



Appeal Decision

Site visit made on 8 August 2023

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2024

Appeal Ref: APP/N5090/W/22/3313596

11 Gruneisen Road, Finchley, London N3 1LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Woolbro Morris Limited against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/6029/FUL, dated 12 November 2021, was refused by notice dated 3 October 2022.
 - The development proposed is for demolition of existing buildings and redevelopment to provide two buildings ranging from 3-4 storeys in height, providing 20 residential units (Use Class C3) and commercial space (Use Class E). Associated refuse storage, cycle stores, amenity space and car parking.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing buildings and redevelopment to provide two buildings ranging from 3-4 storeys in height, providing 20 residential units (Use Class C3) and commercial space (Use Class E). Associated refuse storage, cycle stores, amenity space and car parking at 11 Gruneisen Road, London, N3 1LS in accordance with the terms of the application, Ref 21/6029/FUL, dated 12 November 2021 and subject to the signed legal agreement and conditions in the attached schedule.

Preliminary Matters

2. The appellant has indicated the description of the development changed from that stated on the application form. The description in the banner heading and decision is the same as on the Council's decision notice. I consider the amended description which includes additional reference to refuse storage, cycle stores, amenity space and car parking better reflects what is before me. I have assessed the proposal on this basis, and the description in the decision has been altered to reflect this.
3. The Council has referred to the Barnet Draft Local Plan. Although since the Council made its decision, it has been through examination, I cannot be certain of whether there are any unresolved objections, any policies are to be modified, or when the Plan is likely to be adopted. Neither of the main parties substantively rely on any emerging policies within their submissions, nor did the Council refer to any emerging policies in their reasons for refusal. I therefore only attach limited weight to this emerging local plan.
4. The National Planning Policy Framework (the Framework) was revised on 19 December 2023 and is a material consideration in planning decisions. The main parties were given the opportunity to comment on any relevant implications for the appeal.

5. A completed legal agreement made under section 106 of the Town and Country Planning Act 1990 (the s106) has been submitted. I have taken this into account in making my decision.
6. The appellant has suggested in their statement of case that they would be pursuing a separate application for costs. The statement of case is dated later than email correspondence suggesting that an application for costs would not be pursued. For the avoidance of doubt as the appellant has ticked that a costs application has not been made with the appeal, and no submissions to that effect have been submitted, I am proceeding on the basis that there is no application for costs before me.

Main Issues

7. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

8. The appeal site is close to Finchley Church End town centre, which runs along Ballards Lane. The irregular shaped site comprises buildings loosely positioned around an internal service yard which form part of an automotive repair business called the Roadrunner Service Centre (the Service Centre) This is located approximately mid-way along Gruneisen Road. The site has boundaries with several adjoining sites and buildings to its sides and rear with land uses including parking areas, residential properties, gardens and businesses.
9. Gruneisen Road is mixed in visual character and uses; it is a short no-through road accessed from Ballards Lane. There is a gentle incline along Gruneisen Road up towards Ballards Lane. There are other commercial buildings on the same side of the road as the site. The businesses, including the Roadrunner Service Centre, are book-ended by predominantly 3-storey flat roofed residential apartment buildings.
10. In contrast the opposite side of Gruneisen Road is residential, predominantly consisting of continuous substantial built up row of 3-storey and lower 2-storey brick terraces. The residential character of the road is more densely developed than the more suburban residential areas along Wentworth Park and Wentworth Avenue beyond the appeal site which tend to contain 2-storey semi-detached and detached homes set in more spacious grounds.
11. The two appeal site buildings fronting Gruneisen Road are set behind a shallow garage forecourt directly off the footway. The main frontage of the appeal site is formed by a wide and high open span rendered pitched roof building. This has an industrial appearance, with its apex facing Gruneisen Road. A 2-storey rendered pitched roof structure also forms part of the appeal site frontage. This building is set further back in the streetscene and partly behind the adjacent 23 Gruneisen Road, providing a mono-pitch roof form within the streetscene. Due to the extensive render and industrial appearance these have an uncharacteristic visual presence in the streetscene. Internal views of the site are largely screened from surrounding roads by existing tall buildings, residential properties and as such public visibility of the majority of the site is limited.
12. The appeal scheme involves the demolition of all the existing buildings on the appeal site. The redevelopment of the site would be constructed in two distinct

parts. These are referred to as Building A and Building B. Both would have a flat roof and contrasting brick would be used. The development would be formed around a central area accessed from Gruneisen Road which would be used to provide access to residential parking, communal areas and a frontage to the commercial space.

13. Building A would front Gruneisen Road and would consist of two buildings joined by link bridges. The front block would contain six 1-bed units over three floors. The second block of building A would be higher containing six 1-bed studio apartments over four floors. Building B would be set over three floors and is positioned directly behind No 23 and 23b Gruneisen Road. The ground floor would comprise 460sqm of commercial floorspace proposed to fall within Use Class E¹. The accommodation at first and second floor would consist of four 2-bed and four 3-bed homes and include a first floor communal garden area.
14. Gruneisen Road contains a largely consistent building height on the residential side, including a 3-storey apartments to the end, such that there is no gradual transition in building scale as has been suggested. The front block of Building A would abut 9 Gruneisen Road and would present a 3-storey façade directly at the back edge of the footway. The rectangular flat roof building would be of similar form and scale to No 9 and to the 3-storey apartment buildings visible from the site including Marwood Court at the end of Gruneisen Road, Hartnell Court on the corner of Ballards Lane and Wentworth Lodge, a 3 and 4-storey flat roof apartment block which fronts Wentworth Park at the rear of the appeal site.
15. The proposed development of and block A would exceed the current building's height on Gruneisen Road. Opposite the site are two 2-storey dwellings at 10 to 12 Gruneisen Road. The contrast between the height of the proposed development would be most apparent against these properties, however these are flanked by higher buildings. The contrast in height from the proposed front block of Building A would only be derived from one additional storey which would not be markedly higher than the ridge of these properties.
16. The flat roof configuration would increase the massing adjacent to Gruneisen Road, however, the proposed rectilinear shape of the building would be broken up by six recessed windows and inset balconies and therefore would not have an entirely solid or stark frontage. The development would incorporate a carefully considered palette of materials and design features which would tie into the surrounding prevalent brick in the area. Although the development would be closer to the road the effect on the streetscene, even accounting for the combined effect with No 9 would be moderated by the use of contrasting materials and design elements to break up the visual massing. As such the development would also sit comfortably with the smaller buildings opposite at Nos 10 to 12.
17. Whilst there may be some restricted views over the site within the upper floors of private properties, none are apparent from street level. In contrast, a gap between the proposed development and No 23 created by the access into the site would open up the internal area and allow views across to the rear of gardens on Wentworth Park removing the continuous built up frontage along Gruneisen Road.

¹ Of the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020

18. The business adjacent to the appeal site at No 23 is contained within a large characterful building. The front is 2-storeys and has distinctive Dutch gables. However, the main existing frontage of the Service Centre building does not appear particularly subservient to No 23 due to its large width, height and extensive render which make it stand out. The difference in height of the proposed development along the Gruneisen Road frontage would not significantly exceed the height of the Dutch gable features of No 23. The aforementioned gap which would form the entrance to the development would perform as a suitable visual transition between the development and No 23, which would stand proud as opposed to abutting an existing building.
19. The upper storeys of Building B would be set back within the site with generous distances to site boundaries. I noted that development at Wentworth Lodge could be seen between the space between Hartnell Court and No 9. Similarly Building B would be visible from gaps between and above buildings on the surrounding roads as well as within those properties which overlook the appeal site. Building B would be set back far enough from the surrounding properties, gardens and the public roads for its height not to be jarring or intrusive. The 4-storey building of Block A, like Building B would also be set back centrally in the site and the relationship with the buildings opposite on Gruneisen Road would be mitigated by this distance, reducing its presence in the streetscene.
20. The overall grain and pattern of development in the immediate surrounding area towards Ballards Lane, including the appeal site, is characterised by buildings with large footprints. Whilst I acknowledge that the urban grain becomes finer with the introduction of homes and residential neighbourhoods on Wentworth Park and Wentworth Avenue the appeal site already contains a varied arrangement of larger building forms. The reduction in built footprint and flat roofs would enable hard and soft landscaping and urban greening. The provision of visible landscaping as well as additional outdoor areas is a positive visual attribute in lieu of an area consisting entirely of hard standing.
21. The presence of businesses, including two separate car repair garages on Gruneisen Road prevent the area feeling entirely suburban. In combination with the proximity to the town centre, the forecourt activity and parking from the Service Centre create a busy dynamic environment as opposed to a relaxed suburban feel. In contrast the development would limit additional parking outside the site and Building A would take on a residential character, like No 9 has. As a consequence this aspect of the proposal would reinforce and enhance the residential character which exists on the opposing side of Gruneisen Road.
22. The overall design, form, scale and massing of the building would, therefore, relate satisfactorily to the existing context in terms of scale, density and character of the area and would therefore be visually acceptable. Noting the influence that No 9 has on the streetscene, which is of a high quality contemporary design it provides an appropriate context for the proposed development and its form and scale, including its height would not appear incongruous or overbearing even accounting for the slight incline of the Gruneisen Road.
23. I conclude that the proposal would not harm the character and appearance of the area. I conclude that the proposal accords with Policy CS5 of Barnet's Local Plan Core Strategy development Plan Document 2012 and Policy DM01 of Barnet's Local Plan Development Management Policies Development Plan

Document 2012. Which insofar as they are relevant to this issue, they seek to ensure the design of development is of high quality which respects local context.

24. For similar reasons, the proposal accords with Policies D1, D2, D3 and D8 of the London Plan The Spatial Development Strategy for Greater London 2021 which relate to achieving design which responds to local character and to ensuring appropriate densities in accessible locations to public transport and infrastructure. Accordingly, I do not find conflict with the chapter 12 of the Framework, which seeks to achieve well-designed and beautiful places.
25. Furthermore, no conflict arises with Policies D5, D6 and D7 of the London Plan which relate to design and seek to achieve homes which meet size standards and are designed to be inclusive and accessible.

Other Matters

26. In addition to the matters outlined above, other concerns have been raised, including by local residents. Some relate to the proposed development's effect on highway safety, parking, accessibility, and the living conditions of neighbouring occupiers. Other issues raised include the provision of affordable housing, loss of the existing Service Centre and concerns relating to fire safety, crime, archaeology, ecology, trees, land contamination, pollution, noise, air quality, flooding, drainage and construction effects.
27. These matters were largely identified and considered within the Council officer's report on the appeal scheme at the application stage. They were also before the Council when it prepared its evidence for the appeal. The Council has not concluded that they would amount to reasons to justify withholding planning permission. I have been provided with no substantiated evidence which would prompt me to disagree with the Council's conclusions in these respects subject to planning obligations and conditions as discussed below.

Planning obligation

28. Amongst other things, the s106 The obligation includes measure to secure the provision of affordable housing. This is necessary meet the housing needs of the Borough. It is also appropriate in scale and kind, and subject to a late stage viability review.
29. The s106 provides a mechanism to restrict access to parking permits for the new occupiers of the proposed flats and commercial units. The development will also necessitate a review of the Controlled Parking Zone. Further to this a Travel Plan and monitoring for both residential and commercial elements would be appropriate to encourage non car modes of transport. These are necessary to provide suitable and safe parking within the area and assist in mitigating travel demand.
30. A one-off payment is required to the carbon offset fund to ensure that the development makes the greatest possible contribution to minimising carbon emissions to tackle climate change. This is necessary in addition to the condition to reduce carbon emissions to mitigate the effect of this development.
31. In addition to the above, the appellant is seeking to assist in the delivery of employment opportunities. This is in accordance with the Council's Skills,

Employment, Enterprise, and Training Supplementary Planning Document. In the absence of any evidence to the contrary, I consider that the contribution is necessary and reasonable and related to the development given the proposal would result in the loss of some industrial floorspace.

32. Having regard to the above, and based on the evidence before me, I am satisfied that all of the provisions set out in the s106, including the monitoring requirements for it, are necessary to make the development acceptable in planning terms, are directly related to the development and fairly and reasonably related in scale to the development. I have, therefore, attached weight to the planning obligations therein.

Planning Balance

33. The 5 year housing land supply statement prepared by Emery Planning suggests that the Council had a 4.65 year supply of housing on 31 March 2021. I do not know if this is still the case due to its age and the Council has stated Barnet has an up to date Housing Needs Assessment.
34. However, I have concluded that the proposal accords with the policies of the development plan and so accords with the development plan taken as a whole. The policies referred to in the reasons for refusal and my reasoning are consistent with the Framework. Moreover, the policies do not seek to control housing land supply. I, therefore, attach significant weight to the accordance of the proposal with the policies of the development plan.
35. The proposal would provide 20 homes. Additionally, it would make a small but valuable contribution to affordable housing provision. In the context of high housing need in London I give the contribution to housing supply and affordable housing significant weight. Furthermore, it would be in an accessible location close to a number of local services and facilities which are well served by public transport.
36. In respect of economic benefits the provision of commercial units would be capable of providing an uplift in employment on the site. Future residents and workers would make use of local services and support the local economy. I attribute moderate weight to these benefits. The scheme would also result in direct and indirect employment and create a demand for building supplies during the construction phase. However due to the short term nature of these benefits I give them limited weight.
37. With regard to the environmental matters the proposal would not lead to harm to the character and appearance of the area and would comply with the policies referred to in the development plan. The development would include the efficient use of land and there would also be small but nonetheless positive ecological enhancements, which respectively I attribute moderate and limited weight to.
38. In regard to other matters, I have concluded that the proposal would be acceptable in terms of highway safety, living conditions or impacts on local infrastructure. These matters are capable of being addressed by the s106 or conditions.

Conditions

39. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency and clarity or amended the trigger point. The appellant and Council have both provided comment on the conditions and I have taken the comments into account accordingly. Conditions 5 to 10 need to be discharged pre-commencement as they are matters that require investigation or need to be in place before works commence.
40. In addition to the standard timescale condition [1] a condition specifying the approved plans provides certainty [2]. Demolition and construction times are controlled [3] and are necessary to protect nearby residential living conditions.
41. I have taken into account the advice provided by the Council's ecologist, and the ecology report submitted by the appellant. There needs to be certainty that nesting birds are not present before any buildings are demolished. The recommendation within the Preliminary Ecology Appraisal (PEA) is that the buildings should be removed outside of the breeding bird season (March-September inclusive) or immediately after a nesting bird check by a suitably qualified ecologist [4]. A condition would be necessary to secure these matters.
42. Conditions to secure a construction management scheme [5], details of site levels [6], a piling method statement [7], development to comply with the agreed land contamination investigations [8], the provision of a drainage scheme [9], water supply [15] and compliance with noise [25] and air quality [26] recommendations are necessary to protect the environment, local infrastructure and nearby homes and businesses.
43. A condition is necessary to secure an archaeological investigation [10] due to the likelihood of historic deposits and to keep a record of the evolution of the area.
44. Conditions to secure a scheme for biodiversity net gain [12], and a lighting strategy [19] have similarly been imposed in accordance with the submitted PEA and the advice of the Council's ecologist in the interests of biodiversity due to the potential for presence of bats and the requirement to enhance the natural environment.
45. Details of emergency access [11] and fire protection measures [20] are necessary to be controlled by conditions in the interests of fire safety, and therefore the health and wellbeing of future occupants.
46. A materials condition [13] is necessary to ensure the external appearance of the buildings are visually appropriate. Conditions to secure a landscape scheme [17] and landscape maintenance details [18] are required to support the biodiversity and appearance of the of the site.
47. A condition requiring carbon reduction [16] is necessary to contribute towards meeting the challenge of climate change. Conditions to secure and control the provision of electric vehicle charging points [22] and cycle stores/parking [27] are necessary given the need to support sustainable transport and reduced parking provision and to reduce the need to travel by private car.
48. A condition requiring 'Secured by Design' [21] accreditation is necessary to ensure that the development incorporates suitable safety measures within the

built development and for the site and buildings. The appellant did request for this condition to be fulfilled three months following the completion of the development. This would not in my view be sufficient to ensure the measures were incorporated in a sufficiently timely manner, so I have imposed a requirement for this to be achieved and implemented prior to occupation in the interests of the safety and wellbeing of future occupants.

49. Conditions for a delivery and service plan [23] and a refuse strategy [24] would be necessary to ensure the overall satisfactory operation of the development and to protect the living conditions of existing and future occupiers of the development.
50. A condition is necessary to ensure homes would be accessible and adaptable [14]. The surrounding residential land uses and density of the development and size of the homes necessitate a restriction on the Use Class for the residential element [28] and opening times of the commercial units [29], to be controlled by condition. A condition is necessary to ensure all future residents have access to the communal garden areas in the interests of their living conditions [30].

Conclusion

51. For the reasons given above I conclude that, subject to the identified planning obligations and conditions, the development is in accordance with the development plan and the appeal should be allowed.

K Williams

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans:
 - Existing Site Plan WHO-GRU-HTA-A_0002
 - Proposed Ground Floor Plan WHO-GRU-HTA-A_0100 Rev A
 - Proposed 1st Floor Plan WHO-GRU-HTA-A_0101 Rev D
 - Proposed 2nd Floor Plan WHO-GRU-HTA-A_0102 Rev C
 - Proposed 3rd Floor Plan WHO-GRU-HTA-A_0103 Rev C
 - Proposed Roof Plan WHO-GRU-HTA-A_0104 Rev A
 - Proposed Elevation WHO-GRU-HTA-A_0200 A-A and B-B Rev A
 - Proposed Elevation WHO-GRU-HTA-A_0201 C-C and D-D and E-E Rev A
 - Proposed Elevation WHO-GRU-HTA-A_0202 F-F and G-G Rev A
 - Proposed Section WHO-GRU-HTA-A_0300 H-H_I-I_J-J Rev A
- 3) Demolition or construction works shall take place only between 8:00am to 6:00pm on Monday to Friday, 8:00am to 1:00pm on Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 4) No demolition shall take place during the bird nesting season (March-August inclusive) unless an ecological survey has been submitted to and approved in writing by the local planning authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the local planning authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall be implemented as approved.
- 5) No development shall take place, including any works of demolition, until a demolition and construction management method statement has been submitted to and approved in writing by the local planning authority. The demolition and construction management method statement submitted shall include, but not be limited to, the following:
 - a) Details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures.
 - b) Site preparation and construction stages of the development.
 - c) Details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials.
 - d) Details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt on to the adjoining highway.
 - e) The methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works.
 - f) A suitable and efficient means of suppressing dust including the adequate containment of stored or accumulated material to prevent it becoming airborne at any time and giving rise to nuisance.
 - g) Details of the tree protection measures to be implemented to protect the trees to be retained through the development
 - h) Noise mitigation measures for all plant and processors.

- i) Details of contractors compound and car parking arrangements.
- j) Details of interim car parking management arrangements for the duration of construction.
- k) Details of a community liaison contact for the duration of all works associated with the development.
- l) Details pertaining to the provision of securing overnight excavations and open pipework.

The statement shall be informed by the findings of the assessment of air quality impacts of construction and demolition phases of the development. The development shall thereafter be implemented in accordance with the measures detailed within the statement and adhered to throughout the construction period for the development.

- 6) Prior to the commencement of development, excluding demolition, details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highways and any other changes proposed in the levels of the site shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.
- 7) A piling method statement which includes details of the depth, type, methodology and measures required to prevent damage to subsurface infrastructure to be undertaken shall be submitted to and approved in writing by the local planning authority prior to the commencement of piling works. Once approved the development shall be implemented in accordance with the terms of the approved piling method statement.
- 8) The development shall be implemented in accordance with the intrusive Phase II investigations in the Phase I Geo-Environmental Assessment Report CMG/C4892/10518 (October 2021) by Brownfield Solutions Ltd. Prior to commencement of development, where remediation of contamination on the site is required completion of the remediation detailed in the Report shall be carried out, and a verification report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development.
- 9) No development, other than site investigation and demolition, shall take place until a drainage strategy detailing all drainage works to be carried out in respect of the development and all Sustainable Drainage System (SuDS) features to be included in the scheme has been submitted to and approved in writing by the local planning authority. The development hereby approved shall not be first occupied or brought into use until the drainage works and SuDS features approved in accordance with this condition have been implemented in their entirety.
- 10) Prior to the commencement of the development, excluding demolition, a Written Scheme of Investigation (WSI) shall have been submitted to and approved in writing by the local planning authority. The scheme shall include the statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the approved works. The WSI shall also include a scheme for post-investigation assessment and

subsequent analysis, publication & dissemination and deposition of resulting material. Demolition, development and the post investigation assessment shall take place in accordance with the WSI.

- 11) No development above slab level shall take place until a scheme for emergency access for the commercial units has been submitted to and approved in writing by the local planning authority. Once approved the development shall be implemented in accordance with the approved details and thereafter retained for the lifetime of the development.
- 12) No development above slab level shall take place until a scheme for biodiversity net gain shall have been submitted to and approved in writing by the local planning authority which follows the recommendations contained within The Ecology Partnership Preliminary Ecological Appraisal dated November 2021. Once approved the development shall be implemented in accordance with the approved details and thereafter retained for the lifetime of the development.
- 13) No development above slab level shall take place until details of the materials to be used for the external surfaces of the buildings and hard surfaced areas hereby approved have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the materials as approved under this condition.
- 14) Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.
- 15) Prior to the first occupation of the development hereby approved the residential units shall have been constructed to have 100% of the wholesome water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. Any use of grey water and/or rainwater systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations. The development shall be maintained as such in perpetuity thereafter.
- 16) Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 29% in carbon dioxide emissions for residential development; and not less than 38% for the commercial units when compared to a building constructed to comply with the minimum

Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

- 17) A scheme of hard and soft landscaping including details of the green roof, existing trees to be retained and size, species, planting heights, densities, and positions of any soft landscaping as well as details of the any means of enclosure including all boundary treatments and timescale for implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. All landscaping work shall be carried out in accordance with the approved scheme. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of the development, shall be replaced with trees of shrubs of appropriate size and species in the next planting season.
- 18) Prior to the occupation of the hereby approved development, details of a Landscape and Environmental Management Plan for all landscaped areas, including the green roof for a minimum period of 25 years shall be submitted to and approved in writing by the local planning authority. The Plan shall include details of long-term design objectives, management responsibilities, maintenance schedules and new soft landscaping to be planted in accordance with the approved development.
- 19) A lighting strategy, designed to minimise the effects on bats, shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details and thereafter retained.
- 20) Both the commercial and the residential buildings shall be installed with water sprinklers, and smoke ventilation shall be installed to the stair cores prior to the first occupation the development and thereafter retained in working order for the lifetime of the development.
- 21) A 'Secured by Design' accreditation for the development shall be obtained and shall have been submitted to and approved in writing by the local Planning Authority. The development shall only be occupied in accordance with the approved details, which shall thereafter be retained in perpetuity.
- 22) A scheme for the provision of electric vehicle charging facilities, including passive electrical charging facilities, shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme prior to the first occupation of the development and shall thereafter be retained and maintained in perpetuity.
- 23) Prior to the first occupation of the development a Delivery and Servicing Plan for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development thereafter shall only be operated in accordance with the approved Plan for the lifetime of the development.

- 24) Notwithstanding the information submitted with the application, the following details shall be submitted to and approved in writing by the local planning authority and prior to occupation of the development:
- a) A Refuse and Recycling Collection Strategy which includes details of the collection arrangements and means of service provision whether by the Council or alternative provider.
 - b) Details of enclosures screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers.
 - c) Plans to show satisfactory points of collection for refuse and recycling. The refuse and recycling facilities shall be implemented in accordance with the approved details prior to first occupation and managed in accordance with the approved details in perpetuity.
- 25) The development hereby approved shall be carried out in accordance with the Noise Impact Assessment Report (23514.NIA)1) by KP Acoustics Consultants. Its recommendations shall be implemented prior to the first residential occupation of the development and thereafter retained for the life of the development.
- 26) The development hereby approved shall be carried out in accordance with the mitigation measures contained within the Air Quality Assessment Report by eb7 Consultants (26 October) prior to the first occupation of the development and thereafter retained for the life of the development.
- 27) Cycle parking and cycle storage shall be implemented in accordance with the approved details before the development is first occupied and kept available for the storage and parking of bicycles for the lifetime of the development.
- 28) The residential premises shall be used for C3(a) and for no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 29) The commercial units shall only be open for members of the public between the following hours: 7:00am to 10:00pm Mondays to Saturday, and 11:00am to 6:00pm on Sundays, Bank or Public Holidays.
- 30) All future occupiers of the residential units within Building A and Building B shall always have access to the shared amenity open spaces within the site.

END