

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

Reference: **17/2105/S73**

Received: 31st March 2017

Accepted: 20th April 2017

Ward: **Mill Hill**

Expiry 3rd July 2017

Applicant: **Barnet Homes**

Proposal: Variation to condition 1 (Plan Numbers) pursuant to planning permission 15/00568/FUL dated 18/05/2015 for `Demolition of existing buildings and for the construction of a three storey building with rooms in roofspace to provide extra care residential development (Use Class C2) to provide 51 no. 1 and 2 bedroom flats, served by a new vehicular access off Milespit Hill, with associated parking, landscaping and associated development thereto` Amendments to include internal changes to provide an additional 2 apartments

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan

P2303.1 .002

P2303.1 .003

AL4286/2000

AA4286 2001

AA4286 2002

AA4286 - 2010 rev. D

AA4286-2011 rev. C

AA4286 - 2012 rev. C

AA4286 - 2020 rev. D

AA4286 - 2021 rev. B

AA4286 - 2022 rev. B

13298/TM/1

Design and Access Statement

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 the original planning permission which was granted on 18 May 2015.

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

- 3 The development shall be implemented and permanently retained in accordance with the details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highways and other changes proposed in the levels of the site, which were approved on 16 November 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 3 of planning permission reference 15/00568/FUL.

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 2016.

- 4 The exterior materials used in the construction of the approved development shall be in accordance with the details approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 4 of planning permission reference 15/00568/FUL. The development shall then be retained in accordance with the approved exterior materials details.

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 2016.

- 5 The development shall be carried out in accordance with the Demolition and Construction Method Statement that was approved on 16 November 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 5 of planning permission reference 15/00568/FUL.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.21 of the London Plan (2016).

- 6 a) The development shall be constructed, operated and retained in accordance with the following details of refuse and recycling facilities and provision, which were approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 6 of planning permission reference 15/00568/FUL:
- (i) Refuse and Recycling Collection Strategy.
 - (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
 - (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 7 Site works and development (including any temporary enabling works, site clearance and demolition) shall take be carried out only in compliance with the British Standard BS5837: 2012 compliant tree protection details that were approved on 16 November 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 7 of planning permission reference 15/00568/FUL. No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the tree protection plan approved under this condition has been erected around existing trees on site, and this protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

- 8 The arrangements to ensure that affordable housing is provided on site, which have been approved under Local Planning Authority 16/5661/CON in accordance with condition 8 of planning permission reference 15/00568/FUL on 12 October 2016, shall be implemented in accordance with the approved details and be retained permanently as such thereafter.

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

- 9 Extraction and ventilation equipment required for the development shall be installed before the first occupation of the development or use is commenced, using anti-vibration mounts in accordance with the following details approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 9 of planning permission reference 15/00568/FUL. The development shall then be retained as such thereafter.

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

- 10 Noise mitigation for the approved extraction and ventilation equipment shall be implemented before the first occupation of the development or use is commenced in accordance with the details approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 10 of planning permission reference 15/00568/FUL. The development shall then be 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 October 2016) and Policy 7.15 of the London Plan 2016.

- 11 The Drainage Strategy and Sustainable Urban Drainage System features approved in accordance with London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 11 of planning permission reference 15/00568/FUL, shall be implemented before the first occupation or use of the development and shall then be retained as such thereafter.

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 October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

- 12 a) The hard and soft landscaping scheme approved in accordance with condition 12 of Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 12 of planning permission reference 15/00568/FUL, shall be implemented before the first occupation or use of the development.

b) 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 October 2016) and 7.21 of the London Plan 2016.

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

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

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

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

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policies polices London Borough of

Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

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

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

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

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

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

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

- 18 The development shall be operated in full accordance with the Travel Plan which was approved on 1 November 2016 under Local Planning Authority 16/6068/CON, in accordance with the requirements of condition 18 of planning permission reference 15/00568/FUL.

Reason: To ensure that the development is sustainable in terms of transport for staff and visitors, in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012).

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

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

- 20 The details set out in the Energy Statement which was approved on 12 October 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 20 of planning permission reference 15/00568/FUL shall be implemented in accordance with the approved details and shall be retained permanently as such thereafter.

Reason: To ensure that the proposals achieve satisfactorily environmental performance in accordance with policy 5.2 of the Mayor's London Plan 2016.

- 21 All tree felling and pruning works shall be carried out in full accordance with the Tree Felling Specification which was approved on 12 October 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 21 of planning permission reference 15/00568/FUL and in accordance with British Standard 3998 (Recommendation for Tree Works).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

- 22 The provision for disabled access to the development, which was approved by London Borough of Barnet reference 16/7110/CON on 23 January 2017 as required by condition 12 of planning permission reference 15/00568/FUL, shall be implemented before the first occupation or use of the development and retained thereafter.

Reason: To ensure adequate access levels within the development in accordance with Policy DM03 of the Development Management Policies DPD (adopted September 2012) and Policy 7.2 of the London Plan 2016.

- 23 The details for wheelchair accessible / adaptable units approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017 as required by condition 23 of planning permission reference 15/00568/FUL shall be implemented before the first occupation or use of the development and retained thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2016.

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

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

25 The premises shall be used for extra care residential purposes 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.

Officer's Assessment

1. Site Description

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

The site is located on the north side of Pursley Road forming a corner with Milesplit Hill. It is noted that there is a garage block to the north-east that does not form part of the site. The existing building is two storeys in height with a flat roof, and has a dated appearance.

The site is approximately 0.42 hectares in area. Trees on adjacent Mill Hill Cemetery site to the north are included within an area Tree Preservation Order. Mill Hill Cemetery is located within Mill Hill Conservation Area.

2. Site History

W00465 - Erection of old peoples dwellings and 23 Garages

Reference: W00465

Decision: Approved.

Decision Date: 2 February 1966

Description: Erection of old peoples dwellings and 23 Garages.

Reference: 15/00568/FUL

Decision: Approved with conditions

Decision Date: 18 May 2015

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

Reference: 16/5661/CON

Decision: Split Decision

Decision Date: 12 October 2016

Description: Submission of details of condition 3 (Levels) 5 (Demolition and Construction Method Statement) 7 (Tree Protection Plan) 8 (Affordable Housing) 20 (Energy Statement) 21 (Tree Felling) pursuant to planning permission 15/00568/FUL

Details were approved for conditions 8 (Affordable Housing), 20 (Energy Statement) and 21 (Tree Felling).

Reference: 16/6068/CON

Decision: Approved

Decision Date: 1 November 2016

Description: Submission of details of condition 18 (Travel Plan) pursuant to planning permission 15/00568/FUL

Reference: 16/6795/CON

Decision: Approved

Decision Date: 16 November 2016

Description: Submission of details of condition 3 (Levels) 5 (Demolition and Construction Method Statement) 7 (Tree Protection Plan) pursuant to planning permission 15/00568/FUL

Reference: 16/7110/CON

Decision: Approved

Decision Date: 23 January 2017

Description: Submission of details of conditions 4 (Materials) 6 (Refuse and Recycling) 9 (Extraction and Ventilation) 10 (Noise) 11 (Drainage) 12 (Landscaping) 22 (Disabled Access Point) and 23 (Wheelchair Units) pursuant to planning permission 15/00568/FUL

Reference: 16/7216/NMA

Decision: Approved

Decision Date: 6 December 2016

Description: Non-material amendments to planning permission reference 15/00568/FUL dated 18/05/2015 for 'Demolition of existing buildings and for the construction of a three storey building with rooms in roof-space to provide extra care residential development (Use Class C2) to provide 51 no. 1 and 2 bedroom flats, served by a new vehicular access off Milesplit Hill, with associated parking, landscaping and associated development thereto.' Amendments include Removal of secret gutter, replaced with standard gutter and rain water pipe arrangement, omission of top floor canopy over pop out balconies, external stores to inset balconies, Juliette balconies to bedroom windows only and replace with full height window, retain 6 Juliette balconies where they are located on the living room windows. Changes to the north elevation to reflect larger 1 bedroom apartment at the end of corridor location. Remove kitchen windows to internal corridors. Internal adjustments to the communal areas including relocation of main entrance. Additional inset balcony to top floor, facing Pursley Road. Other minor amendments to the style of some ground floor and roof light windows to accommodate manufacturers requirements.

3. Proposal

The application is for a change to the number of units to be provided in the extant planning permission for the redevelopment of the site, which is noted above, by increasing the number of apartments from 51 as in the approved scheme to 53 apartments. The additional two apartments would be provided by making internal changes within the building envelope, which would be achieved by rearranging the communal and ancillary spaces within the scheme as approved in the extant permission. Minor changes in the internal floor plans and external elevations were previously approved under 16/7216/NMA as noted in the site history above, and there would be no changes to the external building envelope in this application. The overall proposals remain the same as in the existing permission, namely the demolition of the existing buildings and the construction of a three storey building with rooms in roofspace to providing a mix of 1 and 2 bedroom flats as extra care residential development (Use Class C2), served by a new vehicular access off Milesplit Hill with associated parking and landscaping.

The additional accommodation would consist of two flats and increase the number of one bedroom units in the approved scheme from 48 to 50. The provision of 3no.two-bedroom units would remain unchanged from the approved scheme. The additional accommodation would be as follows:

- A 54 sqm flat at ground floor level which would be provided by reducing the area for communal use;
- A 66 sqm flat would be provided at third floor (roof) level by utilising space shown in the approved drawings as a store and rest area for the care team.

Other key aspects remain in the approved scheme (including non-material amendments in 16/7216/NMA):

Parking provision would be unaltered from the extant permission, with nine spaces to be provided on site and in addition a drop-off area. To the south and east of the site would be communal gardens with a courtyard to the north. The fourth floor level would be confined to the west part of the building fronting Milesplit Hill and the corner of Pursley Road, and would be contained within the roofspace. Communal rooms would be mainly on the ground floor and include a communal lounge, library and dining room / cafeteria.

4. Public Consultation

Consultation letters were sent to 76 neighbouring properties.

No neighbour comments have been received.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 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 over the next 20 to 25 years. 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.

- Relevant London Plan Policies: 3.3, 3.4, 3.5, 3.8, 3.10, 5.2, 5.3, 5.7, 6.1, 7.1, 7.2, 7.4 and 7.6.

Barnet's Local Plan (2012)

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

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

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

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

Supplementary Planning Documents

Mayor of London's Housing SPG

- This sets out a range of Standards for residential development in London.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to assist in the design of new residential development. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

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.

5.2 Main issues for consideration

The main issues for consideration in this case is whether the changes in the scheme from those approved in planning permission 15/0568/FUL are acceptable, and whether the proposed amendments have any other impacts on the conclusions of

the assessment of the scheme under the previous application. These are considered as follows:

- The impacts of providing additional accommodation at the site;
- The impacts of the internal changes on the standard of accommodation to be provided;
- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 15/0568/FUL.

- The impacts of providing additional accommodation at the site.

On the basis of increased numbers of approximately 4%, the additional accommodation is likely to generate a small increase in staff requirements and visitor numbers at the site. It is considered that the only likely impacts would result from additional transport demand. In conjunction with the Travel Plan, the existing car parking provision and cycle storage is considered sufficient for the needs of the development. The impacts of providing additional accommodation at the site are therefore minor and acceptable.

- The impacts of the internal changes on the standard of accommodation to be provided.

The proposal would result in some reduction in size of communal areas. The reduction in communal areas will be balanced by the rearrangement of residents' lounge and a more efficient operational use of the residents' dining areas which will include two sittings for meals. A staff rest area would be removed in the amended plans, but reprovided in another part of the third floor in an area previously designated as a staff office. The reduced in the communal and staff rest areas are therefore considered acceptable.

- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 15/0568/FUL.

The principle of the acceptability of the development was established in planning permission 15/0568/FULL, and remains unchanged. The provision of extra care housing, primarily for older people with disabilities who are able to live safely on their own, is fully supported by planning policy and by other corporate objectives. The facility would provide care for residents with varying needs, including a majority of residents (50%) with high level care needs, including residents with advanced dementia, and smaller numbers of residents with medium (25%) and lower (25%) level care requirements. Policy CS4 states that: 'We will aim to create successful communities in Barnet by... seeking a variety of housing related support options that

maximise the independence of vulnerable residents including young people, people with disabilities, older people, homeless people and other vulnerable adults'. The amendments in this scheme continue to provide for this need, and increase its provision albeit at a modest scale.

The applicant has advised that the units would be available at affordable rent for residents and therefore fulfils the intentions of the Council's affordable housing policies.

Other issues considered in the 2015 application established that the proposals are satisfactory in regard to the following issues:

- Character and appearance of the existing building;
- Impact on the Mill Hill Conservation Area, the street scene and the wider locality;
- The living conditions of neighbouring and future residents;
- Impacts on trees of special amenity value;
- Highways and pedestrian safety
- Car parking and cycle store provision;
- Refuse and recycling;
- Construction impacts;
- Provision of a Travel Plan;
- Sustainability/Environmental issues;
- Flooding and drainage; and
- Ecology issues.

Conditions included in the above recommendation required details to be submitted in respect to a number of aspects of the proposals, while others represent on-going requirements in the development. In order to ensure the continued acceptability of the scheme, the majority of the conditions of the extant permission will be carried over unaltered. Where conditions details required by the extant permission have already been approved, the relevant conditions as recommended above have been modified to reflect this. Subject to these recommendations, there are no other matters which affect the recommendation in the original permission, and the proposals remain acceptable.

5.4 Response to Public Consultation

No responses were received.

6. Equality and Diversity Issues

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

"(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

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

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

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

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

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

The impact on existing residents of the site has been considered. It is recognised that the occupiers are likely to be disabled and/or elderly and as such are more sensitive to noise and disturbance during works. They are also more likely to spend

the majority of their time within the building. Therefore, conditions have been suggested in order to ensure that an appropriate construction method statement is provided, as well as ensuring that works take place in reasonable hours. In terms of the relocation of residents from the site, this will be managed by Barnet Homes. It is understood that the Sheltered Housing Team at Barnet Council have consulted with the existing tenants about the redevelopment of the site.

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

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

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters.

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

7. Conclusion

Having taken all material considerations into account, it is considered that the amendments in this application to provide two additional flats within the approved development are satisfactory, and that subject to the recommended conditions the changes to the original scheme will be compliant with the Adopted Barnet Local Plan, the London Plan and National Planning Policy Framework policies. This application is therefore recommended for approval.