

Location **Land At Moreton Close Mill Hill London NW7 2PH**

Reference: **15/00568/FUL** Received: 30th January 2015
Accepted: 3rd February 2015

Ward: Mill Hill Expiry 5th May 2015

Applicant:

Proposal: Demolition of existing buildings and for the construction of a three storey building with rooms in roofspace to provide extra care residential development (Use Class C2) to provide 51 no. 1 and 2 bedroom flats, served by a new vehicular access off Milespit Hill, with associated parking, landscaping and associated development thereto

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, P2303.1 .002, P2303.1 .003, AA4286 2002, 13298/TM/1, AA4286 2001, AA4286 2011, AA4286 2021, AA4286 2022, Site Location Plan, AA4286 2010, AA4286 2012, AA4286 2020, AL4286/2000.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 5 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2011).

- 6 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the 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 where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of

the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 7 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 8 No development shall commence until the arrangements to ensure that affordable housing is provided on site are submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these details and be retained permanently as such thereafter.

Reason: To ensure that affordable housing is provided on site in accordance with policy DM10 of the Adopted Barnet Development Management Policies 2012.

- 9 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development have been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 10 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from

the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2011.

11 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan 2011.

12 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) 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 development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD

(adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

- 13 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 14 Before the development hereby permitted is occupied, car parking should be provided in accordance with drawing A4 4286 210 and spaces shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policies polices London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 15 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 16 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 17 a) The non-residential development is required to meet the BREEAM Very Good level.

b) Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development

Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

- 18 No development shall commence until the details of the proposed Travel Plan and arrangements to monitor this are submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these details.

Reason: To ensure that the proposals have an acceptable impact on highway and pedestrian safety.

- 19 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 20 No development shall commence until details of the recommendations of the Energy Statement / Feasibility Study will be implemented shall be submitted to and approved in writing. These measures shall be implemented prior to occupation of the development.

Reason: To ensure that the proposals achieve satisfactorily environmental performance in accordance with policy 5.2 of the Mayor's London Plan 2015.

- 21 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.

b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 22 a) No development other than demolition works shall take place until a scheme indicating the provision to be made for disabled people to gain access to the development has been submitted to and approved in writing by the Local Planning Authority.

b) The scheme approved under this condition shall be implemented in its entirety before the first occupation of the development or commencement of the use and retained as such thereafter.

Reason: To ensure adequate access levels within the development in accordance with Policy DM03 of the Development Management Policies DPD (adopted September 2012) and Policy 7.2 of the London Plan 2011.

- 23 a) No development other than demolition work shall take place until details of the location within the development and specification of the hereby approved units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

- b) The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2011.

- 24 a) Before the development hereby permitted is first occupied, details of how the amenity area(s) will be sub-divided and managed shall be submitted to and approved in writing by the Local Planning Authority.

- b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process

to ensure that the proposed development is in accordance with the Development Plan.

- 2 Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.
 - 4 The applicant is advised that the council will not adopt the estate road(s). However, if the councils refuse vehicles are required to enter the site, the estate road(s) must be constructed to adoptable standards. Details of the road construction requirements can be obtained from, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP. The submitted refuse collection details are not suitable for council's refuse collection and alternative collection arrangements must be submitted.
 - 5 The applicant is advised that Pursley Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic
 - 6 The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed new vehicular access and alterations to the existing vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, including reinstatement of redundant vehicle access, will be borne by the applicant. The applicant is advised that Transport for London will be consulted regarding the impact on the bus stop in the vicinity of the proposed vehicle access.
- To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Environment, Planning and Regeneration Directorate, London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP
- 7 For construction works adjacent to the public highways, the applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses
 - 8 The additional plans accompanying this application are: BREEAM pre-assessment, Land Contamination Assessment, Affordable Housing Statement, Addendum to Arboricultural Impact Assessment P2303.1 Moreton Close, Barnet, Transport Statement, Biodiversity Survey and Report, Daylight and Sunlight Assessment, Mechanical Ventilation Strategy/Design Statement, Indicative drainage Strategy, Air Quality Assessment, Planning Stage Energy Statement/ Feasibility Study, Utilities Statement, Tree Survey.

- 3 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

Officer's Assessment

1. Site Description

The surrounding area is characterised by a mixture of two storey semi-detached houses on Pursley Road to the west and Milesplit Hill and three storey building to Salcombe Gardens with roof level. To the south are Dollis Junior and Infant Schools which have three storey elements and there is also a former fire station building that is taller though has a slim-line appearance.

The site is located on the north side of Pursley Road forming a corner with Milesplit Hill. It is noted that there is a garage block to the north-east that does not form part of the site. The existing building is two storeys in height with a flat roof, and has a dated appearance. The site is approximately 0.42 square metres in area. Trees on adjacent Mill Hill Cemetery site to the north are included within an area Tree Preservation Order. Mill Hill Cemetery is located within Mill Hill Conservation Area.

2. Site History

W00465 - Erection of old peoples dwellings and 23 Garages - Approved - 02/02/1966

3. Proposal

The proposals are for the demolition of existing buildings and for the construction of a three storey building with rooms in roofspace to provide extra care residential development (Use Class C2) to provide 51 no. 1 and 2 bedroom flats, served by a new vehicular access off Milesplit Hill, with associated parking, landscaping and associated development thereto.

The proposals involve the creation of 48no. 1 bedroom units and 3no. two bedroom units.

9 Parking spaces would be provided on site as well as a drop-off area.

To the south and east of the site would be communal gardens with a courtyard to the north.

The fourth floor level would be confined to the west part of the building fronting Milesplit Hill and the corner of Pursley Road but this would be contained within the roofspace.

Communal rooms would largely be kept within the ground floor level, with communal lounge, library and café being provided.

4. Public Consultation

Consultation letters were sent to 116 neighbouring properties.

12 responses have been received, comprising 11 letters of objection, and 1 letter of support.

The objections received can be summarised as follows:

The proposal will have a negative effect on traffic and parking in the surrounding roads.

- * Whilst the planning application indicates that there is currently no parking on site, there is in fact space for at least 6 vehicles to park, meaning the increase in parking spaces is 1, rather than the 7 the application has indicated.
- * The proposal includes plans to increase the number of dwellings on the site by 19 and the number of staff by 28 (12 full and 16 part time). Cannot see any way that this number of spaces will be sufficient for the staff and visitors to the site.
- * The local roads are currently busy enough with the shops, cafe and schools and the increase in traffic would cause significant disruption to the area. Not only this, but if there were any need for emergency access to the site at a busy time (i.e. school times) this may not always be possible with the level of traffic at those times.
- * Object to this new development being a 3 storey high building. Currently it is a 2 storey building and although it doesn't look very nice it does not dominate the area which this huge redevelopment would do. It would look extremely out of place as remember this is a nice suburban neighbourhood and not an inner city area which is already built up. 3 storey building in our area will look horrible and out of place.
- * Proposals will force residents of existing block to move home which will cause them distress and be detrimental to their health.
- * A 3 storey building although of the same size to the maisonettes above the shops in Salcombe Gardens is not in keeping with the size of the buildings in Milespit Hill where the residencies are only 2 storey high. I feel this will look imposing.
- * The facility is only going to have very limited car parking, meaning that visitors and people working at the facility are likely to park in the surrounding area, adding to the already problematic parking issues. The proposal has an entranceway on Milespit Hill which will mean the loss of 1 parking space and if yellow lines are introduced this will be 3-4 spaces. I believe that a traffic survey has been undertaken and am flabbergasted that this wasn't deemed an issue. There are schools in the area so at school time it is impossible to park. When everyone has come home from work it is often impossible to park anywhere close - not even in the same road. I had to park in Brookfield the other day. Milespit Hill does not have any off street parking facilities and it is not fair to inflict any further problems on the residents in this road. The entrance should remain in Salcombe gardens where there is off street parking available to residents.
- * Object strongly about the entrance being on Milespit Hill and think it will be a terrible mistake causing a lot of problems for the nearby residents of which I am one.

The representations received can be summarised as follows:

The Mill Hill Neighbourhood Forum committee have reviewed in detail the plans for the development of a Care Home on this important site, and fully support the application.

A letter of objection has been received from Andrew Dismore AM on the following grounds: 'I object to the above planning application for the following reasons:

I attended the Council's exhibition, also on 14th January, of their proposals to demolish Moreton Close and build another block in its place. To my mind, the proposed new building is too bulky (up to 4 storeys) and from the outside we would see less green space as there will be a car park on the Milespit Hill frontage, taking much of the green there, and also the Page St frontage would lose green too. There will also be a crossover for the car park, which is contentious for the same reasons as for the cemetery proposal. I remain concerned that the existing residents are still not being given a fair deal. The Council's plan is to submit a planning application towards the end of this month, followed by the statutory 13 weeks' consultation during which objections can be submitted. It looks unlikely, therefore, that the issue will be decided before this May's general election.'

A site notice and press notice was advertised on 12/02/2015.

Internal Consultations:

Highways - No objection subject to conditions. Comments contained within main report.

Thames Water - No objection

Environmental Health - No objection

Adult Social Services - Comments will be reported in the addendum to the report.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Policies 3.3, 3.4, 3.5, 3.8, 3.10, 5.2, 5.3, 5.7, 6.1, 7.1, 7.2, 7.4, 7.6 are considered particularly relevant

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS9, CS10, CS11, CS15

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM09, DM10, DM16, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well

as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- The principle of the Development
- Affordable Housing Issues
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality with regard to the impact on the conservation area;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposals would harm trees of special amenity value
- Whether the proposals would harm highway or pedestrian safety
- Sustainability/Environmental Issues
- Drainage Issues
- Ecology Issues

5.3 Assessment of proposals

- The principle of the Development

The Use Classes Order sets out a distinction between residential institutions (Class C2) and dwellinghouses (Class C3). There is case law on the definitions of both, and indeed cases have been found where an intermediate between the two could be described as a sui-generis use. Generally speaking, extra care units that appear to be self-contained units of accommodation will be treated as falling within class C3. In this case, the proposals are laid out with communal facilities and are considered to fall within C2 use class.

Extra care housing is designed primarily for older people with disabilities who are able to live safely on their own. The aim is to maximise independence and choice for residents and it is an alternative to residential care placements. The applicant has advised that the facility would provide care for residents with varying needs. This would include a majority of residents (50%) with high level care. This would include residents with advanced dementia, who require assistance moving and eating, and residents who require specialist care; as well as smaller number of residents (25%) with medium and lower (25%) level care.

Policy CS4 states that: 'We will aim to create successful communities in Barnet by... seeking a variety of housing related support options that maximise the independence of vulnerable residents including young people, people with disabilities, older people, homeless people and other vulnerable adults'

The Core Strategy reports that the Strategic Housing Market Assessment (SHMA) estimates a need for 643 new homes per annum (equivalent to 3,215 new homes by 2015/16).

Paragraph 10.2.3 of the Development Management Policies Document states that 'Proposals are expected to clearly demonstrate need and how they are contributing to the delivery of council strategies and priorities. The Core Strategy highlights an over-supply of residential care homes in Barnet and recommends remodelling these homes for example as sheltered housing plus to address the higher support needs of tenants. Loss of extra care housing will not normally be acceptable and compliance with Policy DM13: Community, Health and Education uses will be expected to be demonstrated where community facilities may be lost.'

The proposals would assist with these aims in that they would provide toward additional extra care housing within the Borough. The application scheme proposes an extra care residential development and as set out in LBB Adults & Communities 'Mission Statement' the new homes will be let at affordable rents.

Paragraph 10.2.6 of the Development Management Policies Document states that any new extra care housing and care homes for older people should be within reasonable walking distance, defined as 500m, of a local parade of shops/ local centre or town centre. The proposals would achieve this.

The applicant advises that the existing accommodation no longer meets the acceptable space standards for older people's living accommodation. The apartments are not wheelchair adaptable, the corridors are narrow and there is no lift to the first floor level. In terms of the loss of the existing facility, The proposals involve the replacement of 33 sheltered housing units with 51 extra care units of a similar nature. As such, there are no grounds to refuse the application because of the loss of the existing units.

The principle of redevelopment of the site for extra care units is considered acceptable. The applicant has engaged with the Local Planning Authority prior to making the application and held an exhibition for residents to attend.

- Affordable Housing Issues

In determining whether affordable housing is required; the question is whether the units should be included as general housing, and whether the units themselves are capable of being units of affordable housing. Essentially if the development consists of C3 residential units then affordable housing will need to be provided. This is related to the issue of how self-contained the units would be.

In this case, the unit share facilities and would be more appropriately described as a residential institution (C2 use Class). In any event, the applicant has advised that the units would be available at affordable rent for residents and therefore fulfils the requirements of policy DM10.

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality with regard to the impact on the conservation area;

The existing buildings on site primarily consist of a two storey flat roof building with single storey buildings closer to the north boundary with Mill Hill Cemetery, in a courtyard

arrangement. The existing buildings, especially the two storey part of the building, have a dated appearance and do not respond well to either Milesplit Hill or Pursley Road elevations.

The proposed building would be of similar height, massing and scale to that on the adjoining site on Salcombe Gardens and it is considered that the building would provide adequate visual interest.

The proposals would be visible from within Mill Hill Cemetery however the impact would be negligible given the fact that this is at the end of the cemetery and is of limited public visibility.

The proposals would appear as a three storey building with rooms in roofspace on the elevation facing Milesplit Hill. Milesplit Hill is characterised by two storey dwellings and maisonettes. It is acknowledged that the proposed building would be taller than that existing on site. However, given that this is a corner site, and that there is a substantial gap of 15m between the site and nearest building on Milesplit Hill, it is not considered that this relationship would be harmful.

The site at present benefits from grassed areas to both Milesplit Hill and Pursley Road elevations. These help provide a setting to the buildings. The proposals would maintain this to the Pursley Road elevation in the form of a communal garden area and would maintain the grassed area to the south of the existing block on Salcombe Gardens. There would be a new car park to the Milesplit Hill side of the site. This would result in the reduction of grassed area though boundary planting would be maintained. It is acknowledged that this would have some impact on the streetscene however, it is suggested if consideration is given to appropriate hardstanding then this impact would be minimised.

The design of the proposed building incorporates red-brown facing brickwork, dark grey Aluminium windows and slate grey rooftiles. Buildings on Milesplit Hill are principally brown brick on the east side and brick with render on the west side. The shopping parade to Salcombe Gardens is red-brown brick. The proposed choice of materials would in principle relate well to neighbouring buildings. A condition is suggested in order to ensure that the materials to be used have satisfactory appearance.

The proposals would provide the replacement of an existing building which is unsympathetic to the wider area and has a dated appearance. The proposals, whilst larger in size than the existing building would not cause material harm to the character and appearance of the streetscene and general locality.

It is considered that the proposals would not harm Mill Hill Conservation Area as a designated heritage asset.

- Whether harm would be caused to the living conditions of neighbouring and future residents.

Neighbouring Occupiers

Daylight/Sunlight

The applicant has submitted a daylight/sunlight report in support of the scheme. This states that with regards to daylight, based on a Vertical Sky Component analysis and No

Sky Line analysis, BRE Guidelines are met in all cases. Having assessed the impact of the scheme on neighbouring windows and gardens, as well as the design of the proposed scheme, it is considered that the proposals would provide adequate daylight and sunlight for future occupiers.

Outlook/Visual Impact

It is acknowledged that the proposed building would be taller and closer to these properties than the existing buildings on site. The building has been set back in the centre of the building in order to ensure that the bulk of the building is further away from the rear of 1-13 Salcombe Gardens. The part of the building facing would be three storeys with roof level pitching away. Though part of the building would be approximately 19-23m from the site, the majority of the building is sited further away due to the layout of the building. The southern section of the building to the rear of no.1 Salcombe Gardens is of similar footprint to that existing though the building would be three storeys with roof as opposed to two storeys. It is therefore considered that, there would be some impact on the outlook from these rear windows of the flats above 1, 11 and 13 Salcombe Gardens.

It is not considered that there would be a harmful impact on the occupiers of properties on Milesplit Hill given the distance away.

It is not considered that the proposals would result in harmful loss of outlook or have an overbearing impact on neighbouring residential occupiers, other than a limited impact on the flats to the rear of Salcombe Gardens.

Overlooking/Privacy

The proposed building has been orientated so that it does not have windows facing directly towards the rear of 1-13 Salcombe Gardens. These buildings are sited approximately 16m from the boundary of the site though many have rearward projections that bring this to 12m. The distance between the nearest part of the proposed building and rear wall of no.11 Salcombe Gardens (Nearest point) would be approximately 19m-23m however there would be no windows looking directly towards the site. In this way, direct overlooking would be prevented.

It is not considered that there would be overlooking towards properties on Milesplit Hill given the distance away.

The proposals would not result in the harmful overlooking of neighbouring or future residents.

Noise and Disturbance

The proposals would be an extra care development for 51 flats. The site currently has 33 units at present. Therefore the proposals do represent an intensification when compared to the existing use on site. However, given the nature of the site, its close proximity to commercial uses on Salcombe Gardens and Pursley Road, it is not considered that the proposals would materially harm neighbouring residential amenity through increased activity on the site.

Future Occupiers

In relation to the amenity space the Daylight/Sunlight Assessment concludes that this will receive good sunlight throughout the year. The proposals would provide adequate unit sizes for future residents in accordance with the Mayor's London Plan. All units are one bedroom.

The proposals would make provision for communal garden areas for residents of the development.

The layout of the development has been designed so that there would not be overlooking between units of the development. It is noted that the flats in the courtyard area to the north of the site would be 18m apart which is technically below the 21m standard normally required. However, the applicant has positioned windows so that there would not be direct overlooking.

-Whether the proposals would harm trees of special amenity value

The applicant has provided a tree survey and arboricultural report as part of the application.

It is noted that there are a number of trees in close proximity to the boundary at the adjacent site at Mill Hill Cemetery. This site is located within Mill Hill Conservation Area as the boundary runs along the north of the site.

There are existing single storey flat buildings approximately 5m from the boundary with Mill Hill Cemetery. The proposed building would be located a similar distance to these (Approximately 4.8m). The proposed development would be located closer to the west of the site where it would be closer to 4m as opposed to existing buildings which are 6m away. However the buildings would be located a similar distance, albeit taller given that the building is three storeys with roof level in this location.

The proposed Arboricultural Method Statement indicates that there would be some encroachment into the Root Protection Areas of these trees. However, existing buildings already encroach into these areas. Therefore, it would be important to ensure that trees are not harmed during construction given the likelihood of existing roots in the vicinity.

The arboricultural report suggests that Tree 11 (Off-site Poplar) should be removed. However this is outside the site and therefore consent cannot be granted as part of these proposals. Trees T10 (Oak), T12 (Oak) and T14 (Black Pine) are all of notable amenity value, as are the trees to the north-east of the site that are a more substantial distance away.

Whilst the proposed development would have some windows facing north towards trees adjacent to the boundary, the main outlook would be west to east and as such it is not considered that the proposals would result in harmful pressures for future treeworks. Conditions are suggested to ensure that construction takes place without harm to the neighbouring trees.

- Whether the proposals would harm highway or pedestrian safety

The site is located at a corner plot at the junction of Milesplit Hill with Pursley Road. Current vehicle Access is only via Moreton Close which is a private road off Salcombe Gardens. Moreton Close provides access to the existing sheltered accommodation on the site and to an adjacent block of garages.

Pedestrian access into the site is currently available from Milesplit Hill. Pursley Road and Moreton Close.

The site is in close proximity to local amenities and bus routes. The site is within the Saracens Event day Controlled Parking Zone (CPZ) which operates on event days only (Saturday and Sunday) between 1 and 6 pm. The site has a public Transport accessibility Level (PTAL) of 1b which represents a low accessibility level. The proposal is for the demolition of existing 33 units of sheltered accommodation which provides housing for 35 residents and redevelopment of the site to provide a care home with 51 apartments comprising of 48 1-bedroom and 3 x 2-bedroom. The proposed care home will accommodate around 54 residents living on site which require some level of care.

The breakdown of care requirements for residents is of 50% high care requirement, 25% medium care and 25% Low care. Patients requiring low care level have a good level of mobility and will be able to use services such as public transport, however none of the residents will have a car.

A total of 12 full time and 18 part time members of staff will be employed at the site. The part time staff will be ad-hoc and will vary depending on residents' needs. It is expected that a maximum of 30 (12FT 18PT) members of staff will be on site at one time. The proposal includes provision of 9 off street parking spaces and one drop off bay all accessed via a proposed new vehicle access from Milesplit Hill. Vehicle access will no longer be available from Moreton Close, which will serve as pedestrian access only. Pedestrian access from Pursley Road and from Milesplit Hill will also be maintained.

The proposed new vehicle access will require Sec 184 application and the access dimensions will need to be modified to provide a maximum of 4.8 m wide vehicle access.

Parking Provision:

The proposal includes provision of 9 off street parking spaces and one drop off bay. Information provided in the Transport Statement prepared by Cottee Transport Planning submitted with the planning application estimate the predicted parking demand based on surveys of other similar care homes, retirement flats and dementia care homes. A parking profile has been prepared based on both retirement flats and dementia care homes daily trips profiles and based on 51 units the following peak parking demand is anticipated for the development.

Parking Demand (4.3.2 Transport Statement)

Development Use	Weekday 0800-0900	Weekday 1700-1800	Overnight
Daily Peak			
Retirement Flats 10 (1800-1900)	9	9	10
Dementia Care Home 12 (1500-1600)	8	2	1

As the proposed development will offer predominantly medium to high levels of care, it is likely that the parking profile will be more in line with the dementia friendly care home parking demand which shows a peak demand of 12 parking spaces (at 15:00 - 16:00). This would lead to a potential overspill of 3 cars on the public highway.

On street parking surveys have been carried out on the surrounding street within 200 metres and the number of observed available spaces on street are summarised below:

Overnight surveys between 00:00 05:30 - 52 available spaces

08:00 - 09:00 38 available spaces

15:00 - 16:00 19 available spaces

18:00 - 19:00 34 available spaces

Therefore the potential parking overspill of 3 vehicles can be accommodated in the surrounding public highway network, even after taking into consideration the potential loss of up to 4 on street parking spaces necessary to provide the new vehicle access.

In view of the above it is considered that an adequate level of parking provision has been provided.

Trips / Traffic Impact

The proposed site will function as an independent Living development, but with the majority of residents requiring medium to high levels of care it is considered that the site will function as a combination of use of independent living and care home for residents with conditions such as dementia. However as the development will provide medium to high care levels to over 75% of residents, it is anticipated that the trip generation will have characteristics more comparable with a care home than retirement flats

Based on surveys of care homes, the anticipated trip generation for a development with 51 units is summarised below:

	Weekday 0800-0900		Weekday 1700-1800		Daily			
	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures		
Dementia Friendly Home			6	4	1	3	29	31

The existing sheltered accommodation use has been estimated to attract 81 vehicle movements a day, therefore it is anticipated that there will be a reduction of 21 vehicle trips to the site a day, compared to the existing use. The development is located adjacent to convenience shops in addition to several on site facilities which will reduce the need for car trips. The survey information also shows that the peak traffic generation for a care home would be between 16:00 and 17:00 hours which is outside the traditional network peak

Therefore, taking into consideration the existing and expected trip generation, the level and characteristics of trips associated with proposed development are not expected to have a detrimental impact on the local public highway.

Refuse.

Refuse storage details have been provided at a location accessed from Millespit Hill.

Cycle Parking:

Cycle Parking should be provided in accordance with recommendations in the London Plan which require provision of 1 space per 5 staff and 1 per 20 bedrooms. A condition should be included to provide details of cycle parking provision.

Construction Management Plan:

A construction management plan will be required and careful consideration must be given to the optimum route(s) for construction traffic.

Travel Plan:

The development will require a Travel Plan Statement (including targets) that meets the criteria in the Transport for London TP guidance (November 2013) that is iTRACE and ATTrBuTE compliant, to cover mainly staff and visitor travel but also travel for those residents who are able.

It is required that appropriate covered and secure storage of travel aids such as electric wheelchairs, electric scooters is provided within the development as well as the required cycle storage.

The Application is considered acceptable in terms of impact on highway and pedestrian safety.

- Sustainability/Environmental Issues

The applicant has provided a BREEAM pre-assessment report. This states that the development is intending to achieve a BREEAM rating of 'very good'. The targeted credits have been input into the BREEAM assessment tool and result in an overall score of 64.86%. This score is above the 'very good' threshold of 55%. A condition is suggested to ensure that this standard is met.

The proposals are required to meet policy 5.2 of the Mayor's London Plan which requires that major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met. The applicant has provided an Energy Statement / Feasibility Study. This states that the combined options for MVHR, mini CHP and photovoltaic panels would provide the most benefit in terms of energy reduction/generation and carbon emissions reduction and be the most appropriate use of low or zero carbon technologies when applied to the Moreton Close development. This recommends that a reduction of 40.3% is forecast.

It is considered that a condition is necessary in order to ensure that these benefits of the scheme are realised.

Flooding/Drainage

Given the size of the site and its location within Flood Zone 1 it is not considered that the proposals would harm local drainage or flood risk subject to a condition requiring details of drainage.

Ecology

The applicant has provided an ecology report carried out by agb Environmental. The report concludes that the site is of limited ecological value. However, this does state that the site has some scope for nesting birds within the adjacent trees and borders. A condition is suggested to ensure that the scheme meets the appropriate BREEAM rating and as part of these ecological enhancements will need to be provided.

5.4 Response to Public Consultation

The responses are generally assessed in the main report but the following specific comments are made below:

Whilst the planning application indicates that there is currently no parking on site, there is in fact space for at least 6 vehicles to park, meaning the increase in parking spaces is 1, rather than the 7 the application has indicated. - It is acknowledged that there is parking on site currently for approximately 6-7 cars to the rear of the site.

Proposals will force residents of existing block to move home which will cause them distress and be detrimental to their health. - The relocation of the existing residents is not grounds to withhold planning permission. It is noted that the proposals would result in the redevelopment of the existing Moreton Close site. The proposals involve the replacement of 33 sheltered housing units with 51 extra care units of a similar nature. As such, there are no grounds to refuse the application because of the loss of the existing units.

Residents of the existing development have raised concerns relating to the existing development. These are also addressed in the equalities and diversities issues below. However, the Local Planning Authority cannot control who lives in a development and cannot stipulate that residents of the existing development are housed in the replacement scheme - this is a matter for Barnet Homes.

Similarly, it is not possible for the Local Planning Authority to withhold planning permission on the grounds of noise and disturbance during construction. However conditions are attached in order to ensure that disruption to residents is minimised, including Demolition and Construction Method Statement and restriction of working hours.

A 3 storey building although of the same size to the maisonettes above the shops in Salcombe Gardens is not in keeping with the size of the buildings in Milesplit Hill where the residencies are only 2 storey high. I feel this will look imposing. - Addressed in main report

Object strongly about the entrance being on Milesplit Hill and think it will be a terrible mistake causing a lot of problems for the nearby residents of which I am one. - Addressed in main report.

6. Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

"(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;

- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The proposed development would provide additional accommodation for residents in need of care. In this way, it would provide additional accommodation for residents many of whom will have disabilities and are elderly.

In terms of any likely negative impacts, the application has attempted to address these through the design of the scheme.

The impact on existing residents of the site has been considered. It is recognised that the occupiers are likely to be disabled and/or elderly and as such are more sensitive to noise and disturbance during works. They are also more likely to spend the majority of their time within the building. Therefore, conditions have been suggested in order to ensure that an appropriate construction method statement is provided, as well as ensuring that works take place in reasonable hours. In terms of the relocation of residents from the site, this will be managed by Barnet Homes. It is understood that the Sheltered Housing Team at Barnet Council have consulted with the existing tenants about the redevelopment of the site.

It is suggested that the majority of these can be mitigated through conditions and that any impacts are unlikely to disproportionately affect any one group with a protected characteristic. Whilst it is recognised that disabled and elderly road users are more likely to be affected by proposals which result in an intensification of use it is considered that these impacts are adequately mitigated by the proposals.

With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The development would therefore have a positive effect in terms of equalities and diversity matters.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

7. Conclusion

The above issues need to be weighed up when considering whether to grant planning permission. Officers consider that the benefits of providing a modern extra care facility for 51 residents replacing of the existing building on site outweigh any harm caused in terms of the increased size of the building and loss of outlook. Taking all issues fully into consideration the proposal is recommended for approval.



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