

Stoney Wood Quarter

In the London Borough of Barnet

Planning Application reference: 25/2743/FUL

Planning Application

Town & Country Planning Act 1990 (as amended); Planning (Listed Building and Conservation Areas) Act 1990; Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 and Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposal

Redevelopment of the site to provide new buildings up to six stories in height, comprising up to 463 residential units (Use Class C3), with ancillary flexible amenity and commercial facilities (Use Class E), along with hard and soft landscaping, new public squares and playspace and associated residential amenity, car and cycle parking, waste and recycling storage, plant and other infrastructure.

The applicant

The applicant is **Stoney Wood Quarter Ltd** and the architect is **London Placemaking**

Recommendation

The Deputy Mayor for Planning, Regeneration and the Fire Service, acting as Local Planning Authority for the purpose of determining this application;

- i. grants conditional planning permission in respect of application 25/2743/FUL for the reasons set out in the approval section below, and subject to the prior completion of a section 106 legal agreement;
- ii. delegates authority to the Head of Development Management to issue the planning permission and attach, add, delete or vary, the final detailed wording of the conditions and informatives as required with any material changes being referred back to the Deputy Mayor, and authority to negotiate, agree the final wording, and sign and execute, and complete the section 106 legal agreement;
- iii. delegates authority to the Head of Development Management to agree any variations to the proposed heads of terms for the section 106 legal agreement;

- iv. delegates authority to the Head of Development Management to refer the application back to the Deputy Mayor, if by 18th December 2026 the section 106 legal agreement has not been completed;
- v. notes that approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by Barnet Council; and
- vi. notes that Barnet Council will be responsible for the enforcement of the conditions attached to the permission.

Introduction

1. Having assumed authority to determine this planning application, this report sets out the matters that the Deputy Mayor for Planning, Regeneration and the Fire Service must consider in determining whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2. The Deputy Mayor for Planning, Regeneration, and the Fire Service, acting as the local planning authority, has considered the particular circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Barnet Council's Delegated Report dated 16 March 2026, the draft decision notice prepared by Barnet Council setting out the proposed reasons for refusal and all consultation responses and representations made on the case both to Barnet Council and the GLA. The below reasons set out why this application is considered to be acceptable in planning policy terms:
 - The application proposes 463 Build-to Rent homes with an affordable housing provision of 49.86% by habitable room. The proposal complies with London Plan Policy H5, H10, H11, the Support for Housebuilding LPG and Local Plan Policy GSS01, HOU01 and HOU02. The development includes a café, soft play and gym comprising 499 sq.m. It is acknowledged that these are town centre uses and the sequential test set out in Policy TC3 of the NPPF and referenced in Policy SD7 of the London Plan and TOW01 of the Local Plan has not been followed. However, given the primary BtR use and the integral link with the supporting commercial uses and their limited scale, in this instance, the proposed uses are considered acceptable. The development would fall beneath the Retail Impact Assessment threshold in Local Plan Policy TOW01.
 - The proposals would follow a design-led optimisation of this brownfield site. The height, scale and mass sits comfortably within the existing townscape and follows a design-led approach which responds to the site's

topography, surrounding context and sensitive edge. Future occupiers would experience a good standard of amenity and would benefit from a series of public and private amenity spaces, with play spaces that re-provide the existing provision and meet expected demand from the development. The layout of the development satisfactorily addresses safety, security and accessibility. The development, subject to conditions, accords with the objectives and requirements within design policies in the development plan, particularly in regard to London Plan Policies D2, D3, D4, D5, D6, D7, D8, D11, D12, D13 and S4 and Local Plan Policies CDH01, CDH02, CDH03, CDH04, CDH06, CDH07, CHW03 and ECC02. As outlined in the main body of the report, the proposals would partially conflict with London Plan Policy D7 and Local Plan Policy CDH02 in relation to the provision of M4(2) accessible and adaptable dwellings. However, given the street-based design and topography of the site, and the fact that the development would deliver wheelchair user dwellings in line with policy, this approach is considered acceptable in this instance.

- Overall, the development demonstrates a high level of compliance with the BRE guidelines in relation daylight and sunlight. Whilst some of the surrounding properties would experience impacts on daylight and sunlight, the technical breaches of the BRE guidelines experienced by neighbouring properties would be limited, in many cases the breaches are marginal and would not materially harm the living conditions of occupiers. Furthermore, the proposed development is acceptable in regard to privacy, outlook overshadowing and noise and vibration. The impact on amenity as a result of the proposals is acceptable and is compliant with Local Plan Policy CDH01 and ECC02 and London Plan Policy D3 and D14.
- In relation to trees, the proposal would result in the loss of existing trees, however the loss has been minimised and the development would retain the highest value trees on site. Furthermore, the proposals would deliver substantial landscaping works which would result in an uplift of approximately 47 trees. A Capital Asset Value for Amenity Trees ("CAVAT") contribution of £213,165, will be secured within the S106 obligation to mitigate for the loss of existing tree value. In relation to Urban Greening, the development would exceed London Plan targets. Furthermore, the proposed ecological strategies and mitigation proposed, subject to conditions, would ensure that the development does not result in unacceptable ecological harm. The development would result in a biodiversity net gain, however, given the loss of high distinctiveness habitat, the trading rules would not be satisfied. As such, a Biodiversity Net Gain plan including offsite credits will be secured by condition. The proposals would therefore accord with London Plan Policy G1, G5, G6 and G7 and Local Plan Policy ECC02 and CDH07.
- The development follows the energy hierarchy set out in the London Plan, minimising carbon emissions and maximising energy efficiency measures and renewable energy. The development would also satisfy environmental and sustainable matters including whole life carbon, circular economy, water and air quality. The proposal is considered acceptable and in

accordance with London Plan Policy SI1, SI2, SI3, SI4, SI7, SI12 and SI13 and Local Plan Policy ECC01, ECC02, ECC03 and ECC05.

- The trip generation and level of car parking have been appropriately justified and the development would provide a significant contribution towards the local public transport network. Overall, the transport impacts of the proposed development would be mitigated by necessary measures to be secured within the S106 Agreement and by planning conditions, and the proposals are therefore in accordance with London Plan Policies T1, T2, T4, T5, T6 and T7 and Local Plan Policies TRC01, TRC02 and TRC03.
3. It is officers' view that the proposals accord with the development plan, when read as a whole, and in applying section 38(6) of the Planning and Compulsory Purchase Act 2004, that material considerations, when taken together, do not justify a departure from the plan but rather confirm that the proposals should be granted planning permission.

S106 legal agreement

4. The following heads of terms have been agreed as a basis for the planning obligations to be contained within the section 106 legal agreement:

Housing

- 49.86% Affordable Housing, with 30% DMR at London Living Rent and 70% intermediate.
- Early-Stage Review
- Built-to Rent covenant, clawback mechanism, ownership and management

Health contribution

- Healthy Urban Development Unit ("HUDU") contribution £343,200

Trees

- CAVAT contribution £213,065
- Carbon offsetting payment £361,615
- Be Seen energy monitoring
- District Heating Network future proofing

Transport

- Bus contribution £1,250,000
- Controlled Parking Zone – contribution of £115,750 towards design and implementation
- Active Travel contribution £50,000
- Restrict on-street parking permits
- Car club provision
- Active travel plan measures
- Travel Plan/ monitoring contribution £20,000

- S278 agreement – highways works

Training programmes to promote local employment and economic prosperity

- Employment and Skills Plan
- 20% local labour target for construction
- Apprenticeship and work experience
- Local Procurement Plan

Other obligations

- Public Realm management Plan
- Monitoring costs

Conditions to be secured

5. See draft decision notice published alongside this report.

Site description and Surrounding Area

6. The application site is approximately 1.7 hectares and is located to the north of The Fairway in Edgware. The site was previously the site of a school which has since been demolished and is currently in temporary use as a car storage and scrappage site. The site is bound to the north by Stoney Wood and Mill Hill Golf Course, Northway School to the east and residential properties to the south and west.
7. The site is located within the Edgwarebury and Scratchwood Archaeological Priority Area, flood zones 1 and 2. The Council have recently placed several of the trees on site under a Tree Preservation Order (TPO) (Ref: 26/TPO/002). The land to the north of the site is designated Green Belt and within the Mill Hill Golf Course Borough Level Site of Importance for Nature Conservation (SINC)
8. The site is adjacent to the A1, part of the Transport for London Road Network, with access to bus services that connect to Barnet General Hospital, Mill Hill Broadway and Edgware. The site currently records a Public Transport Access Level (PTAL) of 1, on a scale of 0-6b, where 6b is the highest.

Details of the proposal

9. The application proposes the redevelopment of the site to provide new buildings up to six stories in height, comprising up to 463 residential units (Use Class C3), with ancillary flexible amenity and commercial facilities (Use Class E), along with hard and soft landscaping, new public squares and playspace and associated residential amenity, car and cycle parking, waste and recycling storage, plant and other infrastructure.
10. The proposed development would consist of 9 buildings, A – I, which are laid out around 6 'streets' which extend away from The Fairway to the rear of the site. Building A, located on the western boundary consists of a terrace of mews style homes. Building I located on the eastern boundary consists of a terrace of townhouses. All of the other buildings comprise flats and maisonettes. The

commercial floorspace is located within buildings C and D, adjacent to the Fairway.

11. The development has a single access road with the entry and exit on to the Fairway between buildings C/D and H/I. The remainder of the 'streets' would be publicly landscaping and play space. Public amenity space is further located between buildings B/C and E/F.
12. The 14 blue badge parking would be located next to buildings A, B and I and the 151 general parking spaces would be located within the basement, accessed via the internal road.

Stage 3

13. Following the Deputy Mayor's decision to call in the application on 30 March 2026, GLA officers have engaged with the applicant in a series of discussions on the scheme.
14. The applicant submitted additional documentation in support of the proposed development which included the following:
 - Environmental Statement Addendum
 - Planning Statement Addendum
 - Design and Access Addendum
 - Revised drawings which includes amendments to building elevations and layouts
 - Operational Waste Management Plan
 - Landscape Strategy
 - Townscape and Visual Impact Assessment
 - Transport Assessment Addendum
 - Technical information and memos
15. The changes to the scheme can be summarised as follows:
 - A reduction of the non-residential floorspace from 597 sq.m to 499 sq.m and an increase in the residential floorspace from 42,461 to 43,402 sq.m
 - Changes to layouts and elevations
 - Reduction in cycle parking and its relocation
 - Revisions to commercial and ancillary residential uses
 - Increase plant space
16. Given the nature of the revised documentation, re-consultation was considered to be necessary. These revisions have been consulted upon between 27

August and 27 September 2026 in line with the timescales set out in the EIA Regulations.

Relevant planning history and current planning application

17. Planning permission was previously granted in April 2016 for the redevelopment of the site to provide 120 homes (LPA Ref. 15/03138/FUL) but was not implemented and has since lapsed.
18. A live planning application (ref 24/1308/FUL received 2 April 2024) is currently being considered by the Council for the retrospective temporary change of use of land to B8 storage and distribution for 2 years.

The application

19. The application scheme was subject to pre-application discussions with GLA officers as well as Council officers. The scheme was presented to the Council's Quality Review Panel (QRP) in October 2024.

Stage 1

20. On 16 December 2025, 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 the following categories of the Schedule to the Town and Country Planning (Mayor of London) Order 2008:
 - 1A "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats";
 - 1B "Development (other than development which only comprises the provision of houses, flats, or houses and flats) outside Central London with floorspace of more than 15000 square metres";
21. On 26 January 2026 the Deputy Mayor for Planning, Regeneration and the Fire Service, acting under delegated authority considered planning report GLA/2024/01042/01(link to report [here](#)) and subsequently advised Barnet Council:
 - **Land use principles:** The proposed redevelopment of this brownfield site for a housing-led development is supported in principle
 - **Affordable housing:** The proposal delivers 212 affordable housing units (50% by habitable room), with a tenure split of 70% DMR / 30% LLR. The proposals would therefore be eligible for the fast-track threshold. The affordability criteria should be appropriately secured.
 - **Urban design:** Overall, the proposed height and massing strategy, along with the architectural design is supported.

- **Transport:** Further information is required relating to active travel and public transport impacts.
- Other issues on **energy, WLC, circular economy, sustainable drainage and air quality** also require resolution prior to the Mayor's decision making stage.

Council resolution

22. On the 16th March 2026, Barnet Council decided that it was minded to refuse permission for the application, for the following reasons:
 1. The proposed development, due to its excessive density, resulting massing and unresolved site edge relationships, would fail to respond sensitively to the suburban character of the area and would give rise to an incongruous and visually harmful form. In the absence of adequate verified modelling, CGIs and sections, the applicant has not demonstrated that the scheme would achieve high-quality design or have an acceptable impact upon the amenities of adjoining occupiers. The proposal therefore fails to provide a context appropriate design led response to the site and surrounding area, or respect the amenities of adjoining occupiers, contrary to Section 12 of the National Planning Policy Framework (2024), Policies D1, D3 and D4 of the London Plan (2021), and Policy CDH01 of the Barnet Local Plan (2025).
 2. The development, by reason of the siting, layout and internal arrangement of the proposed buildings, together with the absence of sufficient design and technical information, would result in a poor standard of residential accommodation for future occupiers. Cumulatively, the proposal fails to demonstrate that acceptable standards of internal space, outlook, daylight, privacy and tranquillity would be achieved. The development is therefore contrary to Policies D6, D11 and D13 of the London Plan (2021), Policy CDH01 of the Barnet Local Plan (2025), and Part C of the GLA's Housing Design Standards LPG (2023).
 3. Inaccurate and insufficient information has been submitted with regards to plans and sections, air quality, noise, proposed commercial floorspace, drainage and SuDS strategy, and the refuse and recycling strategy, to enable the Local Planning Authority to fully consider the impacts of the development or to determine whether the proposal would deliver an acceptable, functional and policy compliant form of development. In the absence of this essential information, the Authority cannot be satisfied that the scheme would avoid unacceptable effects on character and appearance of the site and surroundings, residential amenity, environmental quality, flood risk, or service and waste management operations. The proposal is therefore contrary to the National Planning Policy Framework (2024); Policies D1, SD7, SI1, SI12 and SI13 of the London Plan (2021); and Policies CDH01, TOW01, ECC02, ECC03, ECC04 and ECC05 of the Barnet Local Plan (2025).
 4. Insufficient and unreliable information has been submitted to demonstrate that the development would not give rise to unacceptable highways, parking

or servicing impacts. The Local Planning Authority therefore cannot be satisfied that the development would operate safely or acceptably within the local transport network, contrary to Policies T2, T4, T6 and T7 of the London Plan (2021) and Policies TRC01, TRC02 and TRC03 of the Barnet Local Plan (2025).

5. No robust justification has been provided to support the development's departure from the evidence-based housing mix required by the Barnet Local Plan (2025). As such, the development fails in this location, to provide an appropriate mix of dwelling sizes to meet identified local housing needs. Accordingly, the development is contrary to Section 5 of the National Planning Policy Framework (2024), Policies H1, H4, H5, H6, H10 and H11 of the London Plan (2021), and Policy HOU02 of the Barnet Local Plan (2025).
6. The proposed development, by virtue of its layout and landscaping strategy, would lead to the unacceptable loss of protected trees and priority woodland subject to a Tree Preservation Order, and would place undue pressure on retained trees, resulting in likely harmful pruning and/or poor amenity conditions for future occupiers. The loss and deterioration of this woodland would materially harm the character, appearance and environmental quality of the site and surrounding area, contrary to Section 15 of the NPPF (2024), Policies D4, G1, G5, G6 and G7 of the London Plan (2021), and Policies CDH02, CDH07, ECC01 and ECC07 of the Barnet Local Plan (2025).
7. Insufficient information has been submitted to demonstrate that the development would avoid harm to biodiversity and protected species. In the absence of required bat roost inspections, badger sett protection measures, updated reptile surveys and a robust mitigation strategy, the Local Planning Authority cannot rule out the risk of offences under relevant wildlife legislation. Further, the scheme would also result in the loss of priority woodland, grassland and riparian habitat, and the submitted Biodiversity Net Gain assessment shows a net loss of habitat and hedgerow units, breaches of statutory trading rules and no credible pathway to achieving the mandatory 10% net gain. The Authority is therefore not satisfied that significant ecological harm would be avoided, mitigated or compensated, contrary to paragraph 187 of the NPPF (2024), Policies G5, G6 and G7 of the London Plan (2021) and Policy ECC07 of the Barnet Local Plan (2025).
8. The application does not include a formal undertaking to secure the planning obligations which would be necessary for the development to be found acceptable. Therefore, the proposal is considered contrary to Policy DF1 of the London Plan (2021); Chapter 12 of the Barnet Local Plan (2025); and the Barnet Planning Obligations SPD (2025).

Stage 2

23. On 18 March 2026, Barnet Council advised the Mayor of this decision. On 30 March 2026, the Mayor considered the GLA Stage 2 report (Reference 2026/0100/S2). The GLA Stage 2 report concluded that, having regard to the details of the application:

24. The proposed development would equate to a contribution of 19.5% towards the borough's annual target and 0.5% towards the annual affordable housing target for London, which would make an important contribution towards the targets in the London Plan. As such, this is considered a significant impact on the implementation of the London Plan and achieving London's housing targets and affordable housing provision. The proposed development would deliver a significant amount of housing, including affordable housing, that would contribute to the strategic housing targets within the London Plan. As such, it is considered that there are sound planning reasons for the Mayor to intervene
25. The Stage 2 report outlined outstanding matters including housing, urban design, transport, environment and sustainable infrastructure and called the application in for Mayoral determination.

Stage 3 (call in)

26. The Deputy Mayor visited the site on 30th September with GLA and TfL officers, representatives of the Council, and the applicant team.
27. The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has been taken into account in the consideration of this case. The Deputy Mayor's decision on this case, and the reasons for it, will be made available on the GLA's website www.london.gov.uk.

Referral to the Secretary of State

28. The power of the Secretary of State to call-in an application also exists where the Mayor has called-in an application.

Relevant legislation, policies and guidance

29. The Deputy Mayor must determine the application for planning permission in accordance with the requirements of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004. The Deputy Mayor is required to determine the application in accordance with the development plan unless material considerations indicate otherwise. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan consists of the Barnet Local Plan 2025 and the London Plan 2021.
30. The National Planning Policy Framework (NPPF) was published on 17 August 2026. The NPPF sets out national planning policy in a clearer and more comprehensive manner and incorporates a number of substantive reforms designed to boost housing supply and unlock economic growth. The NPPF contains a series of National Decision Making Policies (NDMPs), that whilst not afforded statutory weight as part of a development plan, are material considerations where relevant.
31. Annex A, paragraph 2 of the NPPF states the following: "Development plan policies (or parts of those policies) which are materially inconsistent with

national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.”

32. The relevant NDMPs, along with their consistency with the development plan, are discussed and considered throughout this report.
33. The Deputy Mayor is also required to have regard, as material considerations, to national planning policy and guidance, as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies.
34. The relevant planning guidance at the national, regional and local levels are noted in the following paragraphs including the NPPF and PPG.
 - National Planning Policy Framework (August 2026)
 - National Planning Practice Guidance and Design Guide (as updated)
 - Relevant strategic and local supplementary planning guidance (SPG) and London Plan Guidance which can be found on the GLA’s and Barnet’s website [here](#) and [here](#).
35. On 16 July 2026, the Mayor of London published the draft London Plan 2026 for consultation. The draft London Plan 2026 sets out proposals for how London could develop over the next 20-25 years, with the objective to make the best use of land; deliver the homes and neighbourhoods Londoners need; grow London’s economy in a way that benefits all; and creating a greener, resilient and healthy city. Consultation on the draft London Plan closes on 15 October 2026. The draft London Plan 2026 is at a very early stage and, while emerging policies are considered throughout this report, only carries limited weight in planning decisions. Emerging policy can be a material consideration, with the degree of weight depending on its stage of preparation, the degree of compliance with the NPPF and the extent of unresolved objections.

Response to consultation

Statutory consultee responses

36. The responses from statutory consultees received by the Council are summarised as follows:

Affinity Water

37. No objection, provided further information and advice for developer.
38. *Officer response*: Informative sets out advice to developer.

Environment Agency

39. No objections, subject to the following conditions:

- The ecological enhancements that have been proposed will require a management plan to be in place. This will ensure the landscape provides a maximum benefit to people and the environment.
- Without management plans in place, the construction phase proposed as part of this development could have an unacceptable effect on the ecological value of the Dean's Brook at this site.

40. *Officer response:* Recommend conditions will be secured.

Greater London Archaeology Advisory Service

41. No objections, subject to details secured condition.

42. *Officer response:* Condition has been secured.

Metropolitan Police – Secure by Design

43. No objection, condition recommended relating to secure by design accreditation.

44. *Officer response:* Condition securing Secure by Design will be secured.

Metropolitan Police – Estate Strategy and Engagement

45. The development will have impacts on Policing and these will need to be mitigated. Requested a contribution of £94,441.82.

46. *Officer response:* This has not been secured in this instance as it has not been demonstrated that it meets regulation 122 of the Community Infrastructure Levy Regulations 2010 as amended in 2019.

Natural England

47. No objection

NHS HUDU

48. NHS requested a contribution of £343,200 to ensure infrastructure delivery aligns with development and patient population growth.

49. *Officer response:* Financial obligation will be secured within the S106

Individual neighbourhood responses

50. As part of the public consultation process, Barnet Council publicised the application by sending notifications to local addresses, issuing site and press notices and consulting relevant statutory bodies.

51. Following the neighbourhood consultation process, Barnet Council received a total of 24 responses in objection. Copies of all responses to public consultation, and any other representations made on the case, have been made available to the GLA, and are summarised below:

Neighbourhood objections

- Consultation
- Amenity
- Density
- Design
- Drainage
- Local transport
- Natural environment
- Open space

Neighbourhood support

- Principle redeveloping vacant site
- Design
- Density

Mill Hill Preservation Society

- Concerns regarding architecture, design and density, congestion and parking, construction logistics, and publicly accessible facilities. The proposal represents overdevelopment in an inappropriate location with insufficient public transport. The quality of life for existing residents would be adversely affected.

Councillor Lachhya Gurung

- Parking and lack of public services

Representations made to the Mayor of London

52. The Mayor took over the planning application for his own determination on 30 March 2026. Letters were sent to neighbours outlining that the Deputy Mayor would be responsible for determining this planning application instead of the Council. The letters advised that if substantial amendments are made to the application, a public consultation would be held.
53. As outlined in this report, the applicant has submitted further information following the decision to call in the application and a further public consultation was considered necessary and was carried out between 27 August and 27 September 2026.
54. A total of 315 responses from residents have been received, 310 in objection and 5 in support, summarised as follows:

55. Objections

Design

- Scale

- Density
- Height
- Development out of keeping with character
- Residential quality and amenity impact for existing and future residents, including noise impacts

Transport and highways

- Lack of transport infrastructure
- Traffic, congestion and restricted access
- Capacity of road network including Pike Road and Apex Corner
- Concerns with trip generation
- Highway safety, particularly the safety of school children
- Parking
- Emergency access
- waste and servicing
- reduction in cycle parking against active travel strategy

Environment

- loss of trees and protected woodland
- Impact on ecology
- Impact on Stoney Wood and stoney wood lake
- Biodiversity loss
- Air quality
- Loss of green space
- Lack of greenery
- Drainage strategy and flood risk
- Environmental pollution

Other

- Population density too high
- Construction impact
- Loss of park and lack of child play space
- housing mix
- Impact on supporting infrastructure such as schools, GP, hospitals, public transport
- Sound reasons that the Council refused permission
- Amendments to the scheme are cosmetic
- Impact on children at neighbouring schools
- Lack of consultation
- Land contamination

56. Support

- Well-designed scheme
- Delivery housing and affordable housing
- New shops and local facilities
- Transform derelict site
- Mix of family-sized homes

Consultee responses

Lead Local Flood Authority

57. Objection maintained, including flood risk, discharge hierarchy, supporting details, drainage drawings and SUDS.
58. *Officer Response:* The applicant has provided a response to the GLA's and LLFA's comments and further details have been secured by condition to address comments raised.

Barnet Ecology

59. Objection maintained, due to the loss of habitat that will have a significant impact on biodiversity. Revised scheme does not overcome previous concerns raised regarding the loss of relatively high level of biodiversity on this site that would be lost by the proposed development. The LPA must maintain its objection to the scheme in terms of its unacceptable impact on a main badger sett whereby an more appropriate scheme could feasibly have been designed to maintain the main active badger sett onsite and its 30m protective buffer. Notwithstanding the objection, the comments included recommended conditions and obligations in the event that permission is granted.
60. Officer response: Ecology matters are addressed in detail in the main body of the report. Conditions and obligations have been secured

Barnet Environmental Health (Air Quality and Odour)

61. Comments have broadly been addressed, some information requested is outstanding however this is not significant enough to request further information or recommend refusal. Conditions requesting including air quality monitoring and odour control.
62. *Officer response:* The comments requested a bespoke condition restricting hot food takeaway given concerns raised regarding odour and extraction. A condition requiring odour control details and mitigation to be submitted to the Council for approval will be secured. This is considered to address the above comments.

Barnet Energy

63. Whilst several matters have progressed, further information remains outstanding and therefore objection on the grounds of London Plan Policy SI2, SI3, SI4 and SI7 is maintained. Alternatively, information could be obtained by condition, however, it would be preferable to have the additional information now.

Barnet Highways

64. Active travel: Note reflects discussions between TfL and the applicant about funding measures. The Council should be involved in discussion on BCIL and S106. Trip generation: not sufficiently responded to the comments raised and

therefore maintains concerns. Car Parking: Matter for Council to decide, contribution requested towards monitoring and if necessary taking forward CPZ. Mobility Hub: Requested specific details of what is proposed which has not been provided. Public Transport: Given location, its important to know what enhancement of services is being proposed. Deliveries and servicing: Concerns raised not addressed and further sensitivity testing is suggested.

Barnet Waste

- 65. Maintains objection, residents will pay twice for waste collection via Council Tax and service charge.
- 66. *Officer response:* The payment of waste is not a material planning consideration.

Barnet Trees

- 67. Maintains objections for the following reasons: 1) Construction activities have not been fully or critically evaluated by the project arboriculturist, there is an unacceptably high risk of harm to trees that method statements and tree protection plan would fail to address, 2) The proposal has elements that will significantly and unacceptably harm protect trees/ woodland which have been designated as priority woodland habitat contrary to local regional and national planning policies which seeks to retain trees and woodland wherever possible, and 3) the application fails to provide the CAVAT compensation to Barnet Council of the loss of trees contrary to Green Spaces policy Tree Strategy 2023 to 2028. Tree replacement species are broadly acceptable and final details of the planting schedule should be conditioned.
- 68. *Officer response:* The main section of the report addresses the impacts on trees. A condition secures detail of tree protection during construction. A CAVAT contribution will be secured within the S106.

Barnet Environmental Health (Noise)

- 69. The Council's Environmental Health officer requested a photo of microphone in the stated location which was submitted as part of the revised information.
- 70. *Officer response:* Officers have requested that the applicant respond to the request.

Environment Agency

- 71. No objection, subject to conditions requiring a landscape management scheme and construction management plan are included.
- 72. *Officer response:* Conditions will be secured.
- 73. All of the consultation responses have been made available to the Deputy Mayor and have been taken into account in this report.

Planning issues

74. Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Deputy Mayor must consider are:
- Land use principles;
 - Affordable Housing
 - Urban Design;
 - Heritage;
 - Environmental Impact Assessment;
 - Amenity impacts;
 - Sustainability, environment and climate change;
 - Transport;
 - Mitigating the impact of development through planning obligations;
 - Legal Considerations; and
 - Planning balance.
75. These issues are considered in the following sections of this report.

Land use principles

76. The site has historically been used as a school, prior to the adjoining site to the east being developed for two schools which replaced the school on the application site. The buildings associated with this use have long been demolished and the site is currently used for vehicle parking and storage. As noted in the planning history section of this report, the Council are currently considering a retrospective planning application for the vehicle parking and storage. The current use of the land is not protected by planning policy. The site comprises unallocated brownfield land, which is suitable for housing as established through the historic planning approval on the site.
77. The site also comprises a playground adjacent to the Fairway and the school, this is discussed in further detail in the play space section of the report.
78. The development comprises the following land uses:

Land Use	Originally Submitted	Addendum Submission	Change
Commercial, Business and Service (Class E)	597 sqm	499 sqm	-98 sqm

Residential (Class C3)	42,461 sqm	43,402 sqm	+941 sqm
Total	43,058 sqm	43,901 sqm	+843 sqm

79. The floorspace quantum has been amended since the Mayor called in the application, as shown in the table above. The applicant has made these amendments to address comments received on the application and as a result of the rationalisation of the floorspace due to further detailed design work.

Housing

80. Both the NPPF and the London Plan seek and encourage the delivery of all types of housing. Policy H1 of the London Plan states that to ensure boroughs achieve their 10-year housing targets, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites. The London Plan sets Barnet a housing target of 23,640 units between 2019/20 and 2028/29. The draft London Plan sets Barnet a housing target of 32,849 homes.
81. Barnet Local Plan policy supports the building of new homes where they are optimising the use of land and helping to deliver housing to meet needs. Policy GSS01 supports the sustainable growth of housing to meet Barnet's identified needs.
82. The principle of redeveloping this brownfield site for residential use has been established through the historic planning approval on the site and is also supported by current policy.
83. The proposed introduction of 463 homes on the site would contribute towards the aforementioned London Plan housing targets and is strongly supported. The proposals would comply with the NPPF, London Plan and Barnet's Local Plan..

Build to Rent

84. The London Plan acknowledges that Build to Rent (BtR) developments can make a positive contribution to increasing housing supply. Policy H11 of the London Plan requires BtR proposals to meet the following criteria:
- The development, or block or phase within the development, has at least 50 units;
 - The homes are held as Build to Rent under a covenant for at least (15) years;
 - A clawback mechanism is in place that ensures there is no financial incentive to break the covenant;

- All the units are self-contained and let separately;
 - There is unified ownership and unified management of the private and Discount Market Rent elements of the scheme;
 - Longer tenancies (three years or more) are available to all tenants. These should have break clauses for renters, which allow the tenant to end the tenancy with a month's notice any time after the first 6 months;
 - The scheme offers rent and service charge certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is signed, including any annual increases which should always be formula-linked;
 - There is on-site management;
 - Providers have a complaints procedure in place and are a member of a recognised ombudsman scheme; and
 - Providers do not charge up-front fees of any kind to tenants or prospective tenants, other than deposits and rent-in-advance.
85. Local Plan Policy GSS01 supports BtR developments that meet the definition in the London Plan and that follow the approach set out in Policy H11.
86. Draft London Plan Policy HN6 aims to facilitate BtR that addresses identified housing needs and states that proposals should be secured under covenant with a clawback mechanism, provide self-contained homes and provide affordable housing.
87. The proposed development comprises of 463 homes and is laid out to ensure that homes are self-contained. In respect of the other criteria, including covenant and clawback mechanism, ownership and management, these will be secured within the S106 agreement. The Renters Reform Act 2025 facilitates tenancies on a rolling basis which fulfils the tenancy protections set out in H11, and therefore this element of policy H11 is not secured within the S106. As such, subject to the aforementioned obligations being secured, the proposals would comply with London Plan Policy H11 and Local Plan Policy GSS01.

Housing Mix

88. Policy H10 of the London Plan states that developments should consist of a range of unit sizes and to determine an appropriate mix, decision-makers should have regard to local evidence, delivery of mixed and inclusive neighbourhoods, range of unit types at different price points, mix of uses in scheme and range of tenures, nature and location of the site, optimisation of housing potential, ability of development to reduce pressure on existing stock and the need and ability to free up family housing.
89. Draft London Plan Policy HN7 requires development proposals to provide a range of unit sizes determined through London's Strategic Housing Market Assessment, guidance produced by LPAs in relation to housing size mix in

affordable tenures and contribution of the scheme to a mixed, inclusive neighbourhood.

90. Local Plan Policy HOU02 states that the Council will support proposals that provide a mix of dwelling types and sizes to help meet current and future housing needs. Table 7 in the policy sets out the Council's dwelling size priorities. In applying the dwelling size priorities, Policy HOU02 states that the Council will consider site size, surrounding context, PTAL, character, mix of uses and ranges of tenures ensuring site optimisation.
91. Policy HOU02 part A states that all housing schemes are expected to reflect the dwelling size priorities unless it can be robustly demonstrated that a variation to the preferred mix is justified on a site-specific basis. The supporting text of the policy in paragraph 5.5.5 acknowledges that increases in large homes can impact the economics of BtR. It goes on to state that in applying HOU02 to BtR proposals, the Council will consider the demand for new rental stock in accessible locations where BtR is particularly well suited and it will have regard to viability in line with the London Plan. It also states that demand is typically greater for one and two bedroom homes than in other tenures.
92. The proposed housing mix and Local Plan mix is as follows:

Unit Size	Local Plan mix	Proposed units
Affordable		
1 bed	13%	167 (79%)
2 bed	43%	0
3 bed	27%	34 (16%)
4 bed	13%	9 (4%)
5 bed +	4%	2(1%)
Market		
1 bed	6%	0
2 bed	24%	56 (22%)
3 bed	40%	195 (78%)
4 bed	25%	0
5 bed +	5%	0

93. It is acknowledged that the proposed development does not align with the housing mix priorities in HOU2. The housing mix is for all types of housing and the Local Plan states that demand for BtR is typically greater for 1 and 2 beds. The principle of BtR on the site has been accepted by the Council as set out in the Council's report. The Local Plan sets out a priority for 2, 3 and 4 bed properties across both affordable and market tenures. The proposals would deliver more than 50% of units as family sized dwellings, and all London Living Rent homes would be 3, 4 and 5 bed homes which is where there is an identified need.
94. The introduction of a range of unit sizes as part of the proposals would contribute towards the delivery of a mixed neighbourhood and this would respect the surrounding character which is flatted homes as well as detached

and semi-detached homes. In regard to the site accessibility when considering the housing mix, this would be enhanced by the contribution towards the local bus network.

95. As set out in further detail in the design section below, the proposals have followed a design-led optimisation of the site. Furthermore, the affordable housing provision of 49.86% by habitable room, is substantial and exceeds the relevant threshold in the Support for House Building LPG and is a significant public benefit of the scheme.
96. Furthermore, the Council own the land and will take on the full operation and management of the development. The Council (in their capacity as landowner) appointed SAY Property Consulting to ensure the developer brings forward an appropriate housing product that reflects both the demographic profile of the borough and identified local need. It should be noted that the Council as landowner is supportive of the development.
97. Whilst the proposed housing mix does not align with the preferred mix set out in policy HOU02, given the proposed housing product, the acknowledged demand for the housing product in the local plan, the creation of a mixed and balanced neighbourhood, the viability and affordable housing delivery and future transport accessibility improvements, it is considered that a robust justification has been demonstrated to deliver a variation to the preferred mix in this instance and as such the proposals comply with policy HOU02 of the Local Plan.

Retail floorspace

98. Decision-making policies TC3 and TC4 within the NPPF relate to main town centre uses outside town centres and the impact of development on town centres. The policies set out the sequential approach and require an impact assessment for development of 2,500 sq.m of floorspace, or an alternative threshold set out in the development plan.
99. London Plan Policy SD7 supports a town centre first approach discouraging out-of-centre development of main town uses and seeks to ensure that commercial space is appropriately located. The policy states that the sequential approach should be applied and requires an impact assessment for edge or out of centre proposals for retail, leisure and office development that is not in accordance with the development plan.
100. Local Plan policy TOW01 follows a 'town centres first approach' and requires the sequential test to be applied to ensure sustainable patterns of development are achieved and, therefore, any development of main town centre uses outside of town centres will not be permitted unless it can be demonstrated through the NPPF's sequential approach that there are no suitable premises/sites available in the designated centres and that there would be no harm to the vitality and viability of these centres by the approval of edge-of-centre and out of centre development. Policy TOW01 requires any proposal of more than 500sqm of retail or leisure development in an edge or out of centre

location relative to the Major and District Town Centre boundaries to be supported by an impact assessment.

101. The proposal comprises 499 sq.m of non-residential floorspace comprising an indoor soft play, gym and café. The non-residential floorspace has been amended since the Mayor called-in the application. The non-residential floorspace would fall beneath the threshold in Local Plan Policy TOW01 and therefore a Retail Impact Assessment is not required. The non-residential uses would be ancillary to the primary residential use of the site. A feature of BtR developments often is the supporting ancillary uses which are an integrated part of the overall residential offer. Whilst these uses would be opened up to members of the public, given their limited scale and the fact that they form an integral function to the primary residential use, it is not anticipated that these uses would undermine the functioning of the Borough's town centres.
102. The development would comprise ancillary residential uses including co-working spaces (207 sq.m) and community floorspace (93 sq.m). These would not be opened up to members of the public and would therefore be solely used by occupiers of the development.
103. The sequential test has not been followed and therefore the proposals conflict with NPPF policy TC3, London Plan Policy SD7 and Local Plan Policy TOW01. However, given the integral link between the commercial uses and BtR residential use and the limited scale of the commercial floorspace, officers are satisfied that the proposals would avoid harm to the vitality and viability of the Borough's town centres.
104. The non-residential uses on site are supported in principle, subject to conditions securing the operation of the non-residential and ancillary residential uses.

Land use conclusion

105. The proposed development would be acceptable in land use terms and would be in line with Local and London Plan policies subject to appropriate conditions and obligations.

Affordable housing

106. Policy H08 of the NPPF states that development should meet or exceed development plan requirements for the proportion and mix of affordable housing tenures relevant to the location.
107. Policies H4, H5 and H6 of the London Plan promote the maximisation of affordable housing delivery and ensure that supply is genuinely affordable. Policy H4 and the Mayor's Affordable Housing and Viability SPG set a strategic target of 50% affordable housing in all new developments.
108. To follow the Fast Track Route set out in policy H4 and H5, at least 50% of the accommodation must be secured as affordable accommodation given that the land comprises public land. Policy H11 of the London Plan allows BtR schemes

on public sector land to follow the Fast Track Route if they deliver at least 50% affordable housing. The 'Support for Housebuilding' LPG introduced a time limited planning route with an alternative threshold of 35% applying to development schemes on public land.

109. Draft London Plan Policy sets out a 40% affordable threshold on public sector land for the location and in the case for BtR, requires a tenure split of at least 30 per cent Key Worker Living Rent homes and a maximum of 70 per cent at a range of genuinely affordable rents.
110. Local Plan Policy HOU01 seeks to maximise delivery of affordable housing in accordance with the London Plan and expects BtR developments to provide affordable housing in accordance with London Plan Policy H11.
111. The proposed development would comprise 49.86% affordable housing by habitable room (rounded to 50% by the applicant), 46% by unit and 42% by floor area. This provision would meet and exceed the public land threshold of the time limited planning route set out in the 'Support for Housebuilding' LPG and is strongly supported. The affordable housing comprises 70% Discounted Market Rent and 30% London Living Rent and aligns with London Plan Policy.
112. Affordability levels and an early-stage review will be secured in the S106 agreement.
113. As such, the proposed affordable provision is acceptable and satisfies the requirements of the NPPF, London Plan Policies H5, H11 and the Support for Housebuilding LPG, and Local Plan Policy HOU01.

Urban design

114. Policy L2 and L3 of the NPPF states that substantial weight should be given to the benefits where a development proposal would make better use of vacant and underutilised land and development proposals should make efficient use of land, taking into account the identified need for different types of housing, availability of infrastructure, and site connectivity. Furthermore, the NPPF through Policies DP3 and DP4 promotes well-designed, high quality, healthy, inclusive and sustainable places.
115. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, chapter 3 of the London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. London Plan Policies D2 and D3 require developments to consider existing and planned infrastructure, to optimise site capacity through a design-led approach. D4 sets the overarching design principles for development in London. Other relevant design policies in this chapter include specific design requirements relating to: inclusive design (D5); Housing Quality and standards (D6); accessible housing (D7); public realm (D8); designing out crime (D11); fire safety (D12); and noise (D14).
116. Draft London Plan policy MBUL1 and MBUL2 states that development proposals should be designed to optimise the use of land and site capacity

whilst responding to site specific context and challenges, achieve intensification of land use in a way that contributes to meeting London's different needs, ensure infrastructure sufficiency in respect of growth, and prioritise affordable housing and public transport improvements in developer contributions.

117. Chapter 6 of the Local Plan sets out relevant policies relating to character and design. Local Plan policy CDH01 supports optimising site capacity through the design-led process in order to make the most efficient use of land. The design-led process should deliver the most appropriate form and land use for all sites including giving due consideration to the local context and capacity for growth, as well as accessibility and sustainability. Further policies include CDH02 sustainable and inclusive; CDH03 Public Realm; CHD04 tall buildings; CDH06 Basements; and CDH07 amenity space and landscaping.

Design scrutiny

118. In line with London Plan Policy D4, the proposals have undergone a rigorous design review at the local level, with several pre-application meetings with the LPA and a Quality Review Panel (QRP) prior to the submission. The proposals have also been subject to design scrutiny from GLA officers at pre-application and application stages. The applicant has demonstrated options testing to establish an appropriate massing and layout. Overall, it is considered the proposed development has had appropriate design scrutiny and therefore satisfies the requirements of Policy D4.

Density, scale, massing and height.

119. The proposal includes buildings up to 6 storeys in height. This does not constitute a tall building according to the borough's local definition set out in policy CHD04 which defines tall buildings as 8 storeys or 26 metres and above. As such, the proposals do not engage Local Plan Policy CDH04 or London Plan Policy D9.
120. The applicant has clarified how the proposed building heights work with the levels across the site with the submission of further details. The tallest buildings are located in the north of the site (mansion blocks at the ends of Blocks D, E, G and H) and are 6 storeys in height. Due to the site levels, they have a similar datum height to the mansion blocks in the south of the site that are 5 storeys in height (at the ends of Blocks C, D, F, G, H), meaning that the building heights reflect the topography and are integrated and sympathetic to the surrounding context.
121. In line with London Plan Policy D3, the development layout and site capacity have been arrived at through an iterative design process in which layout, typology, height, site topography, edge conditions and residential quality have been tested and refined, resulting in a street-based development that is predominantly low to mid rise with clearly defined public and private amenity. This offers density in a spatial form that is sympathetic to the surrounding context.

122. The development enhances the local context by positively responding to local distinctiveness of the suburban and green surroundings through layout, orientation, scale, appearance and shape. Due regard has been paid to existing and emerging building forms and proportions, with the resulting scheme feeling domestic and neighbourly in scale. The scheme is responsive to and sensitive of Stoney Wood.
123. The scheme proposes a street-based development with pedestrian focused mews streets with clearly defined public and private environments. Entrances to buildings are legible, and are aligned with people's movement patterns and desire lines across the site.
124. The experience of residents and visitors has been prioritised, with active frontages creating a positive and reciprocal relationship between the interior of the buildings and the exterior public realm. The stepped building forms and window positioning generate liveliness and interest whilst offering privacy and outlook. Green spaces and amenity spaces are conveniently located within the mews streets and in larger zones between the buildings, offering opportunities for play, social interaction, physical activity and relaxation.
125. Furthermore, a contribution towards public transport has been secured to ensure appropriate mitigation in considering the infrastructure requirements to support the quantum of development. Taken together, officers consider that the proposed 463 homes represent an appropriate optimisation of the site rather than the maximisation of development capacity. The quantum has been accommodated through a design-led approach which responds to the site's topography, surrounding suburban and green context, sensitive edge conditions and residential quality requirements.
126. The Council acknowledged in the Officer's Report that the size of the application site and scale of the development within the local surroundings provide reasonable scope for a significant yet considerate redevelopment and intensification. The Council concluded that the proposal follows a design-led approach that utilises a broadly acceptable response to the local context. However, one of the reasons for refusal related to the density of the proposals, referencing the overdevelopment of the site and its resulting impact, including:
- Substandard dwellings, including poor layout and undersized homes
 - Affordable and market housing mixes that would fail to deliver homes required locally
 - Loss of trees and priority woodland
 - Harm to biodiversity and species, loss of grassland and riparian habitat.
127. Since the resolution made by the Council, the applicant has submitted revisions to the proposals and additional information. This has provided a comprehensive set of information to assess the impacts of the proposed development. The housing mix, trees and biodiversity matters have been

addressed in other sections of the report, with the below setting out the design considerations.

128. The Council have provided further comments on the revised application which are set out in the consultation section above. In relation to design, no further comments have been received.

Visual impact

129. London Plan policy HC4 seeks to protect strategic views identified in London Plan Policy HC3 and the London View Management Framework SPG (2012) which provides further guidance on the management of strategic views.
130. The Council concluded that further information, including CGIs and sectional views were required and therefore it found that the applicant had not demonstrated that the scheme would achieve high quality design or have an acceptable impact on the amenity of adjoining occupiers. Further information has been submitted by the applicant, including an additional CGI and plans.
131. Given the height, scale and location of the proposals, the development would not have an impact in strategic views. Furthermore, the proposals would not be visible in locally protected views.
132. The submitted Townscape and Visual Impact Assessment sets out several views which illustrate the impact on the openness of the adjacent Green Belt. Given the site layout, height and massing and boundary treatment, the proposed development would not result in harm to the openness of the Green Belt.
133. The applicant has provided an additional townscape view from the Fairway, looking east towards the site as requested by officers, helping to assess the cumulative impacts of the proposals on the surrounding context. In the additional view from the Fairway, the proposals would sit comfortably within the varied townscape that forms the northern side of the Fairway. Officers accept that the development is clearly perceptible at close range and would result in a material change to the townscape. However, the scale of what is proposed is contextual, responds sensitively to the surrounding townscape and does not constitute visual harm. The impact of the massing has been carefully managed, with a refined material palette and articulation that brings a liveliness and vitality to the street, improving its clarity and legibility for pedestrians.
134. Given the natural profile of the site, the enclosed nature of the northern edge, the proposed height, mass and design, the development would have an acceptable impact on the townscape.

Site edges

135. The Council concluded that the site edges, as a result of the proposed massing, fail to provide sufficient setbacks and step-downs in height to adjoining properties. The applicant has submitted further information, including

site levels, building heights and justification regarding the relationships with adjoining neighbours.

136. The existing boundary on the western side of the site comprises a solid fence structure. The proposal would introduce mews properties along this boundary that would extend up to 2 storeys above a lower ground level. Given the proposed heights of the buildings and the site levels, the buildings would only have a modest increase in height when compared to the existing site boundary. It is evident from the proposed massing that the buildings adjacent to the boundary have been designed with the boundary relationship and character in mind.
137. The mews buildings would be set back from The Fairway, given the location of accessible parking and therefore in this location, the proposed buildings would have a large set back from the boundary with Fairway Court. Where the proposed buildings would be located, the closest distance between the rear of Nos. 17-20 Fairway Court is approximately 5.3m. The daylight and sunlight assessment demonstrates that all ground floor windows of the existing homes will experience changes to daylight within BRE guidelines. There would be no windows facing Fairway Court and therefore no overlooking of the homes from Block A.
138. Towards the rear of the site, the neighbouring buildings of Fairway Court are set back from the boundary and have side returns facing the application site. Therefore, any built form on the boundary would have a limited impact on these properties.
139. Furthermore, the historic school buildings on the site were taller than the proposed mews buildings, and had a minimal set back from the boundary. As such, the proposals would be re-introducing a similar relationship to what has previously been an established character.
140. In relation to the development frontage to The Fairway, the proposals would have a modest set back to create a 'Welcome Square'. The proposed buildings would be set back from The Fairway and would be located an acceptable distance away from properties on the opposite side of the street. The frontage to the development comprises the commercial uses located within blocks D and F, which would enliven the street scene with active uses. The uses at the ground floor would therefore act as a strong entrance into the site.
141. In regard to the eastern edge of the site, the proposals would locate 4 storey maisonettes along the boundary with the school. Given the nature of the school site which comprises an access road adjacent to the boundary, the principle of introducing buildings along the boundary is supported. The applicant has provided additional information and detail regarding the boundary condition given the concerns of the Council relating to the Multi Use Games Area ("MUGA") which was shared by GLA officers. Officers are satisfied that the relationship of Block I on the eastern edge of the site to the MUGA of Fairway School is appropriate. There are no windows on this elevation, and no

overlooking from the residential amenity spaces onto the school or MUGA given the proposed use of privacy screens.

142. In relation to the northern boundary, the built footprint would be set back from the site edge to minimise the impact on Stoney Wood.
143. The development would appropriately respond to and address the character and context of the site, and is considered to be acceptable.

Residential quality

144. Local Plan Policy CDH01 requires a good standard of amenity for future occupants.
145. The applicant has stated that the layout of the scheme would deliver 88% dual aspect homes. This was queried by the Council and GLA officers, and further detail and drawings were requested in order to fully understand and assess the residential quality. Based on the information provided, the development would comprise 311 (67%) dual aspect homes as per the definition set out in the Housing Design Standards LPG. A further 130 homes (28%) provide an additional secondary aspect or opening which offers some of the benefits associated with dual aspect accommodation, but does not meet the technical definition within the Housing Design Standards LPG. While this is lower than the 88% originally reported, 67% still demonstrates general compliance with Policy D6 and officers are satisfied that dual aspect homes have been maximised. Furthermore, the development is considered to follow a design-led approach and that single aspect homes have been avoided and only provided where it's an appropriate solution to deliver an optimisation of site capacity and they would be of acceptable residential quality with regard to ventilation, overheating, daylight and privacy.
146. The proposed layouts have been amended in light of the Council's comments that some homes fell below the space standards. All of the proposed homes meet the relevant minimum internal space standards. While a number of layouts are spatially complex, officers are satisfied that they are compliant with policy D6. In addition, all homes are provided with private amenity space.

Daylight, sunlight, overshadowing, outlook and privacy occupiers

147. The development proposes a typical street width of 12m, with separation at the upper levels of 16m. While a typical minimum separation distance is often set at 18m, Barnet's Residential Design Guidance SPD (2016) notes that shorter separation distances may be acceptable between new build properties where there are material justifications. In this instance, the applicant has used window positioning and balcony screens to reduce overlooking and to provide increased privacy and improved outlook for homes. For example, the primary outlook for bedrooms often faces out onto the private amenity for the dwelling, with a secondary aspect through a smaller window onto the street. Furthermore, this reduced street width is often seen in development sites across London and creates the street based design and place based benefits which is strongly supported by officers and has the support of the Council.

148. The applicant has provided a daylight, sunlight and overshadowing assessment for the proposed development which indicates that 87% of the rooms analysed would meet their target illuminance value and 50% would meet target sunlight value. Overall, the proposed development is considered to have good levels of daylight and sunlight.
149. In regard to sunlight, of the analysed amenity spaces 7 out of 10 would receive at least two hours of direct sunlight on over 50% of the area on 21st March. Furthermore, the levels of sunlight would increase during summer months. When considering the street-based character and the design-led optimisation of the site, overall the proposed sunlight to amenity areas would be acceptable.

Noise, vibration and odour

150. London Plan Policy D13 sets out the Agent of Change principle which places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. London Plan Policy D14 states that development should avoid significant adverse noise impacts on health and quality of life.
151. Local Plan Policy ECC02 requires developments to avoid the generation of unacceptable noise levels close to noise sensitive uses and applies the Agent of Change Principle set out in London Plan Policy D13.
152. The applicant has submitted a noise and vibration impact assessment. The assessment has been revised since the application was submitted to clarify details with regard to noise surveys. The assessment demonstrates that the proposed uses would achieve acceptable residential noise conditions through mitigation measures including specified glazing and ventilation measures. These mitigation measures will be secured by condition.
153. Given the proposed introduction of non-residential uses, particularly the Class E café, details to manage operation and flue extraction and discharge will be secured by condition to ensure that residential amenity of the homes is safeguarded.

Residential quality conclusion

154. Overall, it has been demonstrated that the proposals would create a good standard of residential accommodation for future occupiers.

Architectural quality

155. London Plan Policy D3 states that good design and good planning are intrinsically linked, and that the form and character of London's buildings and spaces must be appropriate for their location. Local Plan Policy CDH01 requires development to be of a high architectural and urban design quality and have regard to local and national design guidance.
156. The Council's Officer Report acknowledged that the '*proposal details an architectural approach that is a refreshing departure from typical development approaches*' and was broadly supported, concluding that further information

was required to determine whether the architectural approach could be appropriate and delivered. The applicant has submitted further information along with amended plans.

157. The variety of mansion blocks, townhouses and mews properties provide for a distinct character. The architectural expression of the buildings respond to the existing suburban character of the surrounding context, employing robust and attractive materials like brick which supports this contextual response. In order to ensure that the design intention and quality is delivered, conditions securing details of architecture and materials will be secured by condition.
158. Overall, the development is of a high-quality architectural design, and further details have been secured by condition. As such, the proposals would accord with Local Plan Policy CDH01 and London Plan policies D3.

Public realm and landscaping

159. London Plan Policy D8 requires development proposals to ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, and easy to understand and maintain.
160. Local Plan policy CDH03 requires public realm to form an integral part of development proposals and that it contribute positively to the public realm. Furthermore, CDH07 relates to amenity space and landscaping ensuring the landscaping is sympathetic to local character and contributes positively to the street scene.
161. The streets-based approach to the layout of the development is strongly supported. The proposals create several pedestrian only streets providing a generous amount of publicly accessible space with a broad range of hard and soft landscaping creating a pedestrian focused environment. The layout creates an 'arrival square' with the non-residential uses flanking the space aiding legibility of the development, as well as several character areas including the play street and woodland street, and smaller more informal spaces.
162. The scheme proposes a street-based development with pedestrian focused mews streets with clearly defined public and private environments. Entrances to buildings are legible, and are aligned with people's movement patterns and desire lines across the site. The need to address inclusive landscape design, private amenity space and entrancing has been appropriately balanced. However, to ensure that the soft and hard landscaping are of a suitably high quality, further details will be secured by condition.
163. The applicant has sought to retain existing trees of value in the public realm, all category A and all but 2 category B trees are retained, with retained trees being sympathetically designed into the landscape strategy. Furthermore, the proposed landscaping strategy includes the planting of 126 trees. Officers are satisfied that tree planting has been maximised, noting the potential future CAVAT value of the planting schedule at maturity which could exceed the existing value.

164. The development proposes a single road around the site that provides access to the parking in the basement and for servicing purposes, this will limit car use in line with Healthy Streets principles and facilitates efficient servicing and maintenance of the building and public realm. Active travel has been encouraged and facilitated, with inclusive pedestrian and cycling routes and cycle parking. Blue badge parking is located across the site, so as to ensure that spaces are near homes, whilst not dominating the internal environment.
165. Subject to conditions, the landscaping is considered to contribute positively to The Fairway and will create high quality publicly accessible public realm within the site.

Children's play space

166. Local Plan policy CDH07 requires new residential proposals to provide facilities on site in line with London Plan Policy S4
167. Based on the GLA population yield calculator, the proposals would have a requirement of 2,477 sq.m of play space. The proposals would provide 3,436 sq.m of play space which would exceed the requirement set out in London Plan policy. The existing site benefits from a play area to the south east, fronting The Fairway. This play provision would be re-provided within the development and therefore, there would be no loss of playspace. The proposals incorporate a central play street with play spaces for a range of ages and abilities is distributed throughout the site
168. The quantum and details of play equipment will be appropriately secured by condition. The proposal satisfies the requirements of Policy S4 of the London Plan and Policy CDH07 of the Local Plan.

Secured by Design

169. London Plan Policy D11 requires new development to provide legible, convenient and well-maintained routes and spaces which are well-overlooked and benefit from an appropriate level of activity, with private and communal spaces clearly defined to promote a sense of ownership. Local Plan Policy CHW03 and CDH01 supports development that provides safe and secure environments and have regard to the Secured by Design principles.
170. As set out in the landscaping and public realm section above, the proposed development creates well laid out spaces, with many homes having street facing front doors. The street based design facilitates an appropriate amount of overlooking of the public spaces, and there is clear delineation of public, communal and private spaces.
171. The proposals have been reviewed by the Metropolitan Police who have set out that the proposals include many crime prevention measures including active frontages, lighting, physical security measures and access control. The development will facilitate higher amounts of activity and natural surveillance which has been supported by the Designing Out Crime Officer (DOCO), as well as the defensible space outside of front doors. As requested by the DOCO a

Secure by Design accreditation condition will be secured prior to occupation. The proposals are considered compliant with Policy D11 and CHW03 and CDH01

Accessibility and Inclusive design

172. London Plan Policy D5 and Local Plan Policy CDH02 state, amongst other things, that development proposals should achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan requires residential development to provide 10% M4(3) wheelchair user dwellings and for all other dwellings to meet M4(2) wheelchair accessible and adaptable dwellings. Policy CDH02 references the wheelchair dwelling standards in policy D7.
173. The applicant has clarified the levels across the site. The site falls naturally from south to north, with the highest point in the SE corner at 73.0 AOD, and the lowest point in the NW corner at 68.0 AOD. The sloped nature of the site creates a step-free public realm, with appropriate gradients which match the goings of flights in accordance with Approved Document M. Where steps have been included (the route in between Blocks A and C), an alternative step-free route between Blocks C and D has been provided.
174. The development would provide 47 M4(3) dwellings, equating to 10% in line with London Plan policy D7. The majority of the remaining dwellings would comply with M4(2) but 116 properties, given stepped entrancing, would not. Given the street-based design and supported design rationale following the natural topography of the site, as well as and the fact that the development would deliver wheelchair user dwellings in line with policy, this approach is considered acceptable.
175. The development proposals would create an inclusive environment through measures including blue-badge parking, accessible cycle parking, primarily step-free access to the buildings and public realm, as well as the inclusion of evacuation lifts. The proposals would deliver an inclusive environment and would be acceptable.

Fire safety

176. Policy D12 of the London Plan requires development proposals to achieve the highest standards of fire safety. Policy D5 of the London Plan states that development should be designed to incorporate safe and dignified emergency evacuation for all building users.
177. A Fire Statement has been submitted with the application, prepared by a suitably qualified third party assessor, and sets out how the development proposals could achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. The statement also acknowledges the requirement of D5 and the provision of evacuation lifts.

178. A declaration has been provided by the assessor stating that the development would meet the requirements of London Plan Policy D5 and D12 provided requirements are achieved through detailed design. A condition would secure a final detailed Fire Safety Statement.
179. Subject to conditions, the development would satisfy London Plan Policy D5 and D12.

Conclusion on urban design

180. In regard to design, the proposals would follow a design-led optimisation of the site. The height, scale and mass sits comfortably within the existing townscape and follows a design-led approach which responds to the site's topography, surrounding context and sensitive edge. Future occupiers would experience a good standard of amenity and would benefit from a series of public and private amenity spaces, with play spaces that re-provide the existing provision and meet expected demand from the development. The layout of the development has been designed with safety and security in mind.
181. In regard to accessibility and inclusion, the proposals would create an accessible environment. Whilst the number of wheelchair homes doesn't meet the requirement set out in D7 and CDH02, this is considered acceptable on balance.
182. Officers are satisfied that the revised scheme and further information provided demonstrates that the development, subject to conditions, is of a high quality design and accords with the objectives and requirements within design policies in the development plan, particularly in regard to Local Plan Policies CDH01, CDH02, CDH03, CDH04, CDH06, CDH07, CHW03, ECC02 and London Plan Policies D2, D3, D4, D5, D6, D7, D8, D11, D12, D13 and S4.

Heritage

183. There are no heritage assets on the site and the proposed development would not impact on the setting of a conservation area, statutory or locally listed building.
184. NPPF policy HE5 states that where a development proposal involves heritage asset with archaeological interest, an appropriate desk-based assessment should be undertaken and where necessary, a field evaluation.
185. London Plan Policy HC1 and Local Plan Policy CDH08 requires identification, recording and protection of archaeological remains in a manner appropriate to their significance. The application site lies within the Edgwarebury and Scratchwood Archaeological Priority Area. The GLAAS raised no objection to the application subject to a condition that secures an archaeological evaluation, and if required a full investigation and potential mitigation. The archaeological evaluation and mitigation will be secured by condition and as such the proposals are considered to satisfy London Plan Policy HC1 and Local policy CDH08.

Environmental and Health Impact Assessment

186. The planning application represents Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (“the EIA Regulations”) and is accompanied by an Environmental Statement (ES). The application is also accompanied by a Health Impact Assessment.
187. The submitted ES assesses the environmental impacts of the development under the following topics: Air Quality; Daylight and Sunlight, Ecology, Drainage and Flood Risk, Noise, Socioeconomics and Transport. The Council have considered these are appropriate to be scoped in to the EIA assessment and GLA officers agree with the scope of the EIA.
188. The ES has been reviewed in accordance with the EIA Regulations. A subsequent ES addendum dated July 2026 has been submitted by the applicant, was considered to be ‘further information’ under Regulation 25 and was processed as required under the EIA Regulations.
189. In relation to air quality and daylight, sunlight and overshadowing, the ES demonstrates no significant environmental effects are likely to arise and this was acknowledged and agreed by Council officers for EIA purposes. However, the council also concluded that insufficient information has been provided.
190. In relation to ecology, drainage and flood risk, transport and noise, Barnet officers concluded that in the absence of sufficient information it was not possible to conclude on the planning judgement nor Environmental Impact Significance in relation to these topics.
191. The applicant's ES addendum provides further information relating to daylight and sunlight, ecology, green infrastructure, air quality, noise and drainage and SUDS and a reasoned conclusion of the effects of the proposed development. GLA officers agree with the conclusions reached, that for EIA purposes, the proposals would not give rise to significant effects. Furthermore, a transport addendum report has been submitted and is discussed in more detail in the transport section of this report. However, in summary, it is judged that the proposal would not give rise to significant effects in relation to transport.
192. In relation to the socioeconomic impact, Council officers concluded that the development would generate a material healthcare impact requiring mitigation. This mitigation in the form of a contribution as recommended by NHS HUDA will be secured within the S106 agreement. Furthermore, the applicant submitted a Health Impact Assessment with the application which does not identify any negative health impacts and concludes that there would be a range of positive health impacts.
193. Mitigation and monitoring measures as proposed in the ES will be appropriately secured through planning conditions and/or planning obligations.

Amenity impacts

194. NPPF policy P3 states that development proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers.
195. London Plan Policy D3 and Local Plan Policy CDH01 state development should provide a good standard of amenity and will allow for acceptable levels of daylight, sunlight, privacy and outlook for adjoining occupants and nearby users impacted by the development. Furthermore, London Plan Policy D14 seeks to reduce and manage noise associated with development.

Privacy, overlooking and outlook

196. The applicant has provided further information since the Mayor called-in the application which includes further detail on the relationship of the development to neighbouring occupiers, as well as submitting amendments to plans, which includes a re-profiling of the roof level of building A.
197. The development would be set back from the Fairway with a distance of circa 20m from the homes on the opposite side of the road. It is considered that this distance would prevent harmful overlooking or impact upon privacy of the occupiers of these properties.
198. In regard to the east boundary, Block I which is located on the boundary would have no openings facing the school. Furthermore, the private amenity spaces of these homes would have privacy screens facing the school, as such, no views would be created that overlook the school. As such, the proposals would not result in a materially harmful overlooking of the school.
199. To the west of the site is Fairway Court which comprises several buildings with flats. The west elevation of block A, which faces the boundary, would not have any windows, thereby not resulting in views overlooking Fairway Court. The next nearest buildings to the boundary B and C would have windows facing Fairway Court. However, there would be a separation distance in excess of 20 metres between these buildings and the boundary and these buildings extend to 6 storeys. Therefore, the views created towards Fairway Court would be at a high level, only views afforded would be above building A, and at a distance that would not unduly impact upon the privacy of occupants.
200. The properties 11-16 Fairway Court are laid out in a building that is perpendicular to the application site and therefore has a side elevation that faces the site. These properties would not experience a change in their privacy or outlook. Only four properties in Fairway Court have elevations that face the application site, 17-18 and 19-20. The proposed building A is set back from the Fairway, with the proposed built form abutting the site boundary adjacent to 17-18 Fairway Court, therefore properties 19-20 would maintain a view across the boundary with building C in the distance beyond, some 20 metres away. The separation distance between Building A and 17-18 would be approximately 5.3m at the narrowest point. All four of the properties appear to be dual aspect and therefore have an outlook to the front overlooking the communal amenity space. Whilst there would be a worsening in the outlook from within nos 17 and 18 as a result of the proximity of building A, given its modest height and a

limited extension above the boundary, the absence of windows at a close proximity and the fact that the properties in Fairway Court have outlook over the communal amenity space to the west which would be unchanged, the proposals would not result in a materially harmful impact on the privacy or outlook of the occupiers.

201. Overall, the privacy, overlooking and outlook in relation to the neighbouring properties is considered to be acceptable.

Daylight, Sunlight and Overshadowing

202. Guidance relating to daylight, sunlight and overshadowing is contained within the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight': a good practice guide' (2022).
203. The BRE guidelines emphasise that vertical sky component (VSC) is the primary assessment together with the no skyline (NSL) assessment where internal room layouts are known or can reasonably be assumed. For sunlight, applicants should calculate the annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south and are likely to have their sunlight reduced by the development massing. For Sun Hours on Ground (SHoG) assessment, the requirement is that a garden or amenity area with a requirement for sunlight should have at least 50% of its area receiving 2 hours of sunlight on 21st March.
204. The BRE guidelines state that changes in daylight and sunlight of 20% or less are negligible. The BRE Guide recommends that a room with 27% VSC will usually be adequately lit without any special measures, based on a low-density suburban model.
205. The following section discusses the impacts on properties where the Daylight and Sunlight assessment submitted with the application identifies breaches of the BRE guidelines.
206. Overall, 74% (205 out of 277) of the windows assessed in the surrounding properties would meet the BRE guidelines in relation to VSC and 94% (141 out of 150) of the rooms would meet BRE guidelines for NSL. In relation to sunlight, 98.3% (57 out of 58) of the windows that face 90 degrees of due south would meet the annual sunlight guidelines and 100% of those windows would meet the winter sunlight guidelines with the proposed development in place.

26 and 28 The Fairway

207. In relation to daylight, 7 out of 9 windows (78%) retain 27% VSC or more than 0.8 times their baseline value. The two windows serve rooms which are served by other windows. All rooms within these properties would meet the BRE guidelines for the NSL test, and therefore despite the two windows falling beneath the guidelines for VSC, it is considered that the rooms remain well lit.
208. The properties would meet the BRE guidelines relating to sunlight.

30 and 32 The Fairway

209. In relation to daylight, 9 out of 13 (69%) of windows would meet the BRE guidelines for VSC. Three of the windows serve two rooms which contain further windows, and the rooms would retain VSC levels that meet the guidelines or would experience marginal breaches. The fourth window would marginally breach the BRE guidelines and appears to serve a bedroom which has less of a requirement for daylight. All rooms would meet the NSL BRE guidelines, and therefore, overall, it is that considered that the rooms would remain well lit.

210. All assessed rooms would meet the BRE guidelines for APSH.

34 and 36 The Fairway

211. In relation to daylight, 9 out of 14 (64%) of windows would meet the VSC BRE guidelines. Two of the remaining windows serve a room that is served by other windows, and the breaches of VSC would be marginal. All rooms assessed would meet the BRE guidelines for the NSL test. Therefore, overall, the properties are considered to remain well lit.

212. All assessed rooms would meet the BRE guidelines for APSH.

38 and 40 The Fairway

213. In relation to daylight, 9 out of 15 (60%) windows would meet the BRE VSC guidelines. Four of the windows that fall beneath the guidelines are within rooms that are served by other windows that would meet the guidelines. The breaches are marginal breaches of the BRE. All rooms assessed would meet the BRE guidelines for the NSL test. Therefore, overall, the properties are considered to remain well lit.

214. All assessed rooms would meet the BRE guidelines for APSH.

42 and 44 The Fairway

215. In relation to daylight, 6 out of 14 windows would meet the BRE guidelines for VSC. Four of the windows that don't meet the guidelines are in rooms that are served by other windows. The breaches of the VSC to the rooms would be marginal. The further two windows serve ground floor rooms, the retained VSC are 24% and 26% are marginally beneath the BRE guidelines. All rooms assessed would meet the BRE guidelines for the NSL test. Therefore, overall, the properties are considered to remain well lit.

216. All assessed rooms would meet the BRE guidelines for APSH.

46 and 48 The Fairway

217. In relation to daylight, 8 out of 16 rooms would meet the BRE guidelines for VSC. The windows that fall beneath the guidelines serve rooms that would retain VSC between 23 and 26%, which fall marginally below the guidelines. All

rooms assessed would meet the BRE guidelines for the NSL test. Therefore, overall, the properties are considered remain well lit.

218. All assessed rooms would meet the BRE guidelines for APSH.

50 and 52 The Fairway

219. In relation to daylight, 4 out of 12 windows would meet the BRE VSC guidelines. The remaining windows serve four rooms all of which would retain VSC levels of between 23% - 25% and is therefore marginally short of the 27% target. Furthermore, 5 out of 6 rooms meet the NSL BRE guidelines. The remaining room retains 0.60 times the existing NSL, however, it retains a VSC of 23%. As such, whilst the properties would experience an impact to daylight, this is not considered to be materially harmful to the living conditions of occupiers.

220. All assessed rooms would meet the BRE guidelines for APSH.

54 and 56 The Fairway

221. In relation to daylight, 4 out of 12 windows would meet the BRE VSC guidelines. The remaining windows serve four rooms that would retain absolute VSC levels between 25% - 26% and as such, would be marginally beneath the VSC target. Furthermore, 5 out of 6 rooms meet the NSL BRE guidelines. The remaining room retains 0.60 times its existing NSL, however, it retains a VSC of 23%. As such, whilst the properties would experience an impact to daylight, this would not be materially harmful to the living conditions of occupiers.

222. All assessed rooms would meet the BRE guidelines for APSH.

17 and 18 Fairway Court

223. In relation to daylight, 5 out of 9 windows meet the VSC BRE guidelines. All of the windows at ground floor level meet the guidelines. The four windows that fall beneath the guidelines are at first floor level, which has large overhanging eaves. The applicant has submitted an assessment with the removal of the eaves, which demonstrates that all windows would comply with the BRE guidelines without the eaves. As such, the assessment demonstrates that the architectural features of the neighbouring property, the large eaves immediately above the windows exacerbates the impact on daylight. Furthermore, 3 out of 6 rooms would meet the NSL BRE guidelines. Two of the rooms would experience marginal breaches of the guidelines and the third room is likely to be a bedroom, with the main living spaces facing over the communal amenity space. Whilst there would be an impact on the daylight received to one of these properties, it is considered to be exacerbated by the architectural features of the property and it would likely affect a bedroom which has less reliance on daylight.

19 and 20 Fairway Court

224. In relation to daylight, 5 out of 9 windows would meet VSC BRE guidelines. As with the neighbouring properties 17 and 18, the remaining windows are located

at first floor level beneath a large overhanging eaves and in a scenario without the eaves, would meet the BRE guidelines. 2 out of 6 rooms would meet the NSL BRE guidelines. Some of the rooms retain NSL or VSC values marginally beneath the guidelines. Furthermore, the room uses are likely to be bedrooms and bathrooms in this location, which are less important in relation to daylight. When considered overall, whilst there would be an impact on the daylight received to several rooms, for the reasons set out above, it is concluded that there would not be a materially harmful impact on the living conditions of occupiers.

Fairway primary school and children's centre

225. In relation to daylight, 62 out of 75 windows meet VSC BRE guidelines. All but two remaining windows serve rooms that are served by other windows, which meet the guidelines. The final windows likely serve small rooms off the side of classrooms. The applicant has concluded that these are not primary teaching areas and as a result are less sensitive to daylight. All rooms assessed would meet the BRE guidelines for the NSL test. Overall, it is considered that the school would retain well lit

226. All assessed rooms would meet the BRE guidelines for APSH.

Daylight and Sunlight Conclusion

227. The proposed development would result in breaches of the BRE guidelines in relation to daylight and sunlight to properties surrounding the development site. However, the overall impact of the development on daylight and sunlight is considered acceptable when considered as a whole given the high overall compliance with BRE guidelines. Rooms generally retain appropriate levels of daylight and sunlight for their use. Where breaches occur, some of them are marginal and some of these are exacerbated by architectural features of neighbouring properties. Furthermore, impacts are to be expected if this currently largely cleared site is brought forward for residential development, the principle of which is strongly supported by policy. The overall quality of the living accommodation of neighbouring properties would not be materially harmed.

Overshadowing

228. In relation to overshadowing, all of the spaces assessed would continue to receive at least two hours of sunlight over at least half of their area on 21 March or would retain 0.8 times their existing value and would therefore comply with the BRE Guidelines.

Noise and vibration

229. NPPF policy P3 states that development proposals should not give rise to, or contribute to, an unacceptable level of noise or other forms of pollution.

230. London Plan Policy D14 states that development should avoid significant adverse noise impacts on health and quality of life and ECC02 of the Local

Plan states that development proposals are expected to avoid generation of unacceptable noise levels close to noise sensitive uses. Furthermore, ECC02 states that all developments, should comply with the Considerate Constructors Scheme and the terms of their Demolition and Construction Management Plan which includes further mitigation measures.

231. In relation to future occupiers of the development, the impact of noise is set out in the residential quality section above, however, it is considered to be acceptable, subject to conditions.
232. The Council concluded that the proposed density of homes would result in the generation of activity, disturbance and noise of an impact that would significantly exceed the levels to be expected. As discussed in previous sections of this report, the proposed land uses are appropriate for the site and the scale of development is considered acceptable in regard to Local and London Plan policies. Furthermore, given the predominant use of the site is residential, which is characteristic of the surrounding area, the proposals would not give rise to noise that would adversely affect residential amenity.
233. In relation to the non-residential uses, conditions have been attached to control noise generation during operation, including hours and plant noise.
234. The construction of the proposed development would give rise to noise and vibration generation. As such, a Demolition and Construction Management Plan and compliance with the Considerate Constructors Scheme will be secured by condition in order to manage and mitigate noise and vibration during the construction.
235. GLA officers consider that subject to conditions, the development would not give rise to unacceptable noise or vibration impacts during construction or operation of the development and the proposal complies with London Plan Policy D14 and Local Plan Policy ECC02.

Amenity Conclusion

236. Overall, the development demonstrates a high level of compliance with the BRE guidelines in relation to VSC, NSL and APSH, though as set out above, some of the surrounding properties would experience impacts on daylight and sunlight. The technical breaches of the BRE guidelines experienced by neighbouring properties would be limited, in many cases the breaches are marginal and are exacerbated by architectural features of the properties themselves. As such, the daylight and sunlight impacts are considered acceptable. Furthermore, the proposed development is acceptable in regard to privacy and outlook overshadowing, noise and vibration.
237. The impact on amenity as a result of the proposals is acceptable and is compliant with Local Plan Policy CDH01 and ECC02 and London Plan Policy D3 and D14.

Sustainability, environment and climate change

238. NPPF policy P3 states that development proposals should not give rise to unacceptable levels of pollution which could have an unacceptable adverse effect on health.

Urban Greening, Trees and Ecology

239. NPPF Policy N2 states that development proposals should minimise any adverse impacts on biodiversity and include features which support priority or threatened species.
240. Policy G1 of the London Plan expects development proposals to incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G5 of the London Plan requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The policy also recommends that predominately residential developments should achieve an Urban Greening Factor (UGF) target score of 0.4.
241. Policy G7 of the London Plan requires development proposals to ensure that, wherever possible, existing trees of value are retained and also states that new development should include the planting of new trees. Where planning permission is granted that necessitates the removal of trees, there should be adequate replacement based on the existing value of the benefits of the trees removed.
242. Draft London Plan Policy GHR6 states that proposals should deliver new tree planting and should ensure, where possible, existing trees of value are retained and harm avoided. If the removal of trees is unavoidable, there should be adequate replacement based on an appropriate valuation system
243. Local Plan Policy ECC07 requires that all developments comply with the Urban Greening Factor target scores set out within London Plan Policy G5, ensures that developments contribute to biodiversity and protects existing site ecology. CDH07 seeks the retention of existing trees where possible and where they are to be retained, they should have their structures appropriately safeguarded. Where trees are removed, they should be replaced with trees of equal value and of suitable sizes and species. Where it is not possible to provide replacement trees of comparative value, a contribution for any residual value should be secured.
244. The site is directly adjacent to the Mill Hill Golf Course Site of Importance for Nature Conservation (SINC). Given the design of the proposals and the set back from the northern site boundary, the proposals would not result in harm to the SINC.
245. The development would achieve an UGF score of 0.47. This exceeds the requirement for residential development of 0.4 set out in London Plan Policy G5. The applicant has provided a drawing demonstrating how this would be achieved. Compliance with the UGF will be secured by condition.

246. In relation to trees, several trees of value are located across the site, but primarily along the northern eastern, northern and northern western boundaries of the site. The Council created a temporary TPO covering the deciduous broadleaf woodland, which is a priority habitat as defined in the NPPF, on 12 March 2026 and this was made permanent on 23 June 2026. It is however noted that the trees on the site form an extremely small part of the woodland which is primarily located north of the site boundary within the Mill Hill Golf Course. This is acknowledged by the Council in the officer's report in relation to the TPO (16/TPO/002).
247. Officers consider that the development proposals have had regard and been designed to retain trees on the site. The western mews properties are set back from the northern edge of the site and building B curves around the retained woodland trees in the northwestern corner of the site. Furthermore, the opening between buildings B and C facilitates tree retention.
248. The proposals would result in the loss of 79 trees on the site, with 71 trees being retained. All category A trees would be retained. The trees proposed for removal comprise mainly category C and U trees, and 2 category B trees. The 2 category B trees are T8 which is located within the middle of the site and is not within the woodland or covered by the TPO and T145 located towards the northern corner which does fall within the scope of the TPO. The value of the woodland is as a group. Despite the proposed removal of trees from the woodland, given the small extent of woodland removal this would not be detrimental to the value of the woodland as a whole which would be retained.
249. If this brownfield site is to be optimised for residential development, some form of tree removal is likely as demonstrated by the previous residential planning approval on the site which resulted in the loss of all trees and which was supported by the Council. Whilst this permission has since lapsed and cannot be regarded as a fall-back position, it does provide useful context that any residential development of the site will give rise to tree loss and that isn't wholly linked to higher density development. Given the site topography which slopes away from The Fairway, the ground requires re-profiling which will also impact upon the feasibility of tree retention.
250. The loss of the trees is regrettable, however, the proposals would deliver substantial landscaping works which includes the planting of 126 new trees. The development would therefore result in an uplift of approximately 47 trees on site. The applicant has provided a CAVAT assessment of the value of the trees to be removed. The methodology of the assessment has been broadly agreed. The assessment demonstrates that the value of the trees to be lost is £263,262. The value of the planting schedule is £50,097. As such, a CAVAT contribution of £213,165, the difference between tree removal and planting, will be secured within the S106 obligation. However, as a sense check exercise to consider the potential value of the planting strategy, GLA officers requested a CAVAT assessment considering planting at maturity. This identifies that the value of the planting strategy could match that of the trees to be lost in the future. The planting scheme as well as a long-term tree establishment and management plan including the replacement of any trees that fail within an agreed maintenance period, will be secured by condition. It is noted in the

Council's comments that the species selected in the replacement schedule are broadly supported.

251. In relation to post development pressure, the applicant has submitted further information to address the Council's concerns that the proposal would result in excessive pressure on the retained trees. This sets out that future management will be required and sensitively managed. Future works to the trees covered by the TPO would be subject to permission from the Council and will be secured by condition.
252. The applicant has provided further details regarding protection of existing trees during construction. This includes protection, excavation pre-commencement controls and site monitoring. This is supported, and the construction mitigation will be secured by condition.
253. Conditions are recommended that secure an Arboricultural Method Statement, Tree Protection Plan and Construction Environmental Management Plan to ensure protection of the retained trees.
254. In relation to ecology, the Council's Ecologist noted that surveys for hazel dormouse, great crested newt, and breeding birds were acceptable. But further information and surveying was required to fully understand the impact of the proposed development.
255. The applicant has submitted further information relating to bats, badgers and reptiles since the Mayor called in the application.
256. Further inspections of trees with ivy cover and potential roost features have been undertaken. The ecologist has confirmed that all of the trees flagged in the Preliminary Ecological Appraisal within the small wooded area, including trees T1 and T2, have been assessed. The assessment has found no active bat roosts. Of the six Potential Roost Features (PRFs) recorded on the tree previously categorised as moderate, four have been downgraded to low following inspection. In order to minimise the impact on bats, a lighting strategy, dark corridor and construction management as well as mitigation will be secured by condition and S106 obligation.
257. A Preliminary Ecological Appraisal and Badger survey has been undertaken and submitted with the application. This demonstrates the presence of an existing badger sett in the north eastern corner of the site. A Mitigation Strategy is set out within the revised technical note. The aim of the strategy is to ensure that badgers are not excluded from the existing sett without suitable replacement provision. The artificial sett will therefore be created in advance of closure of the existing sett, outside the 30m disturbance zone, and in a location that maintains ecological connectivity to existing foraging routes and habitat. Furthermore, the mitigation strategy will be secured within the S106.
258. The applicant has submitted a Reptile Survey Report and has undertaken further reptile surveys since the application was submitted. The surveys identify a good population of slow worm and a grass snake present on the site. The assessment concludes that the development would result in a low impact on

reptiles, with a precautionary approach adopted with controlled vegetation clearance. As such a Reptile Mitigation Strategy is required in order to minimise the impact on the reptile population and will be secured.

259. Subject to conditions and obligations, the development would be acceptable and would comply with Local Policy ECC07 and CDH07 and London Plan Policies G1, G5 and G7.

Biodiversity

260. The NPPF states in Policy N2 that developments should consider environmental qualities of land and identify opportunities for those qualities to be conserved or enhanced and minimise any adverse impacts on biodiversity. It goes on to state that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
261. London Plan Policy G6 states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain in line with national policy. Draft London Plan Policy states that development should deliver gains for biodiversity in accordance with national BNG requirements.
262. ECC07 seeks the retention and enhancement or the creation of biodiversity in development proposals. It goes on to state that where significant harm to biodiversity resulting from a development cannot be avoided, measures must be taken to adequately mitigate that harm.
263. The Green Infrastructure Report provides further information regarding the evolution of the scheme and measures incorporated to avoid and reduce impacts on biodiversity. A Biodiversity Net Gain Assessment and Statutory Metric were submitted with the application. The assessment identifies that the proposals would result in a net loss of 16.12% relating to habitat units and 46.62% relating to hedgerow units, and no change in the watercourse units. Furthermore, the trading rules would not be satisfied. The applicant has amended the Biodiversity Net Gain Assessment and statutory metric since the Mayor called in the application. This identifies that the proposals would result in a net gain of 20.87% relating to habitat units, 12.31% relating to hedgerow units and 11.55% in the watercourse units. Overall, the proposals would therefore exceed the statutory 10% biodiversity net gain. However, given the loss of the high distinctiveness lowland mixed deciduous woodland, the trading rules would not be satisfied. As such, a biodiversity net gain plan including off-site mitigation will be secured by condition.
264. Subject to conditions, the proposals would comply with policy G6 of the London Plan and Local Plan Policy ECC07.

Energy

265. London Plan Policy SI2 requires major development to be zero-carbon by reducing greenhouse gas emissions by improvements on the 2013 Building Regulations, by 35% (with at least 10% for residential and 15% for non-

residential coming from energy efficiency measures), in accordance with the energy hierarchy. London Plan Policy SI 3 requires development within Heat Network Priority Areas to have communal-low temperature heating system, with heat source being selected in accordance with the hierarchy (connect to heat networks, use zero carbon or local heat sources, use low-emission CHP).

266. Draft London Plan Policy GHR1 aims to ensure high-levels of energy-efficiency, minimise energy consumption and occupier bills and reduce greenhouse gas emissions
267. Local Plan Policy ECC02 and ECC03 require developments to maximise on-site energy efficiency, integrate renewable energy and meet the aforementioned policies in the London Plan.
268. The applicant submitted an energy strategy with the application. This has been supplemented by further information submitted since the Mayor called in the application.
269. The energy strategy is considered to follow the energy hierarchy set out in the London Plan. The development would achieve a 74% overall regulated CO2 reduction against 2021 Part L compliant baseline.
270. The domestic element of the proposed development is estimated to achieve a reduction of 87.5 tonnes per annum (18%) in regulated CO2 emissions compared to a 2021 Building Regulations compliant development. In regard to the non-domestic element, it is estimated to achieve a reduction of 0.5 tonnes (18%). The development would achieve the targets set out in the London Plan.
271. The applicant has investigated and evidenced that no heat networks exist within the vicinity of the development, however a connection to a District Heat Network will be future proofed. An obligation with the S106 will secure the future proofing of a District Heating Network. The development proposes a communal air sourced heat pump system and the applicant has provided robust justification for having a block by block approach to the network.
272. In relation to renewable energy on site, the development proposes photovoltaic panels across the buildings which would provide 110.8 KWp. A detailed roof layout has been provided and given development constraints including small roof spaces, and access, safety and maintenance requirements, the photovoltaic provision on-site is considered to be maximised.
273. The S106 agreement will secure a contribution of £361,615 to offset the remaining carbon emission, along with the Be Seen monitoring requirements. Subject to conditions and obligations, the development complies with London Plan policies SI2 and SI3 and Local Plan policies ECC02 and ECC03.

Overheating

274. The overheating analysis demonstrates that the comfort criteria can be met under DSY 1 assuming a g-value of 0.53. The analysis demonstrates that there is a significant failure under the DSY2 and DSY3 weather files. The overheating

assessment concludes that Mechanical Ventilation with Heat Recovery (MVHR) is required to meet the comfort criteria. The risk of overheating has been reduced via the inclusion of passive design measures. The applicant has confirmed that the assessment has taken account of all the requirements and limits set out in Approved Document O and that 68% of units will require temperature topping. The cooling demand for the actual cooling load will be below the notional.

275. Accordingly, the proposal complies with London Plan Policy SI4 and Local Plan Policy ECC01.

Whole Life Carbon

276. Policy SI2 of the London Plan requires developments referable to the Mayor to include a Whole Life-Cycle Carbon (WLC) Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. Local Plan Policy ECC01 encourages developers to undertake a WLC Assessment having due regard to London Plan guidance.
277. The applicant has submitted a WLC Assessment and this has been supplemented by further information since the Mayor called in the application.
278. The estimated WLC emissions cover all life cycle modules and the results fall within the GLA WLC benchmarks, set out in London Plan guidance. The applicant has confirmed that 95% of the cost allocated to each building element category has been accounted for in the assessment. The applicant has provided an estimation of the WLC reductions, material quantities and end of life scenarios. Overall, it is considered that the applicant has demonstrated appropriate action to reduce life-cycle carbon emissions.
279. In line with the London Plan, a condition will be secured requiring the submission of a post-construction assessment to report on the development's actual WLC emissions.
280. Subject to conditions, the development would comply with Policy SI2 of the London Plan and ECC01 of the Local Plan.

Circular Economy

281. The application is supported by a Circular Economy Statement and GLA circular economy reporting template. These have been updated and supplemented by further information submitted by the applicant since the Mayor called in the application.
282. The applicant has confirmed that the reused or recycled content will be 20% by value and has provided supporting calculations. The applicant has provided a breakdown of waste management routes which demonstrates compliance with targets for construction and demolition waste set out in Policy SI7.
283. An operational Waste Management Plan has been provided. A detailed Waste Plan will be secured by condition. The submission of a post-construction

monitoring will be secured by condition. Subject to details secured by condition, the development would comply with policy SI7 of the London Plan.

Digital Connectivity

284. A condition will be secured requiring the submission of detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development in line with Policy SI6 of the London Plan

Water

285. London Plan Policy SI12 and SI13 seek to manage flood risk and encourage the use of Sustainable Urban Drainage. Local Plan Policy ECC03 relates to Water management and requires a Flood Risk assessment. Overall, the policy seeks to locate developments in areas of lowest flooding risk and ensuring that flood risk is not increased elsewhere. With regard to sustainable drainage, development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible and in accordance with the drainage hierarchy.
286. Draft London Plan Policy GHR5 states that development proposals should not increase surface water runoff, maximise opportunities to reduce surface water flood risk and design on-site measures with reference to the drainage hierarchy.

Flood risk

287. A Flood Risk Assessment ("FRA") was submitted with the application and the applicant have provided a further response since the Mayor has called in the application.
288. The site is located in Flood Zone 1, with a small section of the northwest corner located in Flood Zone 2. The FRA adequately assesses the risk of flooding from pluvial, sewer and groundwater. When mitigation measures are considered, the residual flood risk to the site is low. In regard to flood risk, the LLFA requested further information including appropriate mitigation, safe access and egress, finished floor levels and discharge. This will be secured by condition.
289. To mitigate against the risk of pluvial flooding, the applicant proposes to design external levels to fall away from building. The applicant should ensure that the development would not displace pluvial flood water off site. Mitigation will be secured by condition to ensure that the development would not displace pluvial flood water offsite.
290. The approach to flood risk is acceptable subject to conditions and satisfies London Plan Policy SI12 and Local Plan Policy ECC03.

Drainage

291. The application is supported by a Drainage Strategy and further information has been submitted since the Mayor called in the application.

292. The development proposes to restrict runoff to equivalent greenfield rates up to 100-year plus 40% climate change. The applicant has stated the brownfield runoff rates associated with the former developed condition would likely have been significantly higher than the equivalent greenfield runoff rates proposed as part of the drainage strategy, however these rates have not been located and therefore are not used as a baseline.
293. The applicant has provided Greenfield run-off rate estimates and hydraulic calculations considering climate change allowance for 3.3% Annual Exceedance Probability.
294. The applicant states that the proposed surface water is intended to connect to the Deans Brook watercourse and the detailed connection arrangements, discharge mechanism and any associated improvement works will be developed and agreed through the separate Ordinary Watercourse Consent process at detailed design stage in consultation with the relevant authority.
295. In terms of Sustainable Drainage Systems ("SuDS"), the drainage strategy proposes green roofs, blue roofs, and permeable paving. The applicant is encouraged to reduce discharge rates to be at or as close to Q_{bar} , where practicable. Further detail relating to groundwater monitoring, SuDS and SuDS maintenance, final site levels, exceedance flow routes ensuring the development does not displace pluvial flood water off site, drainage drawings and details of surface water management during construction will be secured by condition.

Water efficiency

296. London Plan policy SI5 and Local Plan Policy ECC03 set out water use and requires new residential development achieve a maximum water use of 105 litres per person per day, to minimise the pressure on the combined sewer network and to demonstrate that the local water supply and public sewerage networks have adequate capacity.
297. The development should also incorporate measures to achieve the BREEAM excellent standard for the "Wat 01" category for the non-residential uses.
298. The application confirms that the design of the development will include water reduction measures and that the residential uses would achieve a maximum of 105 litres per person per day. Whilst the application documents do not explicitly identify measures to achieve BREEAM Wat 01, given that primary use is residential, this requirement will be secured by condition and the approach is considered acceptable.

Water conclusion

299. The Environment Agency raises no objection to the proposed development, subject to planning conditions which manage and mitigate the impact of the development on Dean's Brook. The LLFA have been reconsulted and retain their position that further information is required. A condition will secure further information regarding FRA and drainage details in order to address the LLFA's

comments. The proposals would, subject to conditions, satisfy the requirements of London Plan Policy SI12 and SI13 and Local Plan Policy ECC03.

Air quality

- 300. London Plan Policy SI1 states that development proposals should not create unacceptable risk of high levels of exposure to poor air quality and should ensure design solutions are incorporated to prevent or minimise increased exposure to existing air pollution. Draft London Plan Policy states that development proposals should be Air Quality Neutral in regard to operational impacts and should manage and minimise air quality impacts from construction.
- 301. Barnet Local Plan Policy ECC05 requires proposals to demonstrate that they will not worsen air quality within the borough-wide Air Quality Management Area.
- 302. An Air Quality Assessment was submitted with the application and the applicant has provided further information since the Mayor has called in the application, including an Air Quality Positive Statement.
- 303. The Assessment and further information provided demonstrates that for the scale and location of the proposed development, sufficient evidence and modelling confirm the suitability for the proposed uses, and that the health and wellbeing of future occupiers will be safeguarded.
- 304. A Dust Risk Assessment has been undertaken based on medium sensitivity to human health due to the adjacent school. The assessment is considered appropriate, with mitigation measures included.
- 305. The Air Quality Positive Statement provided has been completed in line with best practice and demonstrates that air quality considerations have been integrated throughout the design process, in line with GLA guidance.
- 306. Measures to control emissions during the construction phase relevant to a Medium risk site should be included within an Air Quality and Dust Management Plan or part of a Construction Environmental Management Plan (CEMP). This will be secured by condition. Conditions requiring compliance with the Non-Road Mobile Machinery Low Emission Zone, and further details and specifications of the emergency generator plant will be secured.
- 307. Subject to the aforementioned conditions, the development is acceptable in regard to air quality and would comply with policy SI1 of the London Plan and ECC05 of the Local Plan.

Contamination

- 308. Local Plan Policy ECC02 requires development proposals on land with potential contamination to be supported by a site investigation to assess the extent of contamination and where identified, appropriate mitigation measures must be proposed to ensure the site is suitable for its intended use.

309. The applicant has submitted a Desk Top Study and Preliminary Risk Assessment. The Council's Environmental Health team reviewed the report and are satisfied that it complies with ECC02. A condition is recommended to ensure that any potential contamination is fully investigated and appropriate mitigation measures are implemented. The development would therefore comply with Local Plan Policy ECC02.

Transport

310. Chapter 15 of the NPPF seeks to ensure that transport considerations are taken into account in the evolution and assessment of development proposals using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places. NPPF policies TR3, TR4 and TR6 are relevant and state that development proposals should be in locations that are sustainable, opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development. Any significant adverse impacts on the transport network or on highway safety should be mitigated to an acceptable degree using a vision-led approach. Furthermore, proposals should give priority to walking, wheeling and cycle movements and to public transport.
311. London Plan Policy T1 reflects the Mayor's Transport Strategy insofar as it requires new development to support the strategic target mode share for active travel. Policy T2 sets out where development proposals should demonstrate how they will deliver improvements that support the ten Healthy Streets indicators, reduce the dominance of vehicles on London's streets and be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport. T4 requires the impacts on the capacity of the transport network at local, and strategic levels to be fully assessed and where appropriate, mitigation provided. T6 sets out car parking standards. T7 states development proposals should facilitate safe, clean, and efficient deliveries and servicing. Policy T9 sets out how planning obligations will be sought to mitigate impacts from development, which may include the provision of new and improved public transport services, capacity and infrastructure, and making streets pleasant environments for walking and socialising.
312. Draft London Plan Policy MBUL5 states that development should avoid and mitigate impacts on the transport network, secure cycle parking and minimise car parking in accordance with identified standards, enable safe and efficient deliveries and servicing and facilitate sustainable transport operations.
313. Local Plan Policies TRC01, TRC02 and TRC03 seek to deliver a more sustainable transport network, the delivery of new transport infrastructure to support travel needs of a growing population and sets parking standards for developments.
314. The Mayor's Transport Strategy 2018 looks to put people's health and quality of life at the very heart of planning the city's transport with an aim that by 2041, 80 per cent of all Londoners' trips will be made on foot, by cycle or by public transport. Proposal 80 of the Strategy seeks to impose high expectations on

developers to deliver transport solutions that will promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places.

Trip Generation

315. The Transport Statement has been supplemented with a Transport Addendum, since the Mayor called in the application.
316. In the Council's report, Highways officers concluded that the reliance on the two TRICS sites selected was insufficient and that the vehicle numbers including servicing trips could be underestimated.
317. The applicant has provided further justification in relation to the trip generation forecasts. Further TRICS sites have been identified by the applicant in the transport addendum which sets out reasons why these have been included or excluded, primarily based on PTAL and parking provision per dwelling. The TRICS dataset captures trips associated with all journey purposes. The trip generation assessment follows a vision led approach as set out in the NPPF and is considered reasonable by TfL.
318. Given the likely trip generation and associated transport mitigation, it is concluded that the proposals would not impact on the capacity, operation or safety of the local highway network.

Transport Contributions

319. TfL have requested a contribution of £1.25 Million towards bus services. The development is expected to accommodate approximately 1,080 residents and is located in an area with low public transport accessibility. The applicant's assessment forecasts approximately 0.405 person trips per dwelling in the AM peak and 0.355 person trips per dwelling in the PM peak and identifies public transport as a key component of the site's sustainable transport strategy. The applicant's analysis indicates that approximately 20% of non-car trips would be made directly by bus, with a further 22% made by rail or Underground services that are expected to be accessed by bus. Consequently, around 40% of all non-car trips generated by the development are expected to start or end with a bus journey, demonstrating a significant reliance on the local bus network. The site is principally served by routes 292 and 384, which each operate at a peak frequency of approximately three buses per hour. TfL therefore considers that additional bus capacity is required to accommodate development-generated demand, protect existing passengers from increased crowding and longer waiting times, and support the low-car aspirations of the development. The requested contribution of £1.25 million has been calculated as sufficient to enable TfL to increase peak bus frequency and accessibility serving the site. The contribution represents a significant public transport mitigation measure, which is necessary to make the development acceptable in strategic transport terms. Subject to the contribution being appropriately secured, together with appropriate triggers and mechanisms for expenditure, the transport impact is considered acceptable.

Deliveries & Servicing

320. The servicing strategy has been revised since the Mayor called in the application in order to respond to the Council's comments that the iceberg style waste system isn't compatible with the Council's waste collection service. The proposed refuse strategy would utilise a private specialist collection with a vehicle suitable for the proposed underground containers. Given that the development would be BtR, with onsite unified management, this managed estate wide approach to waste collection is considered acceptable. The waste strategy will maintain the storage and segregation of waste, which is in line with London Plan Policy. A condition will secure a final Operational Waste Plan including collection arrangements and frequencies.
321. Service vehicles are included in the overall vehicle trip generation. In relation to the service vehicle trip rates, the applicant has adopted a scenario based on the TRICS' Servicing and Deliveries at Residential Apartments in London – Research Report. Deliveries will be undertaken from a loading bay located on The Fairway immediately adjacent to the development. The bay would be 35.9m long by 3m and would be sufficient to accommodate forecast deliveries. A draft delivery and servicing plan has been provided and a final delivery and servicing plan will be secured by condition.
322. It has therefore been demonstrated that the delivery and servicing can be managed safely and efficiently, in accordance with Local Plan Policy CDH01.

Car Parking

323. London Plan Policy T6 provides that car parking should be restricted in line with levels of existing and future public transport accessibility and that appropriate levels of blue badge parking should be provided within the development.
324. The development proposes 151 residential parking spaces, including 14 blue-badge spaces and 2 car club spaces. The parking ratio of 0.33 complies with London Plan Policy T6.1.
325. Since the application was called in by the Mayor, the applicant has provided further supporting information and justification to support the parking ratio. The applicant has also committed to a payment of £1.25 million towards bus capacity which would enhance the frequency of the local bus services that serve the bus stops closest to the site. This will be secured within the S106. Furthermore, a contribution of £115,750 towards the delivery and implementation of a Controlled Parking Zone within the surrounding area will be secured, as well as restricting future residents from on-street parking permits. In addition, a Car Parking Management Plan which will include measures to manage overspill parking will be secured by planning condition. The parking provision has been appropriately justified, and the aforementioned conditions and obligations will manage the parking provision, including any overspill of parking.

326. The accessible parking bays will be supplied with electric vehicle charging in line with London Plan policy T6.1. The car club provision and delivery will be secured within the S106.

Cycle Parking

327. In relation to cycle parking, the applicant has revised the overall quantum of cycle parking, reducing the long stay provision from 843 to 546 and increasing the short stay from 13 to 23. This is in line with the 'Support for Housebuilding LPG' and is considered acceptable in principle. The cycle parking must comply with London Cycle Design Standards, and the detailed design and quantum of the cycle parking will be secured by condition.

Healthy Streets and Vision Zero

328. An Active Travel Zone assessment has been submitted which includes both a day-time and night-time assessment.
329. The assessment identifies security issues associated with a number of key walking routes, particularly at the A1 underpass, and recommends enhancement measures including CCTV and improved lighting. The identified improvements to the primary route of occupiers to the bus stop are supported. As such, a contribution will be secured in the S106 towards improvements to the A1 underpass. Overall, the development is considered to be in line with the Healthy Streets approach set out in the London Plan.

Travel Planning

330. A framework Travel Plan has been submitted which is broadly acceptable. The final Travel Plan along with ongoing monitoring has been secured within the S106 agreement in line with London Plan policy T4.

Demolition and Construction Traffic

331. A Construction Environmental Management Plan (CEMP) has been submitted as well as an Outline Construction Logistics Plan (CLP). Final CEMP and CLP will be secured by condition, in accordance with London Plan policy T7.

Conclusion

332. Overall, the transport impacts of the proposed development would be mitigated by necessary measures as set out above, to be secured in the S106 Agreement and planning conditions, which are considered to be in accordance with London Plan Policies T1, T2, T4, T5, T6 and T7 and Local Plan Policies TRC01, TRC02 and TRC03.

Mitigating the impact of the development through planning obligations

333. Regulation 122 of the Community Infrastructure Levy Regulations 2010 as amended in 2019 states that a section 106 planning obligation may only

constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are statutory tests.

334. The NPPF states that “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”
335. Barnet Council Planning obligations SPD 2025 provides further guidance on how the Council will secure planning obligations, where these are necessary to mitigate the impacts of development.
336. Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure several planning obligations required to appropriately mitigate the impact of this development, which are set out above and where appropriate there is detailed consideration given in the relevant topic section of the report. GLA officers are confident that the obligations in the Section 106 agreement meet the tests in Regulation 122 of the CIL Regulations 2010 as amended in 2019 as they either will not be spent on “infrastructure” as defined in the regulations or will be sufficiently narrowly described in the section 106 agreement.

Legal considerations

337. Under the arrangements set out in Article 7 of the Town and Country Planning (Mayor of London) Order 2008 and the powers conferred by Section 2A of the Town and Country Planning Act 1990 (as amended) the Deputy Mayor, acting under delegated authority, is the Local Planning Authority for the purposes of determining this planning application ref: 25/2743/FUL.
338. Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 which includes a requirement that for applications the Mayor takes over, the Mayor must give the applicants and the borough the opportunity to make oral representations at a hearing. He is also required to publish a document setting out.
- who else may make oral representations;
 - the procedures to be followed at the hearing; and,
 - arrangements for identifying information, which must be agreed by persons making representations.
339. The details of the above are set out in the Mayor’s Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

340. In carrying out his duties in relation to the determination of this application, the Deputy Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.
341. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:
- a) The provisions of the development plan, so far as material to the application;
 - b) Any local finance considerations, so far as material to the application; and
 - c) Any other material consideration.
342. Section 70(4) defines “local finance consideration” as:
- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
 - b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.
343. Furthermore, in determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Barnet Local Plan) unless material considerations indicate otherwise.
344. Other guidance, which has been formally adopted by Barnet Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.
345. GLA Officers are satisfied that the current report to the Deputy Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.
346. As regards to the Community Infrastructure Levy (CIL) considerations, the Mayoral CIL payment associated with this development is estimated to be £2,583,480 whilst the Barnet CIL payment is estimated to be £12,917,400.
347. In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The

Deputy Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The report assessment confirms that no conservation areas or listed buildings would be affected by the proposed development.

348. Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues. Both the Mayor and the borough are given powers to enforce planning obligations.
349. When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.
350. The key Articles to be aware of include the following:
- A) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
 - B) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
 - C) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.
351. It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.
352. Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are statutory tests.
353. The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the

Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

354. The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
355. GLA Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of affordable housing, accessible housing, inclusive design and the protection of residential amenity.

Conclusion and planning balance

356. As detailed above Section 38(6) of the Planning and Compensation Act 2004 requires matters to be determined in accordance with the development plan unless material considerations indicate otherwise.
357. When assessing the planning application, the Deputy Mayor is required to give full consideration to the provisions of the development plan and all other material considerations. He is also required to consider the likely significant environmental effects of the development.
358. GLA officers consider that the proposals generally comply with relevant planning policies at national, regional and local level. The development would conflict with NPPF policy TC3, London Plan Policy SD7 and Local Plan Policy TOW01 in relation to the sequential test for town centre uses. However, given the integral link between the residential BtR use and the ancillary commercial uses and their limited scale, the development is not anticipated to impact upon the vitality or viability of the Borough's town centres and is acceptable in this instance. Furthermore, there is a partial conflict arising with London Plan Policy D7 and Local Plan Policy CDH02 in regard to the number of wheelchair homes. This however, is considered acceptable on balance, given the overall high quality, inclusive and accessible environment.
359. The proposals would provide significant public benefits, which would weigh in favour of the scheme, particularly provision of housing and a significant quantum of affordable housing which supports housing delivery targets in the London Plan.
360. Overall, and notwithstanding some elements of policy conflict identified above, the proposed development is considered to accord with the development plan,

when read as a whole, and there are no material considerations justifying a departure from the plan or indicate that planning permission should be refused.

361. This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable. Accordingly, it is officers' recommendation that planning permission should be granted, subject to the obligations and conditions stated within this report.

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We are committed to being anti-racist, planning for a diverse and inclusive London and engaging all communities in shaping their city.