

1.0 Introduction

- 1.1. This Summary Proof of Evidence is submitted on behalf of London Borough of Barnet with reference to the decision to refuse planning permission, for the scheme which is the subject of this appeal.
- 1.2. I am Tania Sa Cordeiro and work for London Borough of Barnet as a Principal Planner. I have a Masters in Urban Design and Regional Planning from the University of Westminster, London. I have over ten years post qualification experience as a planner.
- 1.3. I have provided evidence focused on the reasons for refusal, the relevant planning policy framework and planning matters that apply to the proposed development, including the planning balance.

2.0 The Appeal Site

- 2.1. The appeal site is currently occupied by a business park within landscaping, with approximately 50% consisting of built development (including buildings, roads and parking) and 50% either landscaped or left as grassland/shrubland/woodland. A mix of uses occupy the site, not just offices, for example including St Andrew the Apostle Greek Orthodox School, Ariana Banqueting Hall and North London Dental Centre.
- 2.2. Buildings generally have large footprints but are all low rise – predominantly 3 storeys for the main grouping of buildings near to the centre west of the site, with 1 and 2 storey buildings outside the core.
- 2.3. The site is located in the Brunswick Park area of the borough. It is in a relatively remote, low-rise, low density and generally low-key suburban location, with limited access to local amenities and public transport.

3.0 The Appeal Proposal

- 3.1. The proposal is for a phased *“comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises up to 452 residential units (Reduced from 461 as submitted) in five blocks reaching 9 storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and the outline element comprises up to 1,967 additional residential units in buildings ranging from three to twelve storeys, up to 7,148 sqm of non-residential floor space (use Class E and F) and public open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking”*.

4.0 Planning History

- 4.1. 15/07932/OUT Hybrid planning application for the *“phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises 360 residential units in five blocks reaching eight storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 990 additional residential units in buildings ranging from two to nine storeys, up to 5,177 sqm of non-residential floor space (use Classes A1-A4, B1 and D1) and 2.54 hectares of open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking”*. March 2017 RECONSULTATION Amended Plans: involving the provision of 10% Affordable Housing across the site with an overall increase in the proposed number of housing units from 1,200 to 1,350. The tallest buildings have been reduced in height from 11 to 9 storeys with some buildings along the boundary of the rail line increased from 7 to 9 storeys.

- 4.2. 22/1579/S73 Variation of condition 1 (Approved Plans) of planning permission reference 15/07932/OUT, dated 24/02/20 for '*Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises 360 residential units in five blocks reaching eight storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 990 additional residential units in buildings ranging from two to nine storeys, up to 5,177 sqm of non-residential floor space (use Classes A1-A4, B1 and D1) and 2.54 hectares of open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking. March 2017 RECONSULTATION Amended Plans: involving the provision of 10% Affordable Housing across the site with an overall increase in the proposed number of housing units from 1,200 to 1,350. The tallest buildings have been reduced in height from 11 to 9 storeys with some buildings along the boundary of the rail line increased from 7 to 9 storeys.*' Variation to include: Changes to the school: Changes to the main access point on Brunswick Park Road: Changes to phasing. Approved on 20.10.2022.
- 4.3. 23/0688/RMA Reserved matters application in respect of details relating to scale, layout, appearance and landscaping within Phase 2, pursuant to Condition 33, 34, 35 and 36 attached to planning permission ref. 15/07932/OUT (Appeal ref. APP/N5090/W/17/3189843) for the "*phased comprehensive redevelopment of the North London Business Park as amended by planning permission ref. 22/1579/S73, involving the erection of 139 residential units*". This application is currently pending consideration, and a decision is yet to be made.
- 4.4. Ref. 21/0155/CON: Submission of details of conditions 8 (Scheme of Landscaping Works), 28 (Scheme of Measures to Promote Biodiversity) and 29 (Method Statement including Temporary Tree Protections Measures)

pursuant to planning reference 15/07932/OUT dated 24/02/20 – Approved.

- 4.5. Ref. 23/1281/CON: Submission of details of condition 32 (Written Scheme of Investigation) pursuant to planning permission 22/1579/S73 dated 20/10/22 – Approved.
- 4.6. Ref. 23/1282/CON: Submission of details of condition 14 (External Materials) pursuant to planning permission 22/1579/S73 dated 20/10/22 – Approved.
- 4.7. Ref. 23/1303/CON: Submission of details of condition 27 (Piling Method Statement) pursuant to planning permission 22/1579/S73 dated 20/10/22 – Approved.
- 4.8. Ref. 23/1756/CON: Submission of details of condition 16 (Noise impact from ventilation/extraction) pursuant to planning permission 22/1579/S73 dated 20/10/2022 – Approved.
- 4.9. Ref. 23/4420/CON: Submission of details of condition 15 (Refuse) pursuant to planning permission 22/1579/S73 dated 20/10/22– Approved.

5.0 The Determination

- 5.1. The application, the subject of this appeal was heard before the council's Strategic Planning Committee at a meeting held on 15th December 2022. The application had been recommended for approval by officers, subject to conditions and s106 contributions. The recommendation was not endorsed by members, and the scheme was refused for 2 reasons relating to, concerns with impacts on the character of the area (RFR1) and owing to the absence of an executed Legal Agreement to secure scheme characteristics and contributions, to mitigate the impact of the development (RFR2). A suitable agreement to secure this is being agreed as part of this appeal process.

6.0 Main Matters – RfR1 (Character and Appearance)

- 6.1. As detailed within my Proof of Evidence, I focus on the relevant planning policy framework and planning matters that apply to the proposed development, in particular the planning balance.
- 6.2. As detailed within both the Council's Statement of Case and the Statement of Common Ground, the Council does not object to the principle of the development of this site, the loss of retail/employment from the site, or to the residential redevelopment of the site. The site already benefits from extant consents for redevelopment and therefore, we do not object to the principle of tall buildings on the site, subject to them being of appropriate scale, massing, height and design.
- 6.3. Whilst recognising the extant schemes that are in place and acknowledging that the general principle of redevelopment of the site is not contested, I conclude that the appeal scheme introduces a level of development which will cause harm to the character and appearance of the area.

7.0 Main Matters – RfR2 (Planning Obligations)

- 7.1. The Community Infrastructure Levy Regulations 2010 (Regulation 122), provide that a planning obligation must be:
 - (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 7.2. Matters relating to Planning Obligations are addressed in the Proof of Evidence.

8.0 Benefits and Balance

- 8.1. The Proof of Evidence acknowledges the benefits of the scheme and apportions weight to these benefits as part of an overall balancing exercise.

- 8.2. It is the council's position that the scheme is harmful to the character and appearance of the area. The proposal is in conflict with policy D3 and D.9 of the London Plan (2021) and Policies CS NPPF, CS5 DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (2012) and paras. 129, 131, 132 and 135 of the NPPF.
- 8.3. Whilst I acknowledge the benefits of the scheme, this is not outweighed by the conflicts with the Development Plan. I therefore consider the appeal scheme is in conflict with the Development Plan overall.
- 8.4. It is respectfully submitted that planning permission should not be granted.