

Sainsbury's site, Hyde Road Estate, Hendon

in the London Borough of Barnet
planning application no. 19/4661/FUL

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

Redevelopment of existing supermarket site comprising demolition of existing store and Petrol Filling Station and construction of a mixed use development comprising a replacement Sainsbury's store of 8,998 sqm GIA (Use Class A1), 1,309 residential units (Use Class C3) and 951 sqm GIA flexible commercial space (Use Class A1 to A4, B1, D1 and D2) and other associated works in buildings ranging from 4 to 28 storeys.

The applicant

The applicants are **St George and Sainsbury's**, and the architects are **Hutchinson & Partners** (phase 1) and **Makower Architects** (masterplan and phase 2).

Strategic issues

Principle of development: The principle of a residential-led mixed-use redevelopment of the existing low-density supermarket site is supported. The small increase in retail floorspace on the site has been shown as unlikely to harm the viability or vitality of nearby centres (paragraphs 15-21).

Affordable housing: The provision of 35% affordable housing would meet the requirements of the Fast Track Route, subject to the borough reconfirming it is satisfied with the proposed tenure split, and satisfying all other relevant borough and mayoral policy requirements. (paragraphs 22-28).

Urban design: The design responds well to the local context and proposes a high-quality redevelopment. Further work on residential quality and clarity on the listed structure within the site is required (paragraphs 31-47).

Sustainable development: The applicant should provide further detail on the proposed ASHP and PV provision. Further detailed comment should be sought from the EA with regard to flood mitigation. Additional detail on surface water drainage proposals should be provided (paragraphs 51-57).

Transport: The applicant should seek to respond further to draft London Plan policy with regard to retail parking, and should seek to reduce residential car parking further to lessen any impact on the adjacent junction and encourage active travel. Planning contributions, obligations and conditions are required as outlined in the report (paragraphs 58-68).

Recommendation

That Barnet Council be advised that while the scheme is generally supported in strategic planning terms, the application does not fully comply with the London Plan, for the reasons set out in paragraph 72 of this report.

Context

1 On 27 August 2019 the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under the following Categories of the Schedule to the Order 2008:

- 1A.1 *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*
- 1B.1(c) *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.”*
- 1C.1(c) *“Development which comprises or includes the erection of a building more than 30 metres high and is outside the City of London.”*

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

4 The 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.

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

Site description

6 The 3.34-hectare site is bound by The Hyde (A5) to the west, Hyde Estate Road to the north, a service road to the south and the Silk Stream to the east. The site is currently occupied by a Sainsbury's superstore, located on the north of the site, with a filling station and a 527 space car park to the south. The Sainsbury's store was built in the early 1990s and has been operational since 1994.

7 The surrounding context is predominately non-residential: big box retailers and other large commercial uses lie on the western side of the A5, opposite the site; the Grade II listed Hendon Magistrates Court lies to the northwest of the site; a Honda dealership lies to the north; and to the east, beyond the Silk Stream, lies industrial uses. There are, however, various residential-led development schemes coming forward in this part of The Hyde, including at the former Homebase (LPA ref: H/05828/14 and GLA ref: 3223) and at the BT Telephone exchange, to the north of the site (LPA ref: 18/0352/FUL and GLA ref: 4283).

8 The site lies within the protected vista extension for LVMF view 6a.1, from Blackheath Point to St Pauls. In terms of local designations, the Silk Stream, which borders the site to the south and east, is a Site of Borough Importance for Nature Conservation and is also part of the

Green Chain. The site has a PTAL rating of 2, rising to PTAL 3 on the west of the site. A listed (Grade II) milestone is located within the site in the eastern corner

Details of the proposal

9 A detailed planning application has been submitted for the comprehensive phased redevelopment of existing supermarket site comprising phased demolition of the existing store and Petrol Filling Station and construction of a mixed use development comprising a replacement Sainsburys store of 8,998 sqm GIA (Use Class A1), 1,309 residential units (Use Class C3) and 951 sqm GIA flexible commercial space (Use Class A1 to A4, B1, D1 and D2) in buildings ranging from 4 to 28 storeys.

10 Following an enabling works phase comprising: demolition of the existing Petrol Filling Station, amendments to the existing supermarket including the construction of a new temporary entrance, highways works, amendments to car park and access arrangements and other associated works. The new development will be constructed in 2 phases:

- Phase 1 will comprise the construction of new supermarket including basement, car and cycle parking, plant and servicing areas, 770 residential units and podium level amenity space.
- Phase 2 will comprise the demolition of existing supermarket and other associated works, 539 residential units, flexible commercial space, basement, car and cycle parking, public open space, landscaping, vehicular and pedestrian routes, servicing and access arrangements and other associated works.

Case history

11 A series of pre-planning application meetings have been held between the applicant, Barnet Council and the Greater London Authority on the above proposal at the above site. An initial meeting was held with the GLA on 5 March 2019, with a follow up meeting held on 12 June 2019. GLA officers concluded that the residential-led intensification of the existing out-of-centre retail site to provide approximately 1,500 residential units, including 35% affordable housing, a re-provided supermarket and landscaped public realm was strongly supported in principle. Further information was required relating to employment uses, housing, urban design, and transport, prior to the submission of any application.

Strategic planning issues and relevant policies and guidance

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Barnet Core Strategy (2012), the Development Management Policies DPD (2012) and the 2016 London Plan (Consolidated with Alterations since 2011).

13 The following are relevant material considerations:

- The revised National Planning Policy Framework;
- National Planning Practice Guidance; and
- The draft London Plan consolidated suggested changes version (July 2019) The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor and this was published on the GLA website on 21 October 2019. In line with paragraph 48 of the NPPF, the weight attached to the draft London Plan should reflect the stage of its preparation; the extent to which there are unresolved objections

to relevant policies; and the degree of consistency of the relevant policies in the emerging Plan to the NPPF

14 The relevant strategic issues and corresponding policies are as follows:

- Land use principles *London Plan;*
- Housing/affordable housing *London Plan; Affordable Housing and Viability SPG;*
- Employment *London Plan;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG.*
- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG.*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; London Environment Strategy.*
- Transport *London Plan; the Mayor’s Transport Strategy; Land for Industry and Transport SPG.*

Principle of development

Housing

15 London Plan Policy 3.3 and draft London Plan Policy H1 seek to increase the supply of housing in the capital. The proposed scheme would provide 1,309 homes, which equates to 4% of the ten year monitoring target for Barnet of 31,340 set out in the Draft London Plan. The Examination in Public Panel Report recommends that this figure is revised to 23,640. The draft London Plan housing target for Barnet identifies an increase in housing requirement over the target set out in the London Plan. This increase evidences the continued need for housing in the borough. The principle of the residential uses on the site is strongly supported.

Commercial uses in out-of-centre location

16 The application site is not located within a town centre and is approximately 1 kilometre to the west of the Hendon Central town centre in the London borough of Barnet and approximately 800 metres to the south of Collingdale/The Hyde town centres in the London boroughs of Brent and Barnet. The site is also located approximately 300 metres from West Hendon town centre to the south. The site is as such considered an out-of-centre location.

17 Both London Plan Policy 2.15 and draft London Plan Policy SD6 adopt a town-centre first approach, which recognises that town centres should be the foci for commercial development beyond the CAZ, and draft London Plan Policy SD8 states that out of town retail developments will be resisted. Furthermore, draft London Plan Policy SD8 and E9 seeks to realise the potential of out-of-town retail parks to deliver housing intensification and to provide a diverse mix of uses. London Plan Policy 4.7 and draft London Plan Policy E9 provide guidance on retail uses specifically, stating that new retail floorspace should be located in town centres first and any out-of-centre retail development should be subject to an impact assessment.

	Existing	Proposed	Difference
Retail Supermarket	3,412 sq.m (net sales area)	4,028 sq.m (net sales area)	+616 sq.m

Flexible commercial uses (retail/leisure)	-	912 sq.m (NIA)	+912 sq.m
Total	3,412 sq.m	912 sq.m	+1,528 sq.m

Table 1 – Existing and proposed non-residential land uses

18 Table 1 sets out the existing and proposed non-residential uses on the site. The proposed development would provide Sainsbury's with an additional 616 sq.m of net tradable supermarket floorspace when compared with the existing store and a further 912 sq.m of flexible retail and leisure floorspace. The replacement store will be located at first floor level, with a ground floor entrance lobby fronting Edgware Road providing pedestrian access and vehicular access provided from Hyde Estate Road. The flexible retail/leisure floorspace will be located at ground floor level.

19 The application is supported by a retail impact assessment (RIA) which states that, owing in part to the scale of the required town centre or edge of centre development site, there is no sequentially preferable alternative locations which can accommodate the proposals. The RIA also considers the impact of the proposals on the viability and investment in existing nearby town centres. The RIA identifies that there is a healthy convenience and comparison goods offer provided in surrounding town centres. Given the modest uplift in retail floorspace, relative to the existing supermarket on the site, the proposed development is unlikely to impact on future levels of viability or investment in nearby town centres.

20 The Sainsbury's store would remain open throughout the construction of the development, albeit operating with a reduced car park, which ensures continuity of employment for existing employees.

21 Whilst draft London Plan Policy SD6, SD7, SD8, E9 and London Plan Policy 2.15 seek to resist new out-of-centre retail development, the benefits of a mixed-use redevelopment, comprising a significant residential component, and more efficient use of land on this existing low-density supermarket site significantly outweighs the small increase in retail floorspace on the site, which has been shown as unlikely to harm the viability or vitality of nearby centres.

Housing

Affordable housing

22 London Plan Policies 3.11 and 3.12 and draft London Plan Policy H5 seek to maximise the delivery of affordable housing, with the Mayor setting a strategic target of 50%. Policy H6 of the draft London Plan identifies a minimum threshold of 35% (by habitable room) affordable housing. Applications providing the relevant threshold level of affordable housing before public subsidy; with an appropriate tenure split; having explored potential additionality through grant funding; and, meeting all other relevant policy requirements and obligations to the satisfaction of the Mayor and Local Planning Authority can follow the 'Fast Track Route' route as set out within draft London Plan Policy H6 and the Mayor's Affordable Housing and Viability SPG, such applications would not need to submit a viability assessment and would not require a late stage viability review mechanism to be secured as part of any Section 106 agreement.

23 Policy H7 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG set out a tenure split of at least 30% low cost rent, with London Affordable Rent as the default level of rent, at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined in partnership with the Local Planning

Authority. In this case, Barnet Council’s Local Plan sets a Borough-wide affordable housing target of 40% with a tenure split target of 60% social rent and 40% intermediate.

Tenure	No of homes	Habitable rooms	% affordable housing by habitable rooms	% affordable housing by unit
London Affordable rent	101	343	35%	33%
London Living Rent	56	816		
Shared Ownership	243			
Intermediate Rent	30			
Private Sale	879	2154	65%	67%
Total	1309	3313	100%	100%

24 The applicant has proposed 35% affordable housing by habitable room, before any public subsidy. The affordable housing tenure mix comprises; 70% intermediate housing (composed of shared ownership, London Living Rent and Intermediate Rent) and 30% London Affordable Rent, as shown in the table above.

25 The proposed level of affordable housing and accompanying tenure split is broadly in accordance with draft London Plan Policies H6 and H7 and the Mayor’s Affordable Housing and Viability SPG. The Council will need to reconfirm that it is satisfied with the proposed tenure split in order to confirm that the development can follow the Fast Track Route.

26 Subject to clarification on the above and satisfying all other relevant borough and mayoral policy requirements, including engagement with a Registered Provider to explore the use of grant to provide additional affordable homes, the proposals could qualify for the Fast Track Route and would not be subject to a late stage review.

27 In accordance with the Mayor’s Affordable Housing & Viability SPG, the S106 agreement must include an early stage viability review mechanism to be triggered if an agreed level of progress on implementation has not been made within two years of any planning permission.

Affordability

28 The provision of London Affordable Rent units as the affordable rent product is supported and the units must be secured at LAR benchmark levels. The applicant has provided information on the income levels for the intermediate products, which are proposed to include shared ownership, intermediate rent and London Living Rent. Currently, all shared ownership units are assumed to be eligible to households with incomes up to £90,000 and all intermediate rent units up to £60,000. The applicant is advised that intermediate shared ownership products should be secured as affordable to a range of incomes below the upper limit of £90,000 per annum, and benchmarked against the monitoring figure in the London Plan Annual Monitoring Report). Intermediate rented products must be affordable to a range of incomes below the upper limit of £60,000. In addition to this, annual housing costs (including service charges, rent and any interest payment) should be no greater than 40% of net household income. Further confirmation on how a range of income thresholds would be secured must be submitted. Details of the management of the communal spaces as well as any service charges should also be provided. All affordable housing (including tenure split and affordability) must be agreed with Barnet Council and robustly secured in perpetuity, within a Section 106 agreement.

Residential mix

29 London Plan Policy 3.8 encourages new developments to offer a range of housing choices in terms of mix and size. Draft London Plan Policy H12 recognises that a higher proportion of one and two-bedroom units is generally more appropriate in more central or urban locations, it also states that guidance on the size of low cost rented homes should be based on evidence on need. In strategic planning terms the mix (outlined above) is acceptable, however, GLA officers would expect the provision of family housing to be appropriately prioritised within the social/affordable rent component of the mix, in response to local need.

Children's playspace

30 London Plan Policy 3.6 and draft London Plan Policy S4 require development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. The Mayor's Play and Recreation SPG and draft London Plan Policy S4 expect a minimum of 10 sq.m. per child to be provided in new developments. The applicant has calculated a playspace provision requirement of 5,398 sq.m based on the updated (June 2019) playspace calculator. The development provides a total of 2,433 sq.m of children's playspace which falls short of the updated calculator requirement. Further information should be provided to show the extent to which this requirement could be met on site, noting that doorstep playspace for under-fives should be provided as a minimum, and the extent to which financial contributions are required to further enhance the existing off site provision in nearby parks and playing fields. In accordance with Policy S4 of the draft London Plan, it must be demonstrated that playspace and equipment within the development is not segregated by tenure. The total playspace provision and a mechanism to secure open access across tenures should be agreed with Barnet Council and secured by an appropriate planning condition/obligation.

Urban design

31 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within chapter seven, which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the public realm. New development is also required to have regard to its context and make a positive contribution to local character within its neighbourhood (Policy 7.4).

Density and design review

32 The London Plan and draft London Plan seek to optimise housing capacity, taking into account a range of factors including local context, character, public transport provision and good design. Policies D1, D1A and D1B of the draft London Plan place a greater emphasis on a design-led approach being taken to optimising the development capacity of a particular site and to make the best use of land, whilst also considering the range of factors set out above. The residential density of the proposed development would equate to approximately 422 dwellings per hectare (899 hr/ha), which triggers the additional design scrutiny requirement set out in Policy D2 of the draft London Plan. The proposals have as such undergone a local borough process of design scrutiny and have been subject to several rounds of design focussed pre-application discussions and design workshops with Barnet Council design officers, as well as pre-application meetings with GLA. The pre-application process has positively informed the evolution of the proposals. The site is located within an area where the principle of high density development, including tall buildings, is

supported. Accordingly, noting the positive evolution of the scheme in response to the above-mentioned pre-application process, and having regard to the urban design and residential quality considerations within this report more generally, the proposed density is supported.

Design and Layout

33 It is proposed to create 12 blocks on the site, with blocks 1 – 8 and 12 forming phase 1 and blocks 9 – 11 forming phase 2. Blocks 1 – 8 and 12 all form part of the larger building comprised of a 4 storey podium, which contains residential car parking and re-provided supermarket car parking at basement level and ground floor level; the re-provided Sainsbury's supermarket at ground and first floor level; podium gardens (Haven Gardens) at 4th floor level, above which each block will read as a distinct part of the building. Phase 2 is centred around a central open space framed by two blocks following the curvature of the Silk Stream to the east and a perimeter block fronting Edgware Road to the west. The Silk Stream, which curves around the site on the south east, is proposed to become integrated into the development and a publicly accessible route would run along its edge, through the site. The applicant has safeguarded land, on the eastern edge of the site, to enable the creation of a bridge link across the Silk Stream to support permeability and east-west movement should development on land adjacent to the Silk Stream come forward in the future.

34 The layout responds appropriately to its context with an ordered block pattern at podium level within phase 1 and a landscape focussed framing arrangement within phase 2, which responds to the curved shape of the site and the Silk Stream boundary. The layout principles of the proposed scheme are broadly supported.

35 The south-west frontage, comprising the Supermarket colonnade, The Hyde Gateway and residential blocks create an improved activated frontage onto Edgware Road. Residential entrances and windows along Hyde Estate Road reduce the amount of inactive frontage at ground floor level and introduce passive surveillance which is supported.

Massing, views and architecture

36 London Plan policies 7.1 and 7.4 and draft London Plan policies D1 and D2 require development to have regard to the form, function and structure of an area and the scale, mass and orientation of surrounding buildings. The height strategy concentrates the taller blocks to the east of the site along the Silk Stream with buildings on this boundary rising to a maximum of 28 storeys on block 11. The massing steps down to 10-13 storeys addressing Hyde Estate Road and the central courtyards and rises again up to 17 storeys addressing the main corridor of Edgware Road. GLA officers are of the view that this represents a sound approach in terms of optimising the development potential of the site and responding to the nature of the surrounding emerging context on and around the A5, particularly in light of nearby developments at Hendon Waterside and the Colindale Telephone Exchange.

37 The site falls within Protected Vista extension 6.1A (Blackheath to St Pauls) as set out in the London View Management Framework SPG. Verified images of the scheme from this viewpoint demonstrate no harm would result to the composition of the protected view in line with London Plan Policy 7.12 and Policy HC4 of the draft London Plan. Accordingly, the overall height and massing of the scheme is acceptable in strategic planning terms, subject to considerations below with respect to architectural quality.

38 The proposals are jointly designed by Makower, with responsibility for the overall masterplan and phase 2 (comprising 3 mixed use blocks and Silk Park) and Hutchinson and Partners, with responsibility for Phase 1 and the 9 residential blocks above the supermarket podium. GLA officers welcome the approach of using different architectural practices across the

various masterplan plots on the basis that this will help to create a characterful development and support a distinct sense of identity for the various phases within it. The proposed material palette which utilise a mixture of brick shades, glazed tiles, metal cladding and glass are supported. Barnet Council must secure, through appropriate planning conditions, the submission of sample materials which should be approved in writing in order to safeguard amenity and ensure the scheme delivers the highest quality architectural treatments.

Heritage

39 A listed (Grade II) milestone is located within the site in the eastern corner. The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Policy HC1 'Heritage conservation and growth' of the draft London Plan, as well as London Plan Policy 7.8, states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Any harm must be given considerable importance and weight.

40 As a first principle, the applicant should seek to retain the structure and should, in consultation with Historic England, explore options for the retention or incorporation of the structure within the development. The loss of this structure has not been justified and is not supported. Further clarity on future proposals for this structure is required.

Residential quality

41 London Plan Policy 3.5 'Quality and Design of Housing Developments' and draft London Plan Policy D4 promote quality in new housing, with further guidance provided by the Mayor's Housing SPG.

42 Block 12 in the north east corner of the site is considered to not be sufficiently activated at ground level, particularly if the proposed path and improvements to the stream do not come forward. A wider path with pedestrian access as well as large glazed residential entrance would aid activation. Furthermore, rich landscaping proposals, sensitive treatment to cycle storage and other means of activation should be explored. The pedestrian crossing between block 4 and 12 to the north east of the site (and to the residential entrances to the rear) should be reconfigured to create a more direct route, with reduced distance across the service yard vehicular accesses. The third level balcony near the service yard access within this block, would benefit from relocation away from the vehicular access below.

43 A number of blocks exceed the 8 unit per core guidance set out in the Mayor's Housing SPG. Whilst mitigation to this layout has been provided on blocks which open out onto podium gardens and in upper levels where blocks are broken down to fewer units per core through reduced mass, there are a number of blocks where the impact of long corridors have not been reduced through wider circulation space and full height windows for views and natural light. The applicant should explore options to improve the sub-optimal arrangement of internal circulation spaces, where unit per core ratios exceed 8.

44 There are many single aspect units across all blocks. Whilst none are north facing, the applicant should seek to reduce this number and introduce features such as larger balconies and windows to increase light and improve outlook to any remaining single-aspect units.

45 All units will meet or exceed nationally described space standards and are provided with private amenity space and communal amenity in the form of podium gardens, roof terraces and the wider public space at ground floor level, which is welcomed. However, the projecting

balconies at higher levels on the tower may be impractical to use due to wind, environmental impacts and occupant perception. The applicant should consider alternative options (e.g. inset balconies) to ensure that occupants are provided with useable private amenity space.

46 Pavements, landscaping, the public open space and pedestrian routes throughout the scheme are well designed and there are ambitions for connections into the wider area, such as a pedestrian bridge across Silk stream. Barnet Council must secure through appropriate planning condition the submission of sample materials in order to safeguard design quality and ensure the scheme delivers the highest quality pedestrian environment.

47 The applicant has stated they are currently in discussion with the Canals and River Trust, who manage the Silk Stream. At present, the stream is fenced off from the application site and is not utilised. The proposed development would represent a valuable opportunity to improve this land and its integration into the site would have evident benefits to the quality of the public realm, particularly at ground floor level along the Silk Stream boundary where the development is less activated. If no agreement is reached with the CRT to improve the stream, the residential setting will suffer as will the proposed pedestrian routes, both in terms of appearance and safety. The applicant must continue to engage with the CRT. Details on the potential improvements, should agreement be reached, are broadly supported in design terms. Where no agreement with the CRT is reached, the applicant must reconsider the boundary treatment. The council should seek to ensure an appropriate boundary treatment is achieved and appropriate conditions and/or planning obligations should account for both scenarios.

Agent of change

48 In line with draft London Plan Policy D12 the applicant will need to demonstrate that there would be sufficient mitigation measures in place to ensure that: i) the proposed combination of future employment and residential uses at the site would successfully coexist as part of the proposed co-location; and, ii) surrounding businesses/industrial areas would not be compromised by the proposed development in terms of their function, access, servicing and hours of operation, particularly in relation to block 1 and its relationship to nearby industrial uses and the A5.

Inclusive access

49 London Plan Policy 7.2 and draft London Plan Policy D3 require that all new development achieves the highest standard of accessible and inclusive design. These policies seek to ensure that all new development can be used easily and with dignity by all.

50 London Plan Policy 3.8 and draft London Plan D5 require that 10% of new housing is delivered as designed to be wheelchair accessible and that the remaining 90% are easily adaptable for residents who are wheelchair users. The scheme proposes that 10% of units across the development, comprising a mix of unit sizes will be delivered as wheelchair user dwellings, the remaining units will be delivered to Building Regulation M4(2) specifications. This is supported and should be secured by condition, along with Building Regulations standards M4(2) and M4(3) in line with London Plan Policy 3.8 and Policy D5 of the draft London Plan.

Climate Change

Energy

51 In accordance with the principles of London Plan Policy 5.2 and Policy S12 of the draft London Plan, the applicant has submitted an energy strategy, setting out how the development proposes to reduce carbon dioxide emissions. The strategy comprises a range of passive design features and demand reduction measures. The demand for cooling and the overheating risk will

be minimised through passive design and external shading. The applicant reports that the development would achieve a reduction of 6% through energy efficiency measures.

52 The applicant proposes a site wide hybrid heating network, led by Air Source Heat Pumps (ASHP) and supplemented by gas-fired boilers. They will supply 80% of the heat load at a SCOP of 3.15 and gas boilers will supply the remainder of heat. Further information on the heat pumps are required in order to confirm conformity with London Plan policy requirements. No PV installation is proposed despite an area suitable for 135kWp being identified at roof level. The applicant is advised to review this provision. Whilst the principles of the energy strategy are supported, the applicant must explore the potential for additional measures to deliver further carbon dioxide reductions.

53 Based on the submitted energy assessment the on-site domestic carbon reductions are 557 tonnes, equivalent to an overall saving of 43%. The remaining shortfall in CO₂ reductions should be met through a Section 106 contribution to the Council's offset fund in order to meet the zero-carbon target in place for the residential element, in accordance with London Plan Policy 5.2 and Policy SI2 of the draft London Plan.

Flood risk, drainage and water

54 The site is located within Flood Zone 3, in an area benefitting from fluvial flood defences. When mitigation measures are considered, the residual flood risk to the site is low. The site abuts the Silk Stream fluvial flood defences. The application shows some evidence of liaison with the EA to agree flood compensation, offsets to defences and building floor levels; however, it is unlikely that the EA will accept the tanked flood compensation storage and associated bell mouth inlet due to maintenance and safety issues and detailed comment in this respect should be sought from the EA. Notwithstanding this, the approach to flood risk management for the proposed development complies with London Plan policy 5.12 and draft New London Plan policy SI.12.

55 The surface water drainage strategy for the proposed development generally complies with London Plan policy 5.13 (and draft policy SI.13). The applicant should confirm the performance of the attenuation system in a range of storm return periods and that there is not spatial conflict between the attenuation tanks and the flood compensation tanks.

56 The proposed development generally meets the requirements of London Plan policy 5.15 (and draft New London Plan policy SI.5). The applicant should also consider water harvesting and reuse to reduce consumption of wholesome water across the entire development site. This can be integrated with the surface water drainage system to provide a dual benefit.

57 The applicant should calculate the proposed development's Urban Greening Factor, as set out in Policy G5 of the draft New London Plan, and aim to achieve the specified target.

Transport

Healthy streets and vision zero

58 The proposals include improvements to pedestrian and cycle facilities at the A5 junction with Hyde Estate Road, with a design that is supported by a road safety audit. The new crossing over the northern arm of the Edgware Road is an improvement over three-stage crossing of the southern arm. The removal of guard railing and reallocation of space taken up by large islands is welcomed. Providing footways on both sides of Hyde Estate Road will also improve conditions for pedestrians. However, a number of elements of the design do not comply with London Cycle Design Standards (LCDS) and represent a hazard for road users, for example, the proposed cycle

lane merges with general traffic around 200 metres south of the junction. These issues should be resolved with TfL and Council before the application is determined.

Active Travel Zone

59 The scope of the Active Travel Zone (ATZ) assessment was agreed with TfL at pre-application stage. It identifies the need to declutter the pedestrian route to Hendon Central station and improve the quality of the public realm and wayfinding on the other routes assessed. TfL will provide further detailed comments on ATZ directly to the applicant. It is important there is uplift in the quality of these routes to support active travel mode access to site.

Car Parking and Cycling

60 The Transport Assessment (TA) indicates the development will include draft London Plan cycle parking standards. The design also needs to accord with London Cycle Design Standards (LCDS) and further information should be forwarded to demonstrate compliance, and/or appropriate conditions attached.

61 Although the residential car parking ratio of 0.33 spaces per unit (432 spaces) is within the draft London Plan maximum standards, it could be reduced to lessen any impact on the adjacent junction and encourage active travel as discussed below. Notwithstanding this, it includes acceptable levels of electric charging and Blue Badge spaces.

62 The applicant seeks to justify 267 proposed car parking spaces for the supermarket based on observed maximum use of the existing supermarket. This is a reduction of 195 spaces compared to the current store. At the pre-application stage, the applicant was advised to comply with Draft London Plan Policy T6.3 which would allow for a maximum of 180 spaces. Achieving policy compliant car parking will help reduce the transport and environmental impacts of the development.

Trip Generation and highway impact

63 The forecast vehicle traffic from site is realistic given the car parking proposed, noting that the traffic impact could be reduced if the supermarket car parking was reduced in accord with policy. Reducing car parking further in line with policy would require mode shift from staff and shoppers in line with draft London Plan policy T1.

64 Further information is sought before confirming the validity of the modelling submitted within the TA, and its assessment of network performance of the A5. It is noted that background traffic is falling therefore no background growth is assumed. The TA indicates that committed development causes the junction on the A5 to go over capacity particularly in the southbound direction, and when flows from this development are added, this worsens. TfL officers have indicated that micro-simulation modelling would be needed to test how this development can be accommodated on the Strategic Road Network. Road space next to this site can be reallocated to active modes.

Public transport

65 The bus main mode share is realistic (127 to 140 new peak bus users). Around 25% of residents are predicted to use the London Underground (128 to 148 new LU peak users). As the site is beyond reasonable walking distance from any LU station, a high proportion of LU trips will start with buses.

66 The bus trip distribution outlined in the TA is disputed. Based on the services in the area being much busier south and eastbound in the morning, officers consider that the 83 and 183 would have a higher proportion in those directions than the TA estimate. The Hyde is the busiest point on the 32, 83 and 183. Therefore, extra capacity is likely to be necessary on two of these routes to ensure mode assumptions are achieved and no impact on existing users.

67 Therefore, TfL requests a section 106 contribution of £900,000 to improve bus services adjacent to the site. This should be paid prior to commencement so that a higher frequency can be introduced before first residential units are occupied.

Travel Plan, Servicing, Deliveries and Construction

68 The detail within the draft Construction Logistics Plan is welcomed, including provision of the pit lane on Hyde Estate Road. This and the Delivery Servicing Plan should be secured by condition, as well as the Travel Plan and Parking Design and Management Plan.

Local planning authority's position

69 Barnet Council officers are currently assessing the application, and aim to report it to planning committee in December.

Legal considerations

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

Financial considerations

71 There are no financial considerations at this stage.

Conclusion

72 London Plan and draft London Plan policies on; town centre uses, housing, affordable housing, urban design, inclusive access, energy, flood risk and sustainable drainage and transport are relevant to this application. The application is broadly supported in strategic planning terms, but the following matters should be addressed to ensure full compliance with the London Plan and draft London Plan:

- **Principle of development:** The principle of a residential-led mixed-use redevelopment of the existing low-density supermarket site is supported. The small increase in retail floorspace on the site has been shown as unlikely to harm the viability or vitality of nearby centres.

- **Affordable housing:** The provision of 35% affordable housing could meet the requirements of the Fast Track Route, subject to the borough reconfirming it is satisfied with the proposed tenure split, and satisfying all other relevant borough and mayoral policy requirements, including engagement with a Registered Provider to explore the use of grant to provide additional affordable homes..
- **Urban design:** The design responds well to the local context and proposes a high-quality redevelopment. Further work on residential quality is required.
- **Inclusive access:** The scheme provides appropriate levels of accessible accommodation. This is supported and should be secured by condition, along with Building Regulations standards M4(2) and M4(3) in line with London Plan Policy 7.2 and draft London Plan Policy D3.
- **Sustainable development:** The Energy Hierarchy has been followed as required in London Plan policy 5.2 and draft London Plan policy SI3. The applicant should provide further detail on the proposed ASHP and PV provision. The shortfall in CO₂ reductions should be met through an offset contribution. Further detailed comment should be sought from the EA with regard to flood mitigation. Additional detail on surface water drainage proposals should be provided.
- **Transport:** The applicant should seek to respond further to draft London Plan policy with regard to retail parking, and should seek to reduce residential car parking further to lessen any impact on the adjacent junction and encourage active travel. The development would increase demand on bus services and an appropriate contribution is sought as mitigation. Planning contributions, obligations and conditions are required as outlined in the report.

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