan density matrix (Table 3.2 in support of London Plan Policy 3.4) suggests a residential density of between 200-450 habitable rooms per hectare (or 45 to 170 units per hectare). The density proposed is 264 units per hectare which is outside the identified density range. As outlined in the design section below, the site does not demonstrate any of the usual characters of overdevelopment, and subject to the scheme achieving the relevant housing standards; the proposal is in accordance with the intent of Policy 3.4.

Urban design

Layout

21 The defined building line along Rookery Lane is welcome and has been strengthened and lengthened from the pre-application scheme. The provision of front door access to those ground floor units along Rookery Way and would create legible entrances and encourage a sense of ownership. The location of the refuse storage room at the junction of block D/E and Rookery Way and the associated blank frontage is unfortunate given the importance of the access route through the site to the Silk Stream.

22 At pre-application stage, officers raised concerns that the proposed route running through the scheme parallel to Rookery Way would compete with it for movement and activity. The altered position of the building facing the Hyde does improve this situation, but officers remain concerned that the access route between block A and block B creates a public route through the private amenity space, diluting the hierarchy of streets. The applicant should investigate further opportunities to ensure public access through the site is restricted to the new northern east west route and focused on Rookery Way to improve the quality of this amenity space.

23 Further to this, the opportunity to provide direct entrances to all units on the ground floor onto this piece of public realm should be taken. This would ensure the space feels safe, well used and inviting for residents in line with London Plan Policy 7.1.

Height and mass

24 The height of the tallest element has been reduced since the pre-application submission which is welcomed. While the proposal is taller than the majority of the surrounding context there is contrast in the local townscape. The building steps down on the sensitive boundaries and proposes an overall scale which is comfortable in the within its context. The height proposes therefore raises no strategic issues.

Residential quality

25 London Plan Policy 3.5 establishes the strategic priority afforded to the quality and design of housing developments, with further guidance provided in the Mayor's Housing SPG. Key factors such as floor-to-ceiling heights, orientation, maximising ground-floor individual access points and number of units per core are all essential to achieving high residential quality.

26 Overall the residential quality of the scheme appears high with a low number of units accessed from each core and a high provision of dual aspect units. However, there are a number of units in block B that would be single aspect and north facing, or have poor orientation of windows resulting in poor aspect. These units should be reviewed to ensure residential quality is secured across the site.

Inclusive access

27 The aim of London Plan Policy 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion, not just the minimum. Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and Deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity.

28 The application has been submitted with detailed plans of the flats demonstrating that they meet the Lifetime Homes criteria and the wheelchair accessible guidelines outlined within the Accessible Housing SPG.

29 The applicant should confirm the details of the public realm in relation to accessibility, particularly in relation to the provision of level access across the site. Of particular concern is the open space adjacent to Edgware Road and the east boundary of the site.

Sustainable development

30 The applicant has submitted an energy statement which outlines the assessment of the schemes carbon savings on the basis of Part L 2013 Building Regulations using the energy hierarchy as outlined in Policy 5.2.

31 In relation to the lean stage of the hierarchy, a range of passive design and demand reduction measures have been proposed and both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations and achieve a reduction in 21.4 tonnes per annum (5.6%) of regulated CO₂ emissions. Further information should be provided on how the demand for cooling will be minimised and risk of overheating addressed in line with London Plan Policy 5.9.

32 A reduction in regulated CO₂ emissions of 52.6 tonnes per annum (14.5%) is proposed to be achieved in relation to the clean element of the hierarchy, the applicants have carried out an investigation into the existing district heat networks and identified that there are none in the vicinity of the proposed development. However, the applicant has committed to ensure that the development is designed to allow for future connection should one become available which is welcomed.

33 A site heat network is proposed that links all apartments and non-domestic building uses. A plan showing the route of the heat network linking all buildings on the site should be provided. The network would be supplied from a single energy centre within the basement of block J. Plans of the size and layout of the energy centre should be provided. The applicant should clarify that the houses will also be connected to the proposed heat network.

34 The CHP is sized to meet at least 60% of the heat demand for the domestic hot water load, as well as a proportion of space heating. Further information should be provided on the proposed management of the unit and electricity use arrangements for the system. Further details on the sizing and savings claimed from the CHP unit should also be provided.

35 In relation to the green stage, 852 sq.m of solar PV is proposed at roof level. This would achieve a reduction in regulated CO₂ emissions of 64 tonnes per annum (20.6%).

36 Overall these provisions would be equivalent to a saving of 35% compared to a 2013 Building Regulations compliant development. However, the details above should be addressed prior to confirmation that Policy 5.2 has been achieved.

Transport

Parking

37 318 car parking spaces would be provided at basement level, including eight commercial spaces. This equates to 0.8 spaces per unit. While this is within London Plan standards, TfL consider this could be reduced given the existing congestion experienced on The Hyde (A5) to the west of the site. While Barnet's parking standards and the parking ratio at the recent West Hendon development are noted, 2011 Census data for the Colindale Ward is now available and this indicates lower rates of car ownership than the rest of the borough. The eight spaces for the commercial units are also excessive given the scale of the scheme and should be deleted, save for accessible staff/visitor spaces and servicing provision.

38 20% of all car parking spaces are proposed to be fitted with electric charging points, with an additional 20% passive provision which is welcomed. 12% would be accessible which would meet the London Plan standards.

39 Provision for three car club vehicles is proposed on Rookery which is welcomed. The commitment to providing residents with free membership for two years is also strongly supported and should be secured through the legal agreement.

40 A car parking management plan should be secured covering all uses, including the doctors surgery. On-street parking controls, and their funding should also be secured through legal agreement.

Trip generation and mode split

41 The trip generation and mode split assessment is robust and reasonable (safe for the trip generation on public transport details outlined below). The highway base models have been received and all validate well. However, the 'future' modelling has only just been received from the applicant, and initially looks acceptable, but until technical analysis has been completed, no conclusions on any highways impact can be drawn. It is anticipated that this will be discussed further before the application is reported to committee. The limited modelling suggests that the impact on the strategic road network could be acceptable, although there are current capacity issues at the Hyde junction with Kingsbury Road, specifically the southbound right turn. The applicant proposes to address this through changes to signal timings, the effect of which TfL is currently analysing. Further discussions on this matter are therefore welcomed.

Walking and cycling

42 While the Pedestrian Environment Review System confirms there are safe and direct routes that pedestrians would want to take, the public access through the site could lead to conflict with the servicing requirement which should be reviewed. The submission refers to pedestrian access from the site to Silk Stream (currently also an information route to the Sainsbury's site to the south) but this is not referred to in the transport assessment. The incorporating of this route in the development is welcomed in principle; however, the transport assessment should reflect this and consider whether it could be step free. The maintaining of this route for the public should be secured in the S106 agreement.

43 Cycling is currently poor in the area, and improvements in lighting and signage could improve this (for example indicating the nearest M1 safe crossing) as well as the improvements identified by Barnet Council in their cycling improvement plan. TfL suggests the scheme should contribute £150,000 to these measures.

44 455 cycle spaces are proposed for residents however this does not comply with the latest FLAP policy provision which requires two spaces for units of two or more bedrooms, which would equate to 588 spaces. A condition should be secured which details the number and position of these spaces to ensure they are well located to entrances and lifts to encourage their use.

Public transport

45 TfL's previous advice was to assess (in a cumulative context) the impact of the development and direction of trips on specific routes using origins and destinations of existing/future users of the site. As only frequencies and destinations have been considered, trip generation in relation to buses have not been taken into account in the transport assessment. TfL have identified that there are issues with the capacity on local bus routes. A S106 contribution of £450,000 will therefore be required towards the enhancement of bus routes to mitigate the effects of the scheme.

46 The submitted audit of bus stops should be revised to include how the stop meets DDA compliancy.

Servicing, construction and travel planning

47 The residential deliveries will be made via the basement car park using a dedicated servicing bay which is acceptable, subject to the securing of a car parking management plan which ensures there will be a concierge coordinating deliveries to avoid congestion on surrounding roads. The servicing for the commercial elements via the service road is acceptable.

48 All plans, including a construction logistics plan should be secured through condition or legal agreement. A residential travel plan with a delivery and servicing section is also required.

Community Infrastructure Levy

49 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1 April 2012, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail

50 The Mayor has arranged boroughs into three charging bands. The rate for Barnet is £35/sq.m. The required CIL should be confirmed by the applicant and council once the components of the development or phase thereof have themselves been finalised. See the 2010 regulations: <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents> as amended by the 2011 regulations: <http://www.legislation.gov.uk/uksi/2011/987/made>.

Local planning authority's position

51 The position of the local authority is not yet known.

Legal considerations

52 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

53 There are no financial considerations at this stage.

Conclusion

54 London Plan policies on land use principles, housing and affordable housing, urban design, housing quality, inclusive access, climate change and transport are relevant to this application. In general, the application complies with these policies, however, further discussion is needed on the following points prior to referring the application back to the Mayor:

- **Housing:** Further information is required pending the outcome of the independent assessment of the applicant's viability appraisal regarding the maximum reasonable amount of affordable housing in line with London Plan Policy 3.12. Further information is also required of the tenure mix proposed and the details of identified children's play space.
- **Urban design:** The layout of the scheme should be reviewed to ensure the shared amenity space is of sufficient quality and activated by increased front door entrances.
The single aspect north facing units should be reviewed alongside the position of the refuse store on Rookery Way.
- **Inclusive access:** The applicant should confirm the details of the public realm in relation to accessibility, particularly in relation to the provision of level access across the site.
- **Climate change:** Further information should be provided on how the demand for cooling will be minimised and risk of overheating addressed in line with London Plan Policy 5.9. Plans of the size and layout of the energy centre should be provided. The applicant should clarify that the houses will also be connected to the proposed heat network. Further information should be provided on the proposed management of the CHP unit and electricity use arrangements for the system alongside details on the sizing and savings claimed from the unit.
- **Transportation:** The number of car parking spaces should be reduced, including those allocated to the commercial unit. The pedestrian and servicing conflict should be addressed and the transport assessment should cover the connection to Silk Stream.

TfL suggest the scheme should contribute £150,000 to cycling measures and a bus contribution to cover enhancement to bus routes at a total cost of £450,000.

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