

Location 114-120 West Heath Road London NW3 7TX
Reference: 16/5993/FUL Received: 13th September 2016
Accepted: 12th October 2016

Ward: Childs Hill Expiry 11th January 2017

Applicant: UKI Hampstead Limited

Proposal: Demolition of existing buildings and comprehensive redevelopment of the site for a building arranged over basement, partial lower ground floor level and four to five floors above to provide up to 46no. Assisted/Independent Living units (class C2 residential) including up to 2no. guest suites, plus basement car parking and cycle storage, hard and soft landscaping, refuse and recycling stores

Recommendation: That upon completion of the agreement specified in Recommendation 1, the Interim Head of Development Management approve the planning application reference 16/5993/FUL subject to the following conditions and any changes to the wording of the conditions considered necessary by the Interim Head of Development Management.

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. . Woodland Management Plan
4. Highways Obligations
 - Travel Plan - The applicant shall enter into a Travel Plan Statement that seeks to reduce reliance on the use of the private car and to ensure the sustainability of the development. The Travel Plan shall include the following obligations to facilitate modal shift in the choice of transport mode available to staff and residents as follows:-
 - Travel Plan monitoring contribution of £5,000
 - Staff Travel Plan Incentive fund contribution of £150 per staff will be required to be selected from the following:
 - Oyster card with £150 credit uploaded
 - £150 towards membership of a car club with the residual amount as driving credit with the car club
 - £150 bike voucher.
5. Skills, Enterprise, Employment and Training Obligations

- Forecasting of details of trades or occupational areas offering Apprenticeship and job opportunities
- Notice of apprenticeship vacancies
- A local labour target of 30% and reporting on performance against that target
- Reasonable endeavours to incorporate the local supply chain, and reporting on performance in incorporating the local supply chain apprenticeships over the life of the scheme and end-use.-progression into employment places- progression into employment places (over 6 months)-school workshops, ideally to be delivered in relation to end use information.
- Provision of a Workplace Co-ordinator during the development phase, based within the company and responsible for the delivery of the LEA obligations.

6. Monitoring Costs

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager approve the planning application under delegated powers subject to the following conditions:

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 500_PL_002, 500_PL_005, 500_PL_006, 500_PL_007, 500_PL_008, 500_PL_015, 500_PL_016, 500_PL_017, 500_PL_018, 500_PL_020, 500_PL_021, 500_PL_022, 500_PL_023, 500_PL_025, 500_PL_026, 500_PL_027, 500_PL_028, 500_PL_199, 500_PL_200, 500_PL_201, 500_PL_202, 500_PL_203, 500_PL_204, 500_PL_205, 500_PL_206, 500_PL_320, 500_PL_321, 500_PL_322, 500_PL_340, 500_PL_341, 500_PL_342, 500_PL_343, 500_PL_400, 500_PL_401, 500_PL_500, 500_PL_501, 500_PL_502, 500_PL_001, Planning Statement, 70015773-C-502 Rev A, 70015773-C-503 Rev A.

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 other than demolition 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 2015.

4 a) No development other than demolition and basement 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 2015.

5 a) No site works or works in connection with the development hereby approved other than clearance works shall be commenced until details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

6 The development shall be implemented in accordance with the submitted Construction Environment Management Plan.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

7 a) The development shall be implemented in accordance with the Waste Management Strategy and the refuse and recycling facilities provided in full accordance with the Waste Management Strategy 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).

8 The development shall be implemented in accordance with the submitted recommendations in the Ground Investigation Report, Generic Quantative Risk Assessment and Environmental Desk Study.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

9 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 apart from demolition and works to the basement.

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 2015.

10 a) The development shall be implemented in accordance with the submitted Tree Protection Plan and a Method Statement

b) No site works (including any temporary enabling works, site clearance and demolition but excluding tree works) 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.

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 2015.

11 a) No development other than demolition and site clearance shall be commenced until details of a Landscape Management Plan and Landscape and Ecological Management Plan (LEMP) (which incorporates the recommendations provided within the EP11 within the associated Bat Tree Survey), for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

12a) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features set out in the Flood Risk Assessment and Outline Drainage Strategy 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 2015.

13 Before the development hereby permitted is occupied, car parking should be provided in accordance with drawing 500 PL_100 and 500 PL_199 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 of the 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.

14 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 8 of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 8 of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan 2015.

15 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with the submitted Transport Statement 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.

16 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).

17 The premises shall be used for a extra care facility and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

18 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 8 am or after 10 p.m. on any other day.

Reason: To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

19 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part

24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with Policies DM01 and DM18 of the Development Management Policies DPD (adopted September 2012).

20 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).

21 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.

22 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new units (Class C2) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

23 Prior to the first occupation of the new units (Use Class C2) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the

proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

24 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures in accordance with the submitted Energy Strategy to achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

25 a) No development shall take place apart from demolition and site clearance until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to 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 details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015).

26 Prior to the first occupation of the development, details of any works proposed on public highway including access arrangement for the site of the public highway shall be submitted to and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and 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.

27 The applicant shall provide further groundwater monitoring to inform temporary works design, as well as updating ground movement and damage impact assessments once demolition options are finalised and following discussions with the piling contractor. An appropriate monitoring plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development has an acceptability on the stability of the land and hydrogeology of the area in accordance with policy DM04 of the Development Management Policies 2012 and Sustainable Design and Construction SPD 2016.

28 The development shall be implemented in accordance with the recommendations in the submitted Air Quality Assessment.

Reason: To safeguard local air quality

29 The development shall be implemented in accordance with submitted Ventilation Report before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the amenities of the neighbouring occupiers are not prejudiced odour and smoke in the immediate surroundings in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted 2012).

30 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interests of good air quality with regard to London Plan policies 5.3 and 7.14

31 Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

32 The development shall be implemented in accordance with the measures set out in the Environmental Noise Survey 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 2015.

33 The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

34 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

35 Prior to the occupation of the development hereby approved, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning

Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings as well as mitigate any impacts to species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan and to mitigate the impact to species including bats in accordance with policies CS7 and DM16.

36 Before the development hereby permitted is occupied, the applicant shall provide a statement setting out how the development complies with Secure By Design principles. The development shall implemented in full accordance with these details.

Reason: To ensure that the development has an acceptable impact on security in the area.

37 The development shall be implemented in full accordance with the recommendations set out in the Preliminary Avoidance and Mitigation Measures sections 6.3.1 of the Extended Phase 1 Habitat Report. These works should be carried out by, overseen or advised by a suitably experienced ecologist and in strict adherence to the submitted CEMP.

Reason: To ensure that there are no adverse impacts upon protected species within the site or the neighbouring Hampstead Heath Site of Metropolitan Importance for Nature Conservation (SMINC) and associated Habitats of Principal Importance such as the Lowland Mixed Deciduous Woodland.

38 No development in respect of 114 West Heath Road shall commence until the LPA has been provided with the licence in relation to bats issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising that the works can go ahead.

RECOMMENDATION III:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 24/02/2017, unless otherwise agreed in writing, the Service Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of monitoring the required travel plan. The proposal would therefore not address the impacts of the development, contrary to Policy CS9 and CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013), policy DM17 of the Development Management Policies 2012

The proposed development does not include a formal undertaking to provide a Local Employment Agreement in order to offset the loss of employment floorspace on site. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013), policy DM14 of the Adopted Barnet Development Management Policies 2012 and Supplementary Planning Document : Skills, Enterprise, Employment and Training.

The proposed development would result in the harmful loss of trees of special amenity value. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013), policy DM01 of the Development Management Policies 2012

Informative(s):

Informative: 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.

Informative: 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, London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ. The submitted refuse collection details are not suitable for council's refuse collection and alternative collection arrangements must be submitted.

Informative: Any highway approval as part of the planning process for the reinstatement or alteration to the existing access/crossovers or provision of a new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense including any relocation of street furniture, lighting columns or amendments to parking bays affected by the proposed works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: For construction works adjacent to the public highways, the applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses.

Informative: As proposed in the Transport Statement the vehicular ramp access to

the basement parking shall have a gradient not steeper than 1:10 otherwise the ramped access will need to be designed in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks. 0 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.

Your attention is drawn to the need to provide facilities for the disabled, as set out in Building Regulation Part M Access & Facilities for Disabled Persons. A copy of Part M is available via the Planning Portal at <http://www.planningportal.gov.uk/buildingregulations/>.

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. Your planning application has been assessed at this time as liable for a £406,525.00 payment under Mayoral CIL. 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. Your planning application has therefore been assessed at this time as liable for a £1,568,025.00 payment under Barnet CIL.

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.

A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

- For large sites only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999. Proof within the contractor's specification that all NRMM will be registered on the local government website
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Copy of an asbestos survey
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday – Friday, 8am-1pm Saturday and not at all on Sundays and bank

holidays. Bonfires are not permitted on site.

The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet and further reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set healthbased air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality. For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance: 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, May 2015); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQMTG(16); 4) London Councils Air Quality and Planning Guidance (2007) 5) London Local Air Quality Management Technical Guidance LLAQM.TG(16), 6) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014) and 7) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions'.

0 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;

- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

The applicant is advised to engage a qualified kitchen extraction consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory smoke and odour control. Please note that:

Please note that:

- Flue(s) must be 1.5 m* above eaves or any open able windows in the vicinity (within 20 metres of the flue) if there are sensitive premises in the vicinity. The final

discharge must be vertically upwards. There should be no hat or cowl on the top of the flue. If flues are to be attached to neighbouring noise/vibration sensitive premises they must incorporate anti-vibration mounts, flexible couplings and silencers. *If the flue is in a Conservation area then this height may be reduced to 1m above eaves.

- The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA, January 2005); DEFRA Odour Guidance for Local Authorities (DEFRA, March 2010). Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved

1. Site Description

The site is located on the east side of West Heath Road. It currently consists of:

- o Main front building, attractive late 19th century building of three storeys
- o A two storey flat roofed business centre which appears to date from the 1960s.
- o Front lodge building (Locally Listed) that is not part of the site.

The site is approximately 0.67 square metres in area. Trees to the front of the existing buildings are included in area Tree Preservation Orders, as are trees adjacent to the rear boundary with 1 Eden Close.

2. Site History

C01595 - Connecting link between two buildings. – Approved – 08/08/1967

C01595A - Construction of single-storey extension to form two new bedrooms and the erection of six new garages with the conversion of an existing block to provide four garages. – Approved - 20.11.1967

C01595B - erection of single storey extension containing 2 bedrooms and 6 new garages. – Approved – 22/03/1968

TREC01595D - Treat 2 Sycamore, 1 Cedar, 4 False Acacia, 1 Laburnum, 1 Beech, 1 Yew and 1 Oak standing in area A26 of Tree Preservation Order and remove 3 False Acacia and 1 Purple Leaved Plum – 24/07/1996

C01595F/04 - Refurbishment of existing 22 no. self contained residential units. – Unlawful – 16/04/2004

C01595G/06/TRE - 3 x Birch - Dead. Standing in Area A3 of Tree Preservation Order – Exempt – 28/11/2006

C01595H/06/TRE - 1 x Birch - Fell. Standing in Area A3 of Tree Preservation Order – Approved – 15/01/2007

C01595J/07/TRE - 1 x Lawson Cypress - Prune to give Clearance from Road as Specified. Standing in Area A3 of Tree Preservation Order = Refused – 15/01/2007

C01595K/07/TRE - 1 x Lawson Cypress - Prune back Northern Side of Crown back to Main Stem to a Height of 4m above Ground Level. Standing in Area A3 of Tree Preservation Order – Refused – 10/04/2007

TCA/17855/08/F = Ash - Lift 2 Branches as Specified to Maintain 12m Ground Clearance, Cut Back Overhanging Sucker to Boundary of 124 West Heath Road. Standing in Area A3 of Tree Preservation Order = Approved subject to conditions – 15/10/2008

TPO/00420/11/F - 1 x Ash (T5 Applicants Plan) and 1 x Pine (T7 Applicants Plan) - Crown Lift to 12m Branches Overhanging 124 West Heath Road. All Standing in Area A26 of Tree Preservation Order – Approved subject to conditions - 19.09.2011

TPO/00421/11/F - 1 x Yew (T9 Applicants Plan) - Pollard to 5m. 1 x Yew (T11 Applicants Plan) - Reduce by 20%. Both Standing in Area A3 of Tree Preservation Order – Approved subject to conditions- 19/09/2011

3. Proposal

The proposals are for the demolition of existing buildings and comprehensive redevelopment of the site for a building arranged over basement, partial lower ground floor level and four to five floors above to provide up to 46no. Assisted/Independent Living units (class C2 residential) including up to 2no. guest suites, plus basement car parking and cycle storage, hard and soft landscaping, refuse and recycling stores.

4. Public Consultation

Consultation letters were sent to 84 neighbouring properties.

5 responses have been received, comprising 4 letters of objection, and 1 letters of comment.

The objections received can be summarised as follows:

Highways Impacts

West Heath Road, a solely residential road, has become a very busy through route for traffic of all kinds from Golders Green to Whitestone pond, and onwards either to Highgate, or the City - and in particular to various schools in Highgate and Hampstead - (and vice versa).

The size of this development will add a large amount of permanent coming and going of cars - not only of residents, but visitors, staff, etc. -as evidenced by the scale of the underground parking facility they are proposing.

At present, traffic in both directions is continuous, from morning tonight, and at school run times it is bumper to bumper. An increase in permanent traffic of this

amount will add considerably to air pollution , and also in difficulty in moving around for residents: it will become more difficult to cross the road for pedestrians, more dangerous for cyclists, and more difficult to drive in and out of residents garages.

We feel that West Heath Road has just about reached saturation point of traffic pollution and difficulties. A development of this kind will cause a permanent and marked deterioration in the amenities for residents.

Construction Issues

We are told that it will take three years - and it will begin with a six month period of excavation, which will need 30 lorries a day. The development/construction company promises to be considerate, and listen/respond to any problems. I am sure they are sincere and will do their best to manage things as carefully as possible. But construction by its very nature causes noise, dirt and disturbance. For example, I know from experience of a recent development in our road of two new houses, that excavation and drilling causes unpleasant vibration in nearby properties quite apart from the noise.

A development of this size and scale - and duration - will make life very uncomfortable for neighbouring residents on a daily basis for a very long time.

If this proposal is allowed, the neighbouring resident's three years of discomfort and disturbance will only be to the profit of the developers. At the very least there should be some form of compensation for such a very long period of deterioration in daily life for residents.

There will be chaos if truck deliveries are made during rush hour which is from 7-15am to 9-30am. No deliveries or waste removal should occur at this time.

Trucks should not be allowed to wait in West Heath Road "WHR" to be called in for delivery. They should wait further out. This will lessen the traffic issues.

Exiting trucks should be allowed to exit down West Heath Road to the left as opposed to only allowing trucks in and out from the right of WHR. Why should all the traffic flow in and out from my side of WHR

I am concerned about noise levels of the trucks up and down WHR and on the offloading and loading on the site

I am concerned about the dust that will settle on our properties (Windows, window sills ,cars etc). There should be some monetary allowance given to affected residents to keep their properties in a normal state.

I am concerned about damage to WHR and the pavements which have just been replaced at huge cost.

Unbelievably, the scheme proposes just 4 spaces for all visitors and employees on the site.

Examining the proposal, the following spaces are shown on the plans - each of which must surely represent at least one person; Reception; Manager's office;

24 Hour nursing and welfare suite; Residential guest/Carers suite; Restaurant (2 people minimum?)

Kitchen (2 people minimum?); Laundry; Hydrotherapy pool

In fact, the transport statement included with the application states that there will be 21 staff. With 46 units, one may reasonably expect there to be many visitors - and certainly more than 2 at a time.

It is a 12 minute walk to Golder's Green tube station, and many of these staff will require specialised equipment and are more than likely to drive to work. This will inevitably lead to massive congestion on the West Heath Road (not just owing to car movements, but because of car-parking) - already almost stationary at peak times. Below are traffic data figures for West Heath Road, and also, randomly chosen, two other existing, similar developments, showing traffic difficulties nearby.

Appearance of Development

The site is adjacent to Golders Hill Park and in a general conservation area, the proposed development will change this quiet spot and bring in road congestion to an area where there is already congestion and limited parking to local residents.

Overall our feeling is that this building should remain as it is, a 3 storeys Victorian house with pitched roof and no windows overlooking our rear elevation.

Our principal concern is that this development application is well crafted but is vastly over density. At the moment we see a building of three floors against a 4/5 floor plus basement which is excessive and pulling nearly 50 flats on site is not good planning .

Much is discussed in the Applicants Design and Access statement regarding the form and design of the proposed building, but in the documents, the applicants themselves have provided a 3D image which illustrates perfectly the point that the proposal is simply out of scale with this sensitive, historic neighbourhood. The existing buildings on the site vary in size and scale, and notwithstanding a significant footprint, the small-scale of the individual components are important contributors to the grain of the built form, and typical of the Conservation Area. Existing development 3D model.

Extracted from daylight, sunlight & over shading report by Point surveyors The proposal, however, is, by comparison, a monolithic block, the scale of a hospital, completely out of character with its neighbours, which themselves are not small structures. Proposed development 3D model. Extracted from daylight, sunlight & over shading report by Point surveyors.

As stated in the introduction, the grain of the area is made up of small-scale buildings, often linked or closely adjacent one to the other, to produce a varied and interesting organic form of development, brutally ignored in this proposal. The cruciform of the proposal, which is ideal for allowing light into all units, does nothing to break up the form of the proposal to any effect, and each of the "arms" of the cruciform are too large on their own, and the sum of the parts is grossly out of proportion. Opportunities and constraints with proposed scheme overlaid. Extracted from the submitted Design and Access Statement, page 24.

The 3D drawing on page 2 and the overlay below shows the sheer bulk of the new proposal, particularly when compared to what was there before. It can be seen that the homogenous form and massing totally overwhelms the houses around it on all sides.

It is perfectly clear from the Applicant's own submission, that the easily recognisable pattern of development in this area is on the road edge. Notwithstanding the fact that the existing buildings on the site are set back, this is no longer the predominant pattern of development, and this has been ignored, in our view, indicating a general failure to understand the context. Google Maps extract with West Heath Road street alignment.

Amenity Issues

We are concerned that the newly erected construction will be higher than current therefore we no longer have privacy as we had over so many years. The building will come very close to our fence and windows may overlook to over garden. There is a road also leading to both the properties which we share. The proposed construction will bring more traffic to the road in question therefore we need to know how planners will deal this or the plan entails only one access to the property via current main entrance.

No drawing was provided as part of the application to show clearly the comparison between the existing buildings on site and the proposed buildings.

This will be the new outlook from my clients' properties if the scheme is built as currently proposed, and this will be just 21 meters from his house windows - that is half the width of a football pitch.

It is well known that the elderly do not sleep quite as long as younger people, and it is very likely therefore that there will be lights on the upper stories during normal sleeping hours.

There are 64 windows proposed on the elevation facing my clients' houses, as well as the fully glazed penthouse floor. Light from all these windows will shine straight into the windows of the first floor bedrooms at 1 and 2 Eden Close. These two houses are already badly affected by the lights from the new school on the corner of Eden Close and West Heath Road. If the building was lower, this would be less of a problem.

A further objection has been received on behalf of the Corporation of London as owners of Golders Hill Park.

'The site is located directly adjacent to Golders Hill Park, as well as within an Area of Coordinated Character. Therefore, the site is considered to be a sensitive location in terms of views, character and openness. The application, which proposes "partial lower ground floor level and four to five floors above", is significantly higher in comparison with the existing buildings on site as well as the surrounding buildings on West Heath Road which predominantly comprise private residential properties and flatted developments of 2-3 storeys.

The size, bulk, siting and design of the proposal is visually intrusive and would be detrimental to the visual and residential amenities of occupants of neighbouring properties, as well as to views from Golders Hill Park.'

'The proposed development will lead to intensification of the site and an associated increase in vehicular movements due to residents, staff and visitors. The City has concerns in relation to how this will impact on Golders Hill Park and the surrounding area, particularly in relation to traffic and parking. It is not considered that the application provides sufficient justification or mitigation measures to alleviate its concerns.'

'There are a number of trees which are proposed to be removed as a result of the proposals. The Arboricultural Report identifies that 32 trees are to be lost in total. This is fairly substantial given the leafy nature and suburban character of the locality, as well as being located adjacent to Golders Hill Park. The character of the area is largely established by this open space framed with residential properties, their landscaped gardens and mature trees. The proposed development fails to protect and preserve existing trees and landscaping. Therefore, the City considers that the substantial loss of trees on the site will erode the special character and nature of the area.'

Councillor Rutter has commented on the application as follows:

"As the Ageing Well Champion of the Borough of Barnet, I have vast knowledge about dementia and the affects on families when loved ones eventually have to go to a care home. The affect on being separated from your loved one is hard to endure and the affects of isolation of the one left behind is even more devastating. Barnet Council promote independent living which I approve of and this development is not only going to provide that but it is also going to provide assisted living which is a big plus.

I approve of any development that is able to provide people with mental health conditions or other disabilities with the help and assistance to be able to continue to live their life as normal as possible with the safe knowledge that they can receive the tailored care that they need and can also continue to live with their partner for the remainder of their life.

I am informed that this development offers residents multiple tenure options which will include both the opportunity to buy as well as to rent. This I believe is important

as we want to be able to cater to the financial needs and capabilities of all residents. I am also informed that care will be provided all the way through to end of life palliative care.

In my view this development is a much needed development especially as our population grows and we are living longer. I hope that my views help when considering this application.”

A Site Notice advertising the proposals as a Major development was advertised on 13/10/2016

A Press notice was issued on 26/01/2017

Consultation Responses

Adults and Communities – The scheme is broadly in line with the local strategy to encourage a spectrum of supported accommodation services for residents which prevent them from entering into long term residential care. However the proposal as set out is clearly aimed at providing luxury accommodation and will not be accessible to many elderly Barnet residents. Adults would suggest that consideration be given to requiring a proportion of the scheme be affordable housing and/or available to those in receipt of housing benefit.

Trees

Objection, contained within main report.

Highways

No objection, comments contained within main report.

Environmental Health

No objection subject to conditions

Historic England Archaeology

Report provided by the applicant is acceptable and no further information is required.

Urban Design

No objection, comments contained within main report.

Metropolitan Police

The proposals would need comply with Secure By Design.

Public Health

No comments to make

London Fire Brigade

Initially objected as compliance with part B5 of the Building Regulations had not been demonstrated. The objection from the London Fire Brigade has been withdrawn as the applicant has confirmed that part B5 of the Building Regulations will be met.

Lead Local Flood Authority

The applicant had previously consulted us regarding the proposed development and they referenced some of the guidance provided. The application is considered sufficient, though we have requested that additional details be provided as a condition on the development. One item to note is that the applicant has proposed to store excess surface water within the basement of the building for the 1 in 100 year event +40% allowance for climate change. All other events will be stored within the rainwater attenuation tank beneath the basement. It is our understanding that this will only impact basement car parking, and not dwellings or other sensitive equipment within the building. We have requested that the applicant provide additional details on this when submitting the final detailed design and to not exceed the 50mm maximum ponding specified in this application. We've also noted that the applicant should take steps to mitigate negative impacts from this temporary water storage within the basement.

Natural England

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted. If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR)

the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Thames Water

Waste Comments

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

{\b 5. Planning Considerations}

{\b 5.1 Policy Context}

{\ul 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 Government's 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.

{\ul The Mayor's London Plan 2016}

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 2050. 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.

3.17 – Health and Social Care

The Mayor will support the provision of high quality health and social care appropriate for a growing and changing population, particularly in areas of underprovision or where there are particular needs.

6.1 – Strategic Approach

The Mayor will work with all relevant partners to encourage the closer integration of transport and development.

7.4 - Local Character

Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive

elements that can contribute to establishing an enhanced character for the future function of the area.

7.6 Architecture

Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

{\ul 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, CS5, CS10, CS11, CS15

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM09, DM10, DM14, DM17

Policy CS11 states that we will improve health and well being by ensuring that vulnerable residents benefit from housing choice and that additional residential care home provision is only supported when evidence of local need can be demonstrated and that the proposal addresses the priorities of NHS Barnet, or its successor bodies, and the council's Adult Social Services.

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.

Policy DM03 states that Development proposals should meet the highest standards of accessible and inclusive design by demonstrating that they meet the following principles:

- i. can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances
- ii. are convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or special treatment
- iii. are flexible and responsive taking account of what different people say they need and want, so people can use them in different ways
- iv. are realistic, offering more than one solution to help balance everyone's needs, recognising that one solution may not work for all.

Policy DM04

- a. All major development will be required to demonstrate through an Energy Statement compliance with the Mayor's targets for reductions in carbon dioxide emissions within the framework of the Mayor's energy hierarchy.
- b. Where Decentralised Energy (DE) is feasible or planned, major development will either provide:
 - i. suitable connection
 - ii. the ability to connect in future
 - iii. a feasibility study
 - iv. a financial contribution to a proposed feasibility study.
- c. i. Where there is a localised source of air pollution, buildings should be designed and sited to reduce exposure to air pollutants.
- ii. Development proposals will ensure that development is not contributing to poor air quality and provide air quality assessments where appropriate.
- d. Proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.
- e. Proposals on land which may be contaminated should be accompanied by an investigation to establish the level of contamination in the soil and/or groundwater/surface waters and identify appropriate mitigation. Development which could adversely affect the quality of groundwater will not be permitted.
- f. Proposals for Notifiable Installations or developments near to existing Notifiable Installations will only be permitted provided that:
 - i. There is no unacceptable risk to an individual's health and safety; and
 - ii. There will be no significant threat to environmental quality.
- g. Development should demonstrate compliance with the London Plan water hierarchy for run off especially in areas identified as prone to flooding from surface water run off. All new development in areas at risk from fluvial flooding must demonstrate application of the sequential approach set out in the NPPF (paras 100 to 104) and provide information on the known flood risk potential of the application site.
- h. Development proposals will wherever possible be expected to naturalise a water course, ensure an adequate buffer zone is created and enable public accessibility. Where appropriate, contributions towards river restoration and de-culverting will be expected.

Policy DM06 states that all heritage assets will be protected in line with their significance. All development will have regard to the local historic context.

Policy DM09 states that housing proposals for older people should:

- i. help to meet an identified need;
- ii. demonstrate that they will not have a harmful impact on the character and amenities of the surrounding area; and
- iii. be within walking distance of local shops and easily accessible by public transport; and
- iv. provide adequate communal facilities including accommodation for essential staff on site.

Policy DM10 states that having regard to the borough-wide target that 40% of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units gross or covering an area of 0.4 hectares or more.

Policy DM14

- i. Proposals which result in a redevelopment or change of use of a Locally Significant Industrial Site, Industrial Business Park or Business Location as shown on the Proposals Map to a non B Class use will not be permitted.
- ii. Outside these locations loss of a B Class use will only be permitted where it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken. Where this can be demonstrated the priority for re-use will be a mixture of small business units with residential use.
- iii. Office space (Class B1) should be retained in town centres and edge of centre locations. Loss of office space (Class B1) will only be permitted in town centres and edge of centre locations where it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of active marketing has been undertaken. Where this can be demonstrated the proposal will be expected to provide appropriate mixed use re-development which provides some re-provision of employment use, residential and community use.
- iv. Proposals to redevelop or reuse an existing employment space which reduces the levels of employment use and impacts negatively on the local economy will be resisted.
- v. Where appropriate, loss of employment space will be expected to provide mitigation in the form of contributions to employment training.

Policy DM17

a: Road safety

The council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users.

b: Road hierarchy

The council will seek to ensure that roads within the borough are used appropriately according to their status in the defined road hierarchy. In taking into account the function of adjacent roads the council may refuse development proposals which would result in inappropriate road use, or adversely affect the operation of roads in an area.

c: Development, location and accessibility

The council will expect major development proposals with the potential for significant trip generation to be in locations which are, or will be made, highly accessible by a range of transport modes.

d: Transport assessment

In considering planning applications for new development, the council will require developers to submit a full Transport Assessment (as defined by Department for Transport threshold) where the proposed development is anticipated to have significant transport implications in order to ensure that these impacts are considered. This assessment should include an analysis of accessibility by all modes of transport.

e: Travel planning

For significant trip generating developments, (defined by Transport for London thresholds), the council will require the occupier to develop, implement and maintain a satisfactory Travel Plan (or plans) to minimise increases in road traffic and meet mode split targets. In order to ensure that they are delivering this the travel plan will need to contain measurable outputs so that they can be monitored.

f: Local infrastructure needs

i. Developments should be located and designed to make the use of public transport more attractive for all users by providing improved access to existing facilities, and if necessary the development of new routes and services, including improved and fully accessible interchange facilities.

ii. The council will expect development to provide safe and suitable access arrangements for all road users to new developments. Where improvements or changes to the road network are necessary by virtue of an approved development, the council will secure a Legal Agreement from the developer.

iii. The council will require appropriate measures to control vehicle movements, servicing and delivery arrangements. Where appropriate the council will require Construction Management and/or Delivery and Servicing Plans.

iv. Where appropriate, development will be required to improve cycle and pedestrian facilities in the local catchment area by providing facilities on site and/or funding improvements off site.

g: Parking management

1. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);

ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and

iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

2. Residential development may be acceptable:

i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be

demonstrated through a survey that there is sufficient on street parking capacity.

ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

{\ul Supplementary Planning Documents}

Sustainable Design and Construction SPD (adopted October 2016)

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

Skills, Enterprise, Employment and Training

{b 5.2 Main issues for consideration}

The main issues for consideration in this case are:

- Whether the Principle of the Development is acceptable
- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether the proposals would cause loss of trees of special amenity value
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposals would provide acceptable living accommodation for future residents
- Whether the proposals would have acceptable impact on highway and pedestrian safety
- Whether the proposals would have acceptable impact on stability and hydrogeology
- Whether the proposals would have acceptable ecological impact
- Whether the proposals would have acceptable security impact
- Sustainability Issues
- Section 106 Issues

5.3 Assessment of proposals

1. Whether the Principle of the Development is acceptable

1.1 The Demolition of the existing building

The applicant's heritage statement states that the main villa building at no 114 West Heath Road was built as a large Victorian villa, with a gatehouse from the same period and stable block and mid-late twentieth-century additions. Built of brick with stone dressings, its style mixes elements of French Renaissance, Baroque and Tudor and its massing is asymmetric.

The LPA is of the view that the existing 19th century building should be considered as a Non-Designated Heritage Asset. Therefore paragraph 135 of the NPPF would apply.

This states that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Discussions with Conservation Officers have identified that the existing villa building on site as a Non- Designated Heritage Asset. It is recognised that the applicant has also produced an assessment of the villa building and arrived at a differing conclusion.

The loss of the Non-Designated Heritage Asset needs to be weighed up in the planning balance against the merits of any redevelopment scheme.

1.2 Land Use

The existing buildings on site are in use as offices. The proposals involve the loss of these buildings. This would be contrary to policy DM14 of the Development Management Policies document which states that loss of a B Class use will only be permitted where it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken.

However the following additional factors must also be considered:

- The site is a non-conforming use in a residential area.
- The proposed care home use will generate significant levels of employment.
- Officers consider that the site is unlikely to be viable for office use given their current condition and location

The applicant advises that the existing offices are dated and do not meet modern business requirements, this in combination with the location outside an established centre means that the Site is better suited for the proposed C2 use.

In addition to the report, it is understood that the applicant has undertaken a marketing exercise and that there was no interest from office operators. It must be noted in any event that the proposals would provide significant levels of employment.

It is acknowledged that the development will contribute to Barnet's housing needs by releasing family homes to the market, creating employment and reducing burden on the NHS.

In this way the loss of the employment use is considered acceptable, and furthermore is not viewed as a departure from the development plan. As part of any necessary legal agreement, the Skills, Enterprise, Employment and Training team have advised that a Local Employment Agreement will be required. In this case a commuted sum towards offsetting the loss of employment use is not considered

necessary given the existing non-confirming use on site outside a suitable location for offices, as well as the moderate level of employment the use would provide.

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.

It is important to assess element of care would be provided and further details would be suggested in order to determine whether affordable housing is required (Or whether the units would comprise affordable housing) and to determine which standards are applicable.

The LPA is of the view that the proposed use would fall within use class C2. This is because:

- The level of care exceeds that within a C3 use.
- Accommodation is not self-contained.
- 24 Hour care from nurse is available.
- Communal facilities will include multiple activity spaces and residents lounges to encourage socialising.
- Meals and personal services are routinely provided to all residents.
- Supervised facilities will be provided

The detailed floor plans provided show that adequate nursing and care facilities, as well as facilities for residents, kitchens and servicing would be provided.

1.3 Need for Extra Care Housing

In line with policy DM09 proposals for older persons housing need to demonstrate that there is a need for a new extra care centre in this part of Barnet which states:

'Housing proposals for older people should:

- i. help to meet an identified need;
- ii. demonstrate that they will not have a harmful impact on the character and amenities of the surrounding area; and
- iii. be within walking distance of local shops and easily accessible by public transport; and
- iv. provide adequate communal facilities including accommodation for essential staff on site.'

The pre-amble goes on to say:

'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. Providing communal space, both for visitors and staff, on site supports the provision of high quality care for older people, and facilitates visits from friends and family that they value highly. Ensuring adequate facilities for staff will help support them in providing a service.'

A statement has been prepared by the applicant in support of the scheme.

It is noted that the site is not located within a town centre. It is approximately 500m from Golders Green Town Centre. Furthermore, the site is located in an area of moderate accessibility – PTAL Rating 3. As such the site is considered an appropriate location for extra care housing.

The LB Barnet Housing Strategy sets out that the elderly is one the fastest growing population groups and notes that the provision of housing for older people is a 'particular challenge'.

The Core Strategy identifies providing increased housing choice in mixed communities including extra care housing and the need for lifetime homes in order to promote independence and to support vulnerable adults. Evidence forming part of the Core Strategy provided by The Ageing Society shows a continuous requirement for extra care accommodation of about 500 additional homes over the next 15 years. In addition, the Council's Adults and Communities Team support the proposals.

Furthermore, the proposals would assist in freeing up as a result residential accommodation within the area which could contribute to wider housing stock.

It is therefore considered that there is a specific need for the Extra Care housing of the manner proposed.

1.4 Density

There is no specific guidance on density of development for extra care housing schemes.

However, if compared against the standards for general needs residential development in the London Plan the proposals would be policy compliant.

The development density is considered appropriate for the site.

1.5 Unit Mix

The proposals consist of 44x2bedroom units and 2x1bedroom units. It is understood that this reflects typical demand for extra care housing and no objection is raised to this.

2. Impact on the character of the area

2.1 Layout

The proposals would result in an increased footprint of development on site. However it should be noted that the existing site is large in size at 0.67ha and the

existing building on site could be considered to be unusually small in relation to the size of the plot.

The proposed development is considered to be of an appropriate size when in relation to the substantial size of the plot. The site coverage is not considered out of character with other developments in the surrounding area with less than 30% of the site being developed.

It is considered that the proposed layout for the development would involve significant increase in the amount of development on site, but that this would not harmfully detract from the character and appearance of the area given that there is relatively little pattern to the development in the area; consisting of a mixture of linear and cul-de-sac developments as well as mansion style blocks such as this site.

2.2 Scale and Massing

The proposed building would range between 4 and 6 storeys in height. It would take the form of linked blocks connected by linked elements. The north-east block closest to houses on Eden Close and Golders Hill Park would be reduced to 4 storeys in order to achieve more satisfactory relationship to these buildings. The linked elements would help reduce the perceived scale of the proposed development.

Generally development in the immediate area is between 2 and 4 storeys in height, though there are examples of taller development of up to 5 storeys elsewhere on West Heath Road. While the building would be taller than neighbouring buildings it would be set back into the site. As such the additional height would not appear jarring or awkward against neighbouring buildings.

In summer months, the retained trees to the front of the site would help provide setting for the building.

The site is located adjacent to Golders Hill Park. Verified views have been provided in support of the scheme by the applicant. It would appear that some views of the upper floors may be visible from a distance into Golders Hill Park, however it is not considered that this would detract significantly from appearance of the area.

The development would take advantage of the existing slope of the land in order to create lower ground floor level under the existing building.

The Urban Design Team considers that the essential distances are maintained with only minor discrepancies at most and the building seems to sit comfortably behind thick foliage in the spring and summer months, consisting it virtually invisible. In the winter months the building is visible through branches, however the use of materials masks its presence consisting it not overbearing.

Overall, officers consider that the proposals would have significantly more presence than the existing buildings on site, however, in the view of officers the site has scope

to accommodate more development than exists at present. The applicant has designed the scheme in order to minimise these impacts.

2.3 External Appearance

The proposed development incorporates materials such as:

- Metal Louvred Panel
- Warm Toned Brickwork
- Precast Concrete Panel

The Council's Urban Design Team have been consulted on the proposals and are supportive. They consider that the materials presented are demonstrating important design considerations on the surrounding natural and built environment. The materials are tactile and sampled in the right colour palette while allowing for the natural ageing process to happen in depth of time. Stone and wood juxtaposed offers a good mix of earth colours to blend with the intense green surrounds. The glass used as part of the fenestration or balustrading reflects colours and allows for pleasant, inviting visual breaks on the mass of the building.

Officers generally consider that the proposals would be of high design quality. Conditions are suggested regarding materials details in order to ensure that this is delivered if planning permission is granted. However the overall appearance would enhance the surrounding area and contribute positively to the streetscene

2.4 Landscaping

The proposed scheme would increase the built form of the building significantly above what currently exists on site. The built form would retain trees to the edges of the site to retain the wooded character that currently exists. The landscape strategy incorporates enough variation in planting, while considering people's movement through the proposed gardens. The initial comments issued were respected. Buffering applied and enough uses within the garden areas. However it is suggested that additional detail is provided taking into account the tree officer's comments below.

The proposed detailed landscaping scheme is also discussed in the Trees and Landscaping section below in part 4.

3. Affordable Housing

The proposals would provide additional extra care (Class C2) housing. The Mayor's Housing SPG (May 2016) states that 'some boroughs have a surplus of affordable specialist housing (some of it in need of modernisation), but all have a shortfall of private provision, and some demand for intermediate sale products. The type of intermediate products that are suitable for older people are likely to be different to mainstream intermediate products. For example, for older people that own their

current properties outright, shared ownership, which requires rent to be paid on part of the property, is unlikely to be as attractive as shared equity or leasehold for the elderly products where no rent is paid. The intermediate market, particularly for specialist accommodation for older people, is very much an emerging market; boroughs are encouraged to work with providers and developers to devise products that better meet the needs of London's emerging older population. Consultant's report that because of the ancillary services and layout required for new specialist older people's housing, development costs are usually significantly higher than for general needs housing, even when associated direct or indirect revenue streams are netted off. It is therefore important that viability assessments to identify developer contributions are sufficiently sensitive }to take these additional net costs into account. This may require 'bespoke' viability assessments and, if necessary their independent validation. LPAs are encouraged to take these costs into account when developing their local CIL charging schedules and to set a lower CIL rate for specialist older persons accommodation than for general needs housing where viability evidence supports this approach. As with housing generally, the Mayor seeks to encourage rather than restrain development of specialist housing and, in line with NPPF requirements, this requires a thorough appreciation of viability.' }

Barnet's Local Plan does not have a specific policy on affordable housing for extra care accommodation. On recent similar planning applications referred to the Mayor, officers are aware that affordable housing has not been sought. Extra care housing is a relatively new concept and therefore the position regarding affordable housing continues to evolve.

4. Whether the proposals would cause loss of trees of special amenity value

There are three Tree Preservation Orders (TPO) covering and bordering the site; TPO/CA/285 (1994), TRE/HE/3 (1955) and TRE/HE/13 (1972).

- TPO/CA/285 an area order protects trees within the adjacent property within 110 West Heath Road.
- TPO TRE/HE/13 has Area, Group and Tree designations. The Area Order A3 covers land which has applicants referenced tree numbers T16 to T23, T34 to T37 and T41 to T44; G70 protects applicants ref. T6; T89 protects applicants ref. T91
- TPO TRE/HE/3 has an area designation. The Area Order covers land which has applicants referenced tree numbers T25, T26, T31, T32, T33; T46 to T49 and T50 to 95.

The trees and landscaping comments are now revised as there have been further discussions with the Council's Tree Officer. Whilst the objection from tree officers remains there has been further clarity on this issue and this is reflected below. The applicant's arboricultural consultant has provided some clarification which has gone some way to addressing the tree officer's concerns regarding the scheme.

The difference in opinion on the trees now relates only to 5 of the trees on site. 21 trees are to be removed (T34, T39, T41, T42 and T45) A total of 29 trees and 1 group (48) made up of yew trees and mature rhododendron will be removed to facilitate this proposal. 17 of these trees are protected by tree preservation orders TPO/TRE/HE/ 3 & 13.

The applicant has committed to providing a landscaping scheme which proposes significantly planting including 28 trees. 28 new deciduous and evergreen trees are proposed to be planted around the site. The 9m high trees specified, largest available nursery stock, is best available option to start offsetting the loss of trees for this development. The age of the trees removed range between 60 to 100 years plus and therefore cannot be considered a direct replacement. As such there will be a considerable period of time where there is a loss of tree canopy cover in the site.

The sub station is to be located on left side of driveway, currently positioned between T24 and T25. T25 is a young mature yew tree that is developing well and is likely to continue to develop for another 500 years. To achieve this location the yew tree would need to be coppiced and then allowed to regenerate. Trees regenerate faster from coppice stools than when planted T24 will be removed for the sub-station. Then replacement planting will offset the loss in the medium term.

A provisional landscape master plan has been submitted for the landscaping around the building BHSLA-54702.02.08 Rev 8. The primary species selected for offset planting are broadly acceptable being a mixture of evergreen and deciduous trees planted around the boundary of the site. Some minor amendments on species may be required along the back boundary to diversify the species range in the interests of climate change and resilience. 3 Details of the succession planting and long term management is need along the wooded strip along West Heath Road. The size of trees planted will mean that an intensive maintenance regime will be necessary to ensure establishment. These details will need to be submitted. The shrub and herbaceous planting lists are broadly acceptable and final details of locations and densities will need to be provided. The proposal retains all the trees on the boundary accept at the main entrance and removes trees growing in the core of the site. The applicant argues that in terms of visual amenity and impacts this is acceptable. In the view of the tree officer the scheme will result in the loss of existing mature trees and green spaces which make the local character of West Heath Road and surrounding areas. Comments have been provided throughout the design stages to the developer for the retention of additional trees.

The arboricultural method statement will ensure the trees retained for this proposal can be protected and retained in good health if strictly adhered to.

The planning application would be accompanied by Woodland Management Plan secured by legal agreement.

Planning officers acknowledged that the removal of a number of trees is likely to be needed in order to redevelop the site in any viable manner. The wider issue is weighed up in the conclusion of the report.

5. Whether harm would be caused to the living conditions of neighbouring residents

{i 5.1 Daylight and Sunlight}

A Daylight and Sunlight Report by Point 2 Surveyors accompanies the planning application.

This states that {i ‘Overall, the daylight and sunlight effects as a result of the proposed Development are considered acceptable and within the application of the BRE guidelines.’}

Officers have reviewed the document. This comprises assessment of the following:

- Vertical Sky Component (VSC)
- No Sky Line (NSL)
- Annual Probable Sunlight Hours (APSH)
- Average Daylight Factor (ADF)

5.1.1 Daylight

The VSC assessment indicates that 5 windows at 3 Eden Close, 110 & 112 West Heath Road will receive 20-29% less than existing. The Building Research Establishment guidance states that an impact of over 20% is noticeable, though should be noted that this is industry guidance and not Barnet Policy. Subsequent NSL assessment shows that the scheme is fully compliant with BRE guidelines.

5.1.2 Sunlight

The APSH assessment shows that the following rooms within the development would have greater than 20% loss of APSH during Winter:

- 1 room at 3 Eden Close
- 3 rooms at 207 West Heath Road
- 2 rooms at 124 West Heath Road
- 2 rooms at 126 West Heath Road
- 4 rooms at 122 West Heath Road

However, none of these windows would see a reduction in APSH annually.

Officers consider that there may be some loss of amenity to the occupiers at the above neighbouring properties however this will be relatively minor in all instances and the scheme shows general compliance with BRE guidance. This therefore needs to be weighed up within the planning balance when considering other issues.

5.2 Visual Impact and Outlook

In terms of properties to the north at 124 West Heath Road, this property is sited at a lower level than the site property. The proposed development would be lower on this side, reducing to 4 storeys in height. It would be located a significant distance away, at an oblique angle. It is not considered that the proposed development would appear harmfully overbearing especially taking into account the distances involved and screening to be retained.

It is not considered that there would be harmful impact on 112 West Heath Road, located to the front of the site. This impact would be reduced given the considerable distance between the properties and extensive screening.

In terms of the impact on no.3 Eden Close, it is noted that the development is at its closest point to neighbouring boundaries here. However, the development would be a storey lower in height and there is significant screening to the boundary that would be enhanced as part of the proposals.

With respect to no.110 West Heath Road to the rear of the site, the development would be adequate distance from this property to not appear overbearing; again, there is significant screening to the boundary that would be enhanced as part of the proposals.

Overall, whilst the development would be taller in height than the existing buildings on site, the development has been designed in a way to minimise its impact on neighbouring residential properties. Consequently, it is considered that the proposals would have an acceptable impact on the outlook of neighbouring residential properties.

5.3 Privacy

The proposals would generally comply with the 21m distance to neighbouring windows within the Supplementary Planning Document on Residential Design Guidance. The scheme has been designed so that windows are angled away from neighbouring windows on Eden Close and West Heath Road. There would be a distance of at least 21m to the rear windows of 3 Eden Close. Although the scheme would not strictly meet the 10.5m distance to neighbouring gardens (As the distance is approximately 9.5m), there is substantial vegetation screening either side of the boundary with 3 Eden Close. This would be maintained and additional planting would be provided as part of the scheme. Consequently it is not considered harmful overlooking would result.

The middle block would maintain a distance of approximately 12m to the rear boundary of the site and it is not considered that it would cause harmful overlooking.

The southernmost block would maintain distance of 13m to rear boundary with no.110 West Heath Road and approximately 29m between habitable windows which is in excess of the requirements of the SPD.

It is not considered that there would be harmful overlooking to properties to the north (Approximately 20.5m distance at oblique angle to garden) or south on West Heath Road (Approximately 18.5m distance at oblique angle to garden), or those opposite, given the distances between these properties.

It is not considered that the development would result in a harmful loss of privacy to neighbouring or future residents.

5.4 Noise and Disturbance

The proposals are for redevelopment of the site for use as a 46 person extra care facility.

Given the size of the site; the distance of the buildings from neighbouring boundaries, proximity to Golders Hill Park and nature of the use it is not considered that the proposals would result in harmful noise and disturbance to neighbouring residents.

5.5 Light Pollution

The proposed development would feature windows on the elevation facing towards neighbouring properties. These windows would be on the rear side facing 3 Eden Close and 110 West Heath Road, would be behind the corner projecting elements. There would also be windows on the north and south side of the building however these would be a significant distance from properties at 112 and 124 West Heath Road.

Given the nature of the use, size of windows and distance to neighbouring properties it is not considered that harmful light pollution to neighbouring residents will occur.

6. Whether the proposals would provide acceptable living accommodation for future residents

The applicant has provided an ADF study in support of the scheme. This demonstrates that all rooms would have adequate access to daylight.

The communal area design demonstrates comfortable environments that can be of a modular nature and provide ample space for those who are mobility impaired. The circulation corridors efficiently connect communal spaces within the structure.

Overall, it is considered that the proposals would provide a good residential environment for future occupiers.

7. Whether the proposals would have acceptable impact on highway and pedestrian safety

7.1 Site and Car Park Access

It is proposed that the northernmost existing access into the site will be widened to provide a two-way access route in and out of the site. A 5.5m wide vehicle access onto West Heath Road is proposed. Shared access is proposed with a minimum 1.2m wide pedestrian access route clearly identified through the use of paving treatments.

It is proposed that the access will accommodate vehicles up to the size of a fire tender and a 7.5t box van.

Vehicular access to the basement car park located within the Site will be provided via a two-way ramp located in the north-western the building. The ramp will be a minimum of 7m in width and widens at its entrance at ground floor level. The gradient of the ramp ranges between 1:12 and 1:10.

It is proposed that the ambulances and mini-buses can use a dedicated lay-by located close to the main building entrance, providing adequate circulation space to allow other incoming vehicles to pass. The drop off portion of the route will operate as a one-way loop with all vehicles entering from the northern crossover and exiting from the southern crossover.

Any alteration to the existing access affecting public highway will require the applicant to enter into S278 of the Highways Act.

7.2 Parking Provision

The proposal includes a total parking provision of 48 off street parking spaces comprising 2 parking spaces for the staff parking and 2 visitor parking spaces. It is proposed that the 2 visitor's parking spaces would be used by the overnight staff. 44 parking spaces are provided for the residents. Six of the parking spaces are to be accessible parking bays.

Staff parking provision of 2 parking spaces is considered as low provision. However, taking into consideration the following:

- The site located within the walking distance of Town Centre;
- The site in within an 'All day' residential CPZ which would not entitle the staff to with parking permits but the staff will be able to park in the payment parking bays on West Heath Road fronting the site;
- The site is located in a PTAL rating of 3.

On balance, the level of staff parking provision is acceptable on highway grounds.

The site is moderately accessible by public transport and a travel plan will encourage the use of sustainable modes of travel to and from the site for staff and visitors, as well as supporting car free living for residents.

A mobility mini-bus will be available to take groups of residents to and from local services and facilities

The area is subject to a Controlled Parking Zone (CPZ) which limits potential for staff and visitors to park on-street.

The existing vehicular and pedestrian access to the site is will accommodate two-way vehicle and pedestrian movements. The existing site access is not sufficiently wide to accommodate HGV service vehicles. The proposed widening of the site access will ensure that service vehicles can now be accommodated within the site

Considering that there is a residential CPZ in place in West Heath Road in the vicinity of the site, it is unlikely that there will be any detrimental impact as a result of any overspill parking therefore it is considered that an adequate level of parking is been provided.

7.3 Cycle Parking Provision

20 cycle parking spaces are provided in accordance with the London Plan parking standards.

7.4 Public Transport

The closest bus stops to the site are located on Finchley Road near the junction with Dunstan Road. Bus stop Dustan Road (A) towards Cricklewood or Swiss Cottage and bus stop Dustan Road (N) towards Golders Green or Finchley are both within 500 metres of the site and can be reached in a five minute walk. The services operating from these bus stops are:

13, 82, 245, 260, 328, 460 and night bus N13.

7.5 London Underground Services

The closest London Underground station in Golders Green, approximately 750m from the site. The station is on the Edgware branch of the Northern line between Hampstead and Brent Cross and lies within Zone 3 of London's Transport network.

7.6 Public Transport Accessibility Level (PTAL)

The Public Transport Accessibility rating for the site is assessed as 3 which is a moderate accessibility.

It is indicated in the Transport Statement (TS) that the operator will assess the feasibility of providing communal transport to residents in the form of a minibus. The use of this bus would provide an opportunity to increase mobility for residents and would reduce reliance on the private car and other modes of transport. The minibus would be stored within the private delivery bay within the site when not in use.

{\i 7.7 Trips Generation}

Mode	AM Peak Hour (08:00-09:00)			PM Peak Hour (17:00-18:00)			Daily Trip Generation		
	I N	O U T	Total Two way Trips	I N	O U T	Total Two way Trips	I N	O U T	Total Two way Trips
Car Driver Existing Use	2	1	3	1	3	4	41	39	80
Car Driver Proposed Use	3	4	7	3	4	7	39	36	75
Net Change	+ 1	+3	+4	+ 2	+1	+3	-2	-3	-5

The table above compares the vehicular trips during the AM and PM peak hours and the daily trips from the proposed development. The trip assessment in the TS indicates that although there is slight increase in AM and PM trips, there will be a net reduction in daily trips from the proposed development in comparison with the trips generated by the existing use on the site.

Therefore the level and characteristics of trips associated with proposed development are not expected to have any detrimental impact on public highway.

Considering the number of staff to be employed is approximately 20 it is unlikely to result in any significant additional trip generation.

7.8 Servicing Trip Generation

It is proposed that the overall servicing trip generation will be less than seven deliveries per day during weekdays.

With the exception of refuse collection, all other servicing activity and deliveries will be accommodated off-street within the site and will have no impact upon the operation of the highway network.

All servicing activity associated with the general operation of the site will also be managed to ensure that simultaneous deliveries are avoided as far as practicable.

7.9 Refuse

It is proposed that the refuse will be handled within the site by Facilities Management (FM). On collection days, FM will trolley bins to the collection point, which will be on the north side of the vehicle access, close to West Heath Road for collection by refuse vehicle stationed on West Heath Road.

Waste Management strategy has been submitted with the application.

7.10 Construction Management Plan (CMP)

A construction management plan has been submitted with the application. The proposed development must be constructed in accordance with the CMP and careful consideration must be given to the optimum route(s) for construction traffic to minimise the impact of the development on the public highway network.

7.11 Travel Plan

A travel Plan is proposed as part of the development proposal. A contribution of £5000 will be required toward the monitoring of Travel Plan.

Summary of Obligations and Contributions required:

The following contributions and commitments associated with the Travel Plans (TP) are sought under S 106 Agreement.

- Travel Plan - The applicant shall enter into a Travel Plan Statement that seeks to reduce reliance on the use of the private car and to ensure the sustainability of the development. The Travel Plan shall include the following obligations to facilitate modal shift in the choice of transport mode available to staff and residents as follows:-
 - Travel Plan monitoring contribution of £5,000
 - Staff Travel Plan Incentive fund contribution of £150 per staff will be required to be selected from the following:
 - Oyster card with £150 credit uploaded
 - £150 towards membership of a car club with the residual amount as driving credit with the car club
 - £150 bike voucher.

8. Whether the proposals would have acceptable impact on stability and hydrogeology

A Basement Impact Assessment (BIA) has been submitted with the proposals. This has independently reviewed by Campbell Reith on behalf of the Local Planning Authority. They have found the document to be acceptable and have suggested conditions be attached to any grant of planning permission.

9. Whether the proposals would have acceptable ecological impact

The Extended Phase 1 Habitat Report (EP1) and Bat Reports (WSP| Parsons Brinckerhoff, 2016) which have been submitted with the application have been reviewed by ecological officers on behalf of the LPA.

In order to address the requirements of protected species legislation and the requirements of National Planning Policy Framework (NPPF) in aiming to achieve sustainable development, the following measures will need to be adopted within the development and it may be advisable to secure these as appropriately worded conditions.

To ensure that there are no adverse impacts upon protected species, the neighbouring Hampstead Heath Site of Metropolitan Importance for Nature Conservation (SMINC) and associated Habitats of Principal Importance such as the Lowland Mixed Deciduous Woodland, the recommendations set out in the Preliminary Avoidance and Mitigation Measures sections 6.3.1 of the Extended Phase 1 Habitat Report should be implemented and could form planning obligations or suitably worded conditions. These works should be carried out by, overseen or advised by a suitably experienced ecologist and in strict adherence to the submitted CEMP (WSP| Parsons Brinckerhoff, 2016).

The bat report confirms that bat roosts supporting soprano pipistrelle (maximum seven) and common pipistrelle (maximum five bats is present in the Victorian Villa Buildings (B3). Bats and their roosts are protected by European and UK legislation and the development must demonstrate how it will avoid or mitigate impacts to the bat roosts to ensure all material considerations in relation to protected species are addressed through the suitability of the application.

The bat mitigation strategy put forward within Section 6.2 (onwards) of the bat reports and the details provided in Section 6.3 outline the provisions required to compensate for roosting opportunities presently available at the site. These appear to be appropriate and must be agreed with the applicant, ecologist and architect and confirmed they will be adopted through a Biodiversity Enhancement Plan that must be submitted by the applicant to the LPA to illustrate that these will be incorporated within the development.

It is also advised that the recommendations for lighting (Section 6.3.5) of the Bats Tree Survey Report and Bats Building survey report must be adhered to, so as to minimise disturbance to bats and other nocturnal species and should form part of the mitigation strategy for the site.

As the existing Victorian Villa Buildings (B3) is a confirmed roost for soprano and common pipistrelle a licence must to be obtained from Natural England, for the demolition of this building. A condition should be attached to the application to state that works shall not commence until the LPA has been provided with the licence in relation to Bats issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising that the works can go ahead.

10 Whether the proposals would have acceptable impact on flooding and drainage issues

The site is not located within an area of flood risk, and the site is less than 1 hectare in area. However the site is within a Critical Drainage Area. The Flood Risk Assessment indicates that the site is not at risk of surface water flooding, sewer flooding, reservoir flooding, or flooding from rivers or seas. The redevelopment includes impermeable surface area with the potential to generate run-off. In order to mitigate this the Basement Impact Assessment states that rainwater harvesting will

be undertaken by means of underground tank storage and hydrobrakes, which will limit the offsite discharge.

The lead local flood authority have been consulted on the proposals and have no objection subject to conditions being attached .

The proposals would have an acceptable impact on local drainage and flood risk.

11. Whether the proposals would have acceptable security impact

Planning officers have consulted with the Metropolitan Police Designing Out Crime advisor and no objections were raised.

The Metropolitan police advise that they would expect this development should incorporate all of the Secured by Design requirements detailed with in the Homes 2016 Guide, where at all possible. The proposals would need to comply with Secure by Design requirements and a condition is attached in order to secure this.

The proposals are considered to have an acceptable impact on security in the area and would not result in a harmful loss of security to neighbouring residents or increase to antisocial behaviour.

12. Sustainability Issues

12.1 Energy

The planning application is accompanied by an Energy Statement, which states that A gas-fired CHP is proposed as the lead heat source for a site-wide heating scheme. The applicant advises that a number of renewable technologies have been appraised in terms of technical, physical and financial feasibility, as potential renewable systems for use on the project. The scheme would incorporate solar Photovoltaic panels and the applicant estimates that a 15kWp array could be installed.

In line with GLA policy requirements, Carbon Dioxide emissions reductions would be approximately 35% below the target emission rate (Part L of Building Regulations 2013). It should be noted that since the submission of the scheme, the Mayor has introduced a standard for Major Residential developments to meet Zero Carbon standard.

12.2 Accessibility

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2) and M4(3). The applicant has confirmed that the proposed development would meet this requirement, and a condition [is attached/would be attached in the event planning permission is granted] to ensure compliance with these Policies.

12.3 Water Usage

In terms of water consumption, a condition [is attached/would be attached in the event planning permission is granted] to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet acceptable sustainability and efficiency standards.

13. Section 106 Issues

The applicant has agreed to provide a legal agreement in order to provide the following necessary planning obligations

- Woodland Management Plan
- Local Employment Agreement
- Travel Plan
- Travel Plan monitoring contribution
- Staff Travel Plan Incentive fund contribution

These obligations are considered to be appropriate in accordance with NPPF guidance and the CiL Regulations.

In addition, the development would need to make a contribution of £406,525 towards Mayoral CiL and £1,568,025.00 towards Barnet CiL.

5.4 Response to Public Consultation

Highways Impacts

Highways issues are addressed within the main report.

Construction Issues

The applicant has suggested a detailed construction management plan in support of the scheme. Furthermore issues relating to basement construction are addressed within the basement impact assessment. Conditions are suggested to ensure that these are enacted.

Generally speaking noise and disturbance during construction is not reason to withhold planning permission. It is principally dealt with under Environmental Health legislation.

Appearance of Development

The site is adjacent to Golders Hill Park and in a general conservation area, the proposed development will change this quiet spot and bring in road congestion to an area where there is already congestion and limited parking to local residents. – {\i Site is not within a conservation area}

Overall our feeling is that this building should remain as it is, a 3 storeys Victorian house with pitched roof and no windows overlooking our rear elevation. {\i – Given building is not statutory listed or within a conservation area, LPA cannot insist on it's retention}

Our principal concern is that this development application is well crafted but is vastly over density. At the moment we see a building of three floors against a 4/5 floor plus basement which is excessive and pulling nearly 50 flats on site is not good planning.

– *Addressed in main report*

Much is discussed in the Applicants Design and Access statement regarding the form and design of the proposed building, but in the documents, the applicants themselves have provided a 3D image which illustrates perfectly the point that the proposal is simply out of scale with this sensitive, historic neighbourhood. The existing buildings on the site vary in size and scale, and notwithstanding a significant footprint, the small-scale of the individual components are important contributors to the grain of the built form, and typical of the Conservation Area.

Extracted from daylight, sunlight & over shading report by Point surveyors The proposal, however, is, by comparison, a monolithic block, the scale of a hospital, completely out of character with its neighbours, which themselves are not small structures. Proposed development 3D model. Extracted from daylight, sunlight & over shading report by Point surveyors. {\i Addressed in main report}

As stated in the introduction, the grain of the area is made up of small-scale buildings, often linked or closely adjacent one to the other, to produce a varied and interesting organic form of development, brutally ignored in this proposal. The cruciform of the proposal, which is ideal for allowing light into all units, does nothing to break up the form of the proposal to any effect, and each of the "arms" of the cruciform are too large on their own, and the sum of the parts is grossly out of proportion. Opportunities and constraints with proposed scheme overlaid. Extracted from the submitted Design and Access Statement, page 24. {\i Addressed in main report}

The 3D drawing on page 2 and the overlay below shows the sheer bulk of the new proposal, particularly when compared to what was there before. It can be seen that the homogenous form and massing totally overwhelms the houses around it on all sides. – {\i Addressed in main report}

It is perfectly clear from the Applicant own submission, that the easily recognisable pattern of development in this area is on the road edge. Notwithstanding the fact that

the existing buildings on the site are set back, this is no longer the predominant pattern of development, and this has been ignored, in our view, indicating a general failure to understand the context. Google Maps extract with West Heath Road street alignment. {\i Addressed in main report}

Amenity Issues

We are concerned that the newly erected construction will be higher than current therefore we no longer have privacy as we had over so many years. The building will come very close to our fence and windows my overlook to over garden. There is a road also leading to both the properties which we share. The proposed construction will bring more traffic to the road in question therefore we need to know how planners will deal this or the plan entails only one access to the property via current main entrance. {\i Addressed in main report}

No drawing was provided as part of the application to show clearly the comparison between the existing buildings on site and the proposed buildings. {\i This is not considered necessary in order to assess the proposals. Addressed in main report}

This will be the new outlook from my clients' properties if the scheme is built as currently proposed, and this will be just 21meters from his house windows - that is half the width of a football pitch. {\i Addressed in main report}

It is well known that the elderly do not sleep quite as long as younger people, and it is very likely therefore that there will be lights on the upper stories during normal sleeping hours. {\i Addressed in main report}

There are 64 windows proposed on the elevation facing my clients' houses, as well as the fully glazed penthouse floor. Light from all these windows will shine straight into the windows of the first floor bedrooms at 1 and 2 Eden Close. These two houses are already badly affected by the lights from the new school on the corner of Eden Close and West Heath Road. If the building was lower, this would be less of a problem. {\i Addressed in main report}

Officers have considered the points raised by the Corporation of London and consider that they are generally addressed in the report to committee. It should be noted that the applicant has provided a detailed townscape assessment including verified views and this illustrates that the views from the park would be limited. Furthermore the proposed building is considered to be of high quality design and is in keeping within the area. Highways and tree issues are dealt with within the 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 extra care housing for which there is known need within the borough. This will provide accommodation for those in need of care.

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

The proposals would create additional extra care units to meet an identified need within the borough and these needs to be given significant weight in any decision.

The design of the scheme is generally considered to be of high quality and will result in development that although larger than the existing buildings on site will contribute well to local character. Furthermore this outweighs any concern regarding the loss of the Non-Designated Heritage Asset.

The proposals will result in the loss of trees of special amenity value. The applicant has tried to mitigate this and take into account tree officers comments however there will still be an impact. This weighs against the scheme and officers give this moderate weight.

It is also considered that there may be some overshadowing and loss of light to neighbouring occupiers but this will be minor in nature.

Overall, weighing the issues up it is considered that the benefits of the scheme are significant enough to outweigh the harm caused. The proposals are therefore recommended for approval.

