

**LOCATION:** Edgware Community Hospital  
Burnt Oak Broadway  
Edgware  
HA8 0AD

**REFERENCE:** 21/0274/OUT Validated: 19.01.2021

**WARD:** Burnt Oak Expiry: 20.04.2021

**APPLICANT:** NHS Property Services Limited

**PROPOSAL:** Outline application for the demolition of existing buildings and phased redevelopment of surplus land to provide 129 residential units (Use Class C3), flexible use commercial floorspace (Use Class E) in buildings ranging from 5-7 storeys along with car parking, servicing bays, associated landscaping / amenity space, plant and refuse areas (All matters reserved except for access arrangements)

## **RECOMMENDATION**

### Recommendation 1

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 of seeking to secure the following, subject to any changes as considered necessary by the Head of Development Management:

1. Legal Professional Costs Recovery

The Council's legal and professional costs of preparing the Agreement and any other enabling arrangements will be covered by the applicant

2. Enforceability

All obligations listed to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

3. Indexation

All financial contributions listed to be subject to indexation.

#### 4. Residential Travel Plan

A full Residential Travel Plan to be secured. The document shall set out details of the likely workplace locations of the prospective residents and include sustainable travel plans to each of these locations including active measures to promote sustainable travel to each of the locations. A travel plan monitoring fee of £5,000.

In addition, Residential Travel Plan incentives to be secured with each 1st household to be offered to select 2 of the 3 following incentives to the value of £300 (up to a maximum of £38,700):

- Oyster card with £150 credit
- Cycle shop voucher to the values of £150
- Car club credit/membership to the value of £150

#### 5. CPZ Review

- £40000 towards CPZ review / implementation which would include:
  - Fresh set of parking beat surveys including an analysis report
  - Scheme design
  - Informal consultation
  - TROs - stat consultation
  - Implementation (infrastructure, signs, lines & stats)

#### 6. Highway Works

Section 278 works as necessary to facilitate access to the development.

#### 7. Employment and Enterprise

The applicant would be expected to enter into a Local Employment Agreement to provide the following employment outcomes as a minimum:

- Progression into employment (under 6 months) – 5
- Progression into employment (over 6 months) – 3
- Apprenticeships – 7
- Work Experience – 13

An in lieu contribution of £10,000 would be secured for every apprentice not delivered and an in-lieu contribution of £5340 would be secured for every other employment outcome not delivered.

8. Carbon Reduction Contribution

In order to contribute towards the London wide net zero target, the applicant would be required to mitigate the regulated CO2 emissions, through a contribution to the borough's offset fund. This contribution would be predicated on the formula set out within published GLA guidance as follows - CO2 emitted from the development (tonnes) per year) minus (CO2 target emissions (tonnes) per year) x £1800.

9. Car Club

The Residential Units cannot be occupied until details of the Car Club Scheme has been submitted to and approved by the Council in writing.

10. Affordable Housing

**Option 1**

0% affordable housing subject to a review mechanism (CIL monies to be fully payable).

**Option 2**

Prior to the commencement of the chargeable development, and assuming that the Council continues to make available Exceptional Circumstances Relief, the party assuming liability for the CIL will notify the collecting authority of the commencement date and make an application for Exceptional Circumstances Relief prior to commencement.

The LBB will promptly review the claim and confirm its decision within [3] months of receipt of the Exceptional Circumstances Relief submission. If LBB does not determine the Exceptional Circumstances Relief Submission within 3 months, the Plot A development will proceed on the basis of Option 1.

If the LBB decides to offer the full Exceptional Circumstances Relief, 10% of the proposed residential units on Plot A will be provided as Shared Ownership Units. An affordable housing delivery schedule including a mix of the units to be provided shall be provided to the Council.

If LBB decides not to offer the Exceptional Circumstances Relief the proposed scheme will move forward as per Option 1

## Recommendation 2

That upon completion of the agreement specified in Recommendation 1, the Service Director Planning & Building Control or Head of Strategic Planning to approve the planning application reference 21/0274/OUT under delegated powers, subject to the conditions set out within this report.

That the Committee also grants delegated authority to the Service Director Planning & Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

## **MATERIAL CONSIDERATIONS**

### **Relevant Planning Policy**

#### **Introduction**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

### **The London Plan**

The London Plan (2021) published 2<sup>nd</sup> March 2021 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. This document replaced the London Plan 2016.

### **Barnet Local Plan**

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012.

#### Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6<sup>th</sup> January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

### **National Planning Guidance:**

National planning policies are set out in the National Planning Policy Framework (NPPF) (2019).

The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes

a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan.

#### The Community Infrastructure Levy Regulations 2010:

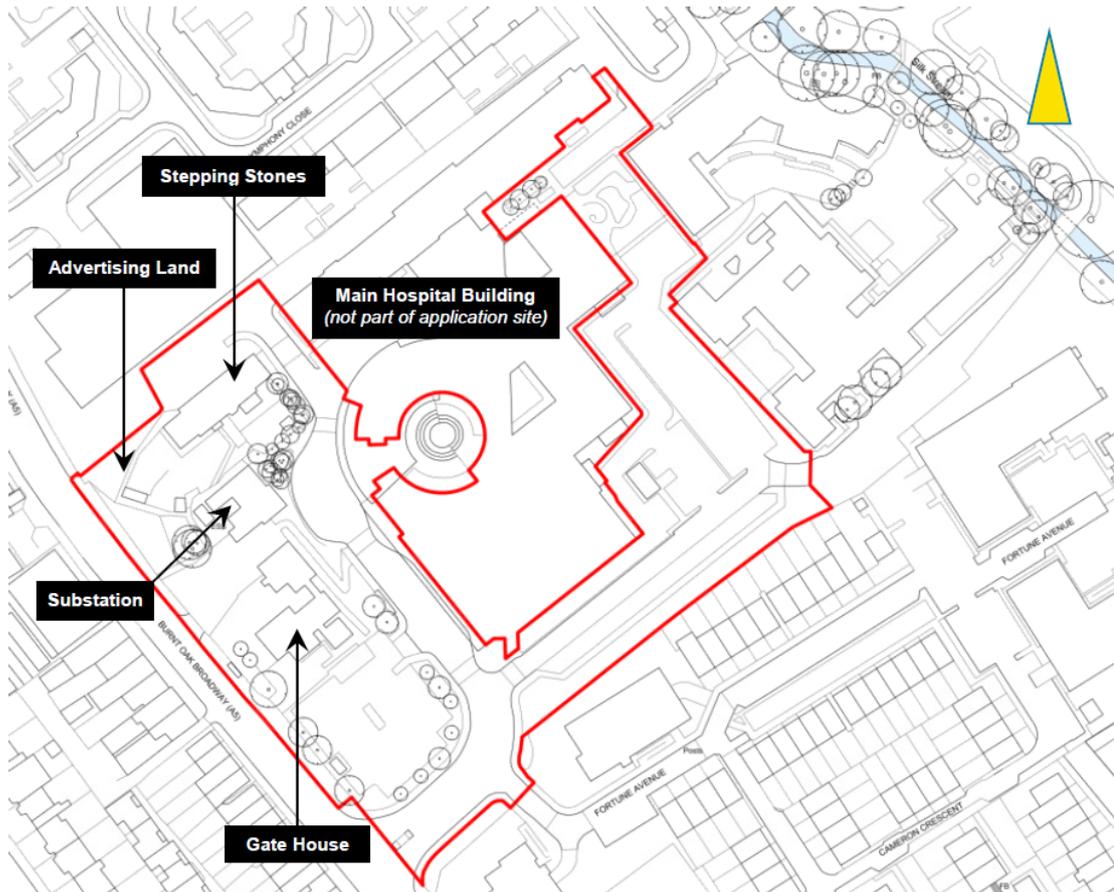
Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

### **1.0 Site Description**

1.1 The application site comprises part of the wider Edgware Community Hospital site, located to the east of the A5 (Burnt Oak Broadway) and south of the A5109 (Deansbrook Road). The Applicant has also acquired an adjacent advertising hoarding site to include as part of the proposal. The site extends to approximately 1.5 hectares and includes a number of buildings within the wider hospital estate which are set out as follows:

1. Gatehouse – This building was originally used as part of the hospital and more recently it has accommodated local police. The building is currently vacant and is surplus to hospital needs.
2. Sub-station and back-up generators– this provides power to other buildings on the wider hospital site.
3. 'Stepping Stones' – the name of this building comes from the nursery that used to occupy it. The nursery use ceased five years ago and the building currently accommodates administration staff.

1.2 These buildings are identified on the site plan below.



- 1.3 Both vehicular and pedestrian access to the Site is currently from Burnt Oak Broadway. A pedestrian crossing is located in immediate proximity to the vehicular access point on Burnt Oak Broadway.
- 1.4 Most of the site has a PTAL rating of 3, with the southern corner having a PTAL of 4. Burnt Oak London Underground station is located approximately 0.6 km south east of the Site.
- 1.5 The site is not located within a Conservation Area and there are no listed buildings located on the site. Watling Estate Conservation Area is located to the north-east of the wider Hospital site on the opposite side of the London Underground line.
- 1.6 The Site is in Flood Zone 1 on the Environment Agency's 'Flood Map for Planning' which indicates low risk of flooding,

**2.0 Proposed Development**

- 2.1 Outline permission is sought for the demolition of existing buildings and phased redevelopment of surplus land to provide 129 residential units (Use Class C3),

flexible use commercial floorspace (Use Class E) in buildings ranging from 5-7 storeys along with car parking, servicing bays, associated landscaping / amenity space, plant and refuse areas.

- 2.2 The application is in outline with only detailed consent sought for access and all other matters reserved.
- 2.3 To facilitate the development, three existing buildings will be demolished. The existing substation will be moved to a vacant strip of land facing the hospital access road. The existing billboards located on the western part of the Site along Burnt Oak Broadway will also be removed to accommodate the proposed development.
- 2.4 The aforementioned would facilitate development comprising the creation of 129 residential dwellings (Use Class C3) and 164 sqm. (GIA) of flexible floorspace (Use Class E) located at the ground floor level.
- 2.5 The development would have a height of between 5 and 7 storeys and would provide a new direct access pedestrian route through to the hospital from Burnt Oak Broadway.
- 2.6 A total of 13 car parking spaces are proposed, including four disabled parking spaces, at a ratio of approximately 0.1 spaces per unit. As part of the development there would also be a slight reduction in staff parking spaces at the hospital, with patient parking being unaffected.
- 2.7 A total of 225 long stay cycle parking spaces will be provided within secure cycle stores in each building. 34 short stay cycle parking spaces will be provided in the public realm for use by visitors.
- 2.8 Private roof terrace gardens are proposed and each unit will have access to a private balcony. Green roofs are also proposed for each of the three blocks and new tree planting is intended. The proposed development also involves landscaping works to the existing amphitheatre in the centre of the main hospital building which is currently closed off to the public.

### **3.0 Relevant Planning History**

- 3.1 The following is considered relevant to the consideration of the current application:
  - W00546BA/02 – Variation of condition to extend planning permission for the redevelopment of hospital and Blood Transfusion Centre to provide a

Community Hospital building up to 3-storeys in height, 8.8 acres of residential and a doctor’s surgery – Planning permission granted 1 March 2002.

- Ref. W00546CA/06 – Reserved matters approval for erection of 248 dwellings, comprising 43 houses within 9 terraces and 205 flats in 5 blocks with access to hospital access road, being details of siting, design, external appearance, landscaping (except within the buffer zone of the stream) and means of access of residential phase only, pursuant to Condition 3 of outline planning permission W00546BA/02 for redevelopment of hospital site to provide new community hospital, 8.8 acres of residential and a doctor’s surgery. Details of parking pursuant to Condition 4 of outline planning permission W00546BA/02 – Reserved Matters permitted on 23 June 2006.

3.2 There are also a number of minor applications related to the ongoing use of the site as a hospital however these are not considered relevant to the current application.

#### 4.0 Consultations

4.1 As part of the consultation exercise, 610 letters were sent to neighbouring occupiers with 26 objections and 1 letter of support being received.

##### Summary of Neighbour Objections

4.2 The material planning considerations contained within the objections received from neighbouring residents can be summarised as follows. In the interests of brevity, objections have been summarised and categorised. The substance of each objection is addressed within the main body of the report.

- There is an over provision of high-rise buildings on Edgware Road;
- The development would limit the ability of the hospital to expand;
- The development is excessive in height;
- Clinical provision at the hospital would be harmed;
- There would be insufficient parking provision which would impact on parking stress in the surrounding area;
- The development would have a negative impact on existing local infrastructure;
- The development would have a detrimental impact on daylight and sunlight to neighbouring properties.

##### Responses from External Consultees

4.3 The responses received from external consultees can be summarised as follows:

Consultee	Response
Transport for London	<u>Healthy streets</u>

TfL welcomes the proposed new pedestrian/cycle route. This will improve the sites connectivity with the bus stop on Burnt Oak Broadway in line with policy T1 (Strategic approach to transport) of the Publication London Plan. TfL expects all streets and public realm delivered through the development to be designed in line with the Healthy Streets Approach.

#### Trip generation

A Transport Assessment has been provided and includes information on trip generation. This assessment demonstrates an anticipated sustainable mode share of 86%. This will support the Mayors strategic aim to get 80% of all journeys in London to be completed by walking, cycling or public transport by 2041.

#### Travel Plan

A travel plan has been submitted, which is welcomed. This should be secured by condition, with interim surveys taken at year 1, 3 and 5. The Travel Plan should support the Mayors Strategic aim throughout the plans life span.

TfL queries if the travel plan will be updated alongside the rearrangement of the car parking on site for the hospital.

#### Cycle parking

All long and short stay cycle parking and access to cycle parking facilities should be designed in line with policy T5 (Cycling) of the Publication London Plan and London Cycling Design Standards (LCDS).

All short stay cycle parking should be

provided in the public realm close to building entrances.

At least 5% of cycle parking should be able to accommodate larger cycles, including adapted cycles for disabled people.

#### Car parking

13 car parking spaces are proposed, including 4 disabled parking spaces which is acceptable. It is noted the general spaces can be converted into accessible spaces if existing provision becomes insufficient, which is welcomed by TfL. Any car club spaces should be in lieu of private parking and they must have active charging facilities.

Disabled parking bays must not be allocated to specific dwellings, unless they are provided within the curtilage of the dwelling.

In line with Publication London Plan policy T6 (Car parking), 3 spaces will provide electric vehicle charging infrastructure, with passive provision for the remaining spaces.

Residents should not be able to obtain parking permits for the surrounding Controlled Parking Zone.

It is noted car parking associated with the health care facility will be consolidated. This is acceptable as it will decrease the feeling of vehicle dominance on site.

#### Access

All new access arrangements should be subject to a Road Safety Audit. As Barnet is highway authority, it is there

responsibility to determine the acceptability of these arrangements. However, all proposals must ensure that bus reliability and safety on Burnt Oak Broadway is maintained during the operation and construction of the site.

It is noted a small section of the footway, adjacent to the eastern edge of the site of the hospital access road will be removed. The benefits of this proposal are unclear. TfL would be unsupportive of the removal of footway if it did not prioritise walking and forced pedestrians away from the desire line, as this is not in line with policy T2 (Healthy Streets) of the Publication London Plan. Footways should be designed so that they are usable by people from all walks of life.

#### Deliveries and servicing

A Delivery and Servicing Plan (DSP) has been submitted. This should be secured by condition.

All deliveries will take place within servicing bays provided on site, which is supportive of policy T7 (Deliveries, servicing and construction) of the Publication London Plan.

TfL encourages the use of a delivery booking system that manages deliveries outside of peak hours where viable.  
Construction

An outline Construction Logistics Plan (CLP) has been provided. A full CLP should be provided in line with TfL guidance and secured by condition.

TfL welcomes the applicant's commitment to comply with FORS standards. TfL encourages the use of freight operators with FORS silver or

	<p>gold membership as it is imperative that road safety measures are considered, and preventative measures delivered through the construction and operational phases of the development.</p> <p>It is understood the applicant has considered the implementation of a staff travel plan. This would be welcomed by TfL and it should aim to promote staff walking and cycling to the site and feature shift working to reduce travel at peak times. Facilities associated with sustainable travel modes should therefore be provided e.g. secure cycle parking, lockers, showers etc.</p> <p>The use of a consolidation centre is also encouraged as this will minimise the number of construction trips and facilitate efficient construction activity.</p>
<p>Metropolitan Police – Designing Out Crime</p>	<p>I have reviewed the crime rates in the local area of the proposed application on Police.uk and I have noted that the highest recorded issues impacting the local ward of Burnt Oak are antisocial behaviour (ASB), violence &amp; sexual offences, vehicle crime, burglary and criminal damage/arson offences.</p> <p>The London Borough of Barnet as an entirety has a higher than average rate of burglary. Please see Appendix A for crime statistics. It is important to note that the ward of Burnt Oak experiences high levels of ASB, especially in areas such as alleyways and spaces within the public realm.</p> <p>It is important to consider the permeability of this site in order to help address levels of ASB and crime. Permeability is a major factor for any</p>

proposed development, whereby increased permeability can be reliably linked to increased levels of crime and disorder.

Widely available research has proven that “neighbourhood permeability... is one of the community level design features most reliably linked to crime rates, and the connections operate consistently in the same direction across studies: more permeability, more crime”. (Taylor R B, 2002 – Crime prevention through environmental design). One of the key design principles for the applicants of this site (4.2, p. 22 Design and Access statement) is to increase the connectivity and permeability of the site. This site contains multiple points of access into, around and through the estate and whilst it is accepted that there needs to be some permeability, it can also provide multiple routes for any offender to escape detection. Increased areas within the public realm can also lead to ‘void areas’ or spaces that are difficult to retain control over. This can lead to the misuse of these types of spaces if not carefully designed, controlled and managed. This site appears to be excessively permeable and this could quickly lead to future crime and disorder issues.

There appears to be many areas that are easily accessible from the public realm. This includes the communal gardens between blocks A1 and A2, reintroducing the amphitheatre for public access and multiple areas at the front, sides and rear of the site.

Without restricted access to many of these areas and ‘ownership’ of these spaces for residents to help control,

these spaces could quite quickly become 'disowned' and areas that become misused for issues such as streetdrinking, drug use/supply and other problems. The lack of secure access can make it harder for residents, managing agents and so on to challenge any problematic behaviour in these areas if they all remain within the public realm such as how it appears to be with this design.

Burglaries most often occur to the sides and rear of premises, away from more active frontages and increased levels of activity and natural surveillance. With access seemingly possible around each block (clay paved pathways around blocks and lack of access control throughout development), any ground floor units here will not have the benefit of defensible space to help protect themselves and their properties. This can allow ASB and crime to occur directly outside of their door/window and so on. It could also lead to an increase in burglary levels that are already higher compared to other similar areas than average within the ward and borough. For instance, a notable design feature of the nearby existing Grahame Park Estate is the lack of defensible space and this has led to problems with crime and disorder.

Reference is made in the DAS to the inclusion of some bollard lighting. This is not appropriate in a public or semi-public setting. This is prone to damage/vandalism and will only illuminate a person from the waist-down, thus preventing a person/resident to be able to fully identify whom/what might be present. SBD measures recommend column or bulkhead lighting compliant with BS

5489-1 (and not bollard lighting) where achievable within the public realm. A uniformity level of at least 25% and at least 60 on the colour rendition index is recommended. Bollard lighting also does not assist with any CCTV measures that may be installed within the site.

This development abuts the existing Edgware Community Hospital. This appears to be a facility that encompasses many health and social care facilities. This includes drug and alcohol treatment, mental health units as well as psychiatric ICU facilities. With seemingly unrestricted access around the whole site, there is no demarcation between private space for residents (other than communal roof terraces), areas for public use and for those using the hospital. With 24/7 access to the public spaces, these areas could easily be misused by others, especially during hours of darkness. ASB levels are already very high within the ward and the unrestricted access around the entire site could become very problematic. Potential ASB issues such as street-drinking and drug use could also directly affect hospital patients arriving at the site that may be there for treatment such as substance abuse rehabilitation measures, thus potentially affecting this recovery process.

The hospital car park does not appear to include any access control measures such as gating or barriers. Levels of natural surveillance of this car park also appear to be reduced, with low levels of overlooking from the new development or from neighbouring properties.

Unfortunately levels of vehicle crime,

specifically theft of catalytic converters are occurring within the borough, including this site and at Barnet General Hospital amongst others. With an unprotected car park, lighting compliant to BS 5489-1, monitored CCTV cameras and security patrolling are recommended to help combat potential issues such as this. Controlled access via gating can also help to assist here and deter those seeking to use the car park for illegitimate purposes or outside of any operating hours.

Automatic number plate recognition (ANPR) cameras would also be recommended at the entry points to the car park. Car park security measures do not appear to have been addressed within the DAS.

The development will include a 'bike station' at the front of the development. It is unclear what this may include and what levels of security are proposed to help protect this. This is near to the commercial unit whereby levels of activity and natural surveillance will significantly reduce outside of the unit's operating hours. This increases the importance of security measures that will be required for this 'bike station' to help protect against theft and burglary.

There are no details about any security measures for the commercial unit. Due to its vulnerability outside of operating hours, when levels of activity and surveillance will reduce, it is important that a unit such as this incorporates security-rated products such as tested and certificated door-sets to LPS 1175 Issue 7:SR2 or STS 202 Issue 3:BR2, with any curtain walling that is also security-rated or contains security-rated laminate to at least BS EN 356:2000

	<p>P2A. It is helpful to read from the DAS (Section 8.2, p.80) that the development will adhere to the principles of Secured by Design (SBD). Although the principles of Secured by Design are a good aim to work towards, achieving SBD certification will help to ensure a development is much more resilient to crime and ASB, as a wider range of measures will have to be considered and included in order to gain accreditation. This helps to ensure lower rates of crime and ASB in the long term, to the benefit of the community. It is also important that the design of the development is appropriate and can achieve SBD accreditation, but the excessive permeability of this site and unrestricted access to many areas of this development does not help to meet SBD measures.</p> <p>It is considered highly likely that areas of this development will be misused/subject to crime and disorder, therefore placing an extra demand on policing resources to assist with issues directly related to this area. Attempting to apply 'Secured by Design' recommendations to the physical security of this building will still not deter those intent on misusing the amphitheatre and the excessive permeability provided by this proposal. Due to the underlying design of this proposed site, the level and types of crime, this specific proposal is not supported by the Metropolitan Police Service.</p>
BNP Paribas (Financial Viability)	<p>Subject to some caveats, based on the indicative scheme and the information provided, we consider that the majority of the ME appraisal assumptions to be reasonable for the Scheme put forward. Whilst the ME report indicates that the site sales in future will be re-invested in</p>

	<p>the hospital, the viability assessment has been undertaken on the basis of Existing use values for these ancillary buildings and car park income, and are therefore broadly reasonable.</p> <p>We confirm that the proposed scheme as currently tested is not viable to provide any affordable housing. However, alternative scheme specification (as would be advanced by a residential developer) would likely reduce costs and assist in facilitating a scheme that is viable.</p>
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4.5 Officers are content that the matters raised in the consultation responses above have been adequately addressed within the main body of the report and have been conditioned where necessary.

Responses from Internal Consultees

4.6 The responses received from internal consultees can be summarised as follows:

Consultee	Response
Environmental Health	No objection subject to conditions and assessment of further information at reserved matters stage in respect of noise, air quality and contaminated land.
Transport and Highways	No objection, subject to conditions and S106 obligations in respect of car parking, travel plan, and access/junction improvements.
Flood Risk	<p>Considering the size of the site, we would have expected to see some on-ground attenuation features rather than underground storages. The current justification is not strong enough, hence we would highly encourage the applicant to provide some on ground attenuation features to promote blue green landscaping and wider benefits.</p> <p>The Appendix C-SuDS proforma doesn't</p>

	<p>include any existing discharge rates into the private sewer (which ultimately drains into the Silk Stream). I am unable to understand why is it written N/A, when it is stated that in the existing scenario also the site discharges into the existing private sewer. We would like to see existing and final discharge rates into the sewer, what is the betterment and how does it impact the final discharge rates into the Silk Stream outfall.</p> <p>We would like to see an assessment to demonstrate that the site will not have increased flood risk (through appropriate mitigation) when the outfall is unable to drain into the Silk Stream due to high river levels.</p>
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- 4.7 Officers are content that the matters raised in the consultation responses above have been adequately addressed within the main body of the report and have been conditioned where necessary.

## **PLANNING ASSESSMENT**

### **5.0 Principle of Development**

- 5.1 The application site comprises part of the Edgware Community Hospital site which is a community facility and as such Policy DM13 of the Local Plan is relevant.
- 5.2 Policy DM13 seeks to resist the loss of community and education uses expect the exceptional circumstances where the use is reprovided in equivalent quality or quantity are provided on the site or at a suitable alternative location; or where there is no demand for the continued use and that demand is adequately demonstrated.
- 5.3 It is important to note from the outset that the buildings to be demolished as part of the development are vacant, do not form part of the clinical provision and are surplus to the operational needs of the hospital. Nevertheless, the buildings do comprise part of the hospital site and an assessment against Policy DM13 is necessary.

- 5.4 The key driver of the proposed development is the objective to optimise the use of the hospital land which is surplus to requirements for healthcare provision. This optimisation and the release of surplus assets for development would enable investment in the existing estate to provide modern accommodation and new improved healthcare facilities.
- 5.5 A 'Healthcare Context' document has been submitted which outlines the strategy for continued clinical provision at the wider hospital site and how this would be impacted and improved by the proposed development. The document sets hospital is currently inefficiently used and that sufficient space is available for all of the clinical services, which are delivered by various trusts. The North Central London Sustainability & Transformation Partnership ("STP") has set out that no more space is needed for clinical services at the hospital and that there is currently under-used space on the Site and the existing back-office functions could be accommodated more efficiently across the hospital.
- 5.6 As set out in the Context Document, the ECH hospital site currently provides the following facilities:
- Rehabilitation inpatient services;
  - Maternity;
  - Breast Screening;
  - Day surgery;
  - Mental health services;
  - Administrative offices;
  - Third sector organisations; and
  - Specialist education provision.
- 5.7 These facilities are provided by the main occupiers of the siteThe Royal Free Hospital NHS Foundation Trust, Barnet, Enfield and Haringey Mental Health NHS Foundation Trust, Central London Community Healthcare NHS Trust and Whittington Health NHS Trust.
- 5.8 As set out above in paragraph 5.3, none of the healthcare facilities currently provided would be affected by the current proposals which relate only to the surplus land and buildings identified. The development forms part of a site wide strategy which will also utilise surplus land to the east of the hospital site and a further linked planning application will be submitted for this part of the site. In order to commence the delivery of the site wide strategy, some enabling works need to be undertaken and funded and both Phase 1 and Phase 2 redevelopments require the upgrading and/or replacement of critical hospital and site-wide infrastructure. The current

application and the release of the surplus land is therefore for the purpose of laying the foundations for the future and enabling the delivery of the latter Phase 2 of the east of the site. The enabling works that need to be carried are:

1. The relocation of the substation and the upgrading of the electricity network to provide enhanced supply to both the hospital and the residential proposals for both the Phase 1 (Western site) and the subsequent Phase 2 (Eastern site) developments;
2. The replacement of the large back-up generator for the main hospital and electrical switchgear to be moved and relocated off the phase 1 Western site;
3. Carry out utilities diversions to separate and protect hospital supplies and the separation of services to disconnect phase 1 from the site-wide underground services tunnel network.

5.9 In addition to works above which are critical enabling works for the site wide strategy, further works would be undertaken and funded by the release of surplus land under the current application including the re-modelling of the patient car park so that there is no net loss in provision but also to create improvements to public realm, pedestrian routes and access, green spaces and the quality of the areas surrounding the main hospital.

5.10 All of these works would be funded through the release of surplus land and these costs are reflected in the Financial Viability Assessment which is discussed in a subsequent section of this report. Once the enabling works for the latter phase are delivered, a subsequent planning application for Phase 2 (the eastern site) would be submitted and this phase would deliver additional, more substantial hospital improvements.

5.11 The primary improvement to be delivered in the latter phase would be the relocation of Breast Screening Services into improved high-quality clinical accommodation which will better support the delivery of these critical services. The existing Breast Screening Services are located in a building remote from the main hospital which are isolated and therefore impact on the patient experience as well as missing out on clinical adjacencies whilst the building is in very poor condition which affects the quality of the provision.

5.12 The latter delivery of the modern improved, fit for purpose breast screening unit cannot be implemented until the enabling works sought under the current application are undertaken. The current application and the enabling works that would arise are therefore an inextricable element of the wider site strategy and the

holistic hospital improvement strategy cannot be delivered without the current application being approved.

- 5.13 It is also very important to note that the emerging Local Plan identifies Edgware Community Hospital as a development site. The site allocation within the emerging Local Plan seeks to have 25% of the hospital site to continue in use, with associated car parking, and the remainder of the site as being able to accommodate an indicative residential capacity of 800 units. This allocation aligns with the proposed development in terms of both the retention of the hospital space and the site capacity of the site (as part of the wider hospital estate).
- 5.14 Based on the above, a balanced planning assessment must be undertaken with the key issue being whether the benefits derived from the hospital improvements outlined would justify the redevelopment of the surplus parts of the site for residential purposes. In this case, it is clear that the land to which the current application relates is surplus to the requirements of the hospital and that there would be no harm caused to the healthcare provision from the hospital. This application forms part of a wider strategy for the hospital site and the release of the land would fund enabling works which would unlock the delivery of a second phase which would deliver substantial hospital improvement. Thus, in the medium to long term, there would be community benefit derived from the release of the surplus land under the current application. Finally, the site is identified as a site for development in the emerging Local Plan and the development parameters are broadly in line with the capacity of the site designation. For all of these reasons it is considered that the principle of development is acceptable.

## **6.0 Residential Density**

- 6.1 The London Plan 2021 was formally adopted in March 2021 and moves away from the density matrix that was included within the previous plan. The 2021 Plan takes a less prescriptive approach and Policy D6 states *inter alia* that the density of a development should result from a design-led approach to determine the capacity of the site with particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.
- 6.2 In terms of the density, up to 129 dwellings are proposed on a site with an area of 1.5 hectares which gives an approximate density of 86 dwellings per hectare. The

location of the site is within a suburban context with predominantly low-rise development in the surrounding area. The key consideration in terms of Policy D6 is how the development manifests in terms of design and appearance and in this case officers consider that the height, scale and massing of the development is acceptable. These matters are addressed fully in subsequent sections of this report.

## **7.0 Residential Standards and Living Quality**

7.1 A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the ‘sustainable development’ imperative of the NPPF. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD.

### Dwelling Mix

7.2 Policy DM08 of the Local Plan states that new residential development should provide an appropriate mix of dwellings.

7.3 The development proposes 129 residential units which would be of a mixture of studios, 1 beds 2beds and 3 beds. The current application is outline in nature and as such, the final mix of units would be agreed at Reserved Matters stage however the following indicative mix is provided:

<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>Total</b>
61	61	7	129

7.4 Whilst the final mix would be secured at reserved matters stage, it is considered that the indicative mix shows potential for a good mix of units to be provided.

### Residential Space Standards

7.5 Table 3 in the London Plan provides a minimum gross internal floor area for different sizes of dwelling.

7.6 The application is submitted in outline form with matters of layout reserved. Indicative details submitted show that each of the residential units could achieve the requisite minimum standards and a full assessment would be undertaken at Reserved Matters stage to ensure that this was the case with the detailed proposals.

### Wheelchair Housing

- 7.7 Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst Policy DM02 sets out further specific considerations. All units should have 10% wheelchair home compliance, as per London Plan Policy D7.
- 7.8 The applicant's Planning Statement sets out that 10% of the residential units would be provided as wheelchair adaptable in line with aforementioned policy context and in accordance with Part M4(3) of the Building Regulations. This is considered to be acceptable and a condition is attached which would ensure that this is secured as part of Reserved Matters applications.

### Amenity Space

- 7.9 Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements. The minimum requirements are set out in the table below:

<b>Outdoor Amenity Space Requirements</b>	<b>Development Scale</b>
For Flats: 5m <sup>2</sup> of space per habitable room	Minor, major and large scale
For Houses: 40m <sup>2</sup> of space for up to four habitable rooms 55m <sup>2</sup> of space for up to five habitable rooms 70m <sup>2</sup> of space for up to six habitable rooms 85m <sup>2</sup> of space for up to seven or more habitable rooms	Minor, major and large scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

- 7.10 The parameters set out propose a mix of private and communal amenity areas. The proposed development provides residents with access to high quality private terrace gardens and individual balconies. Three private roof terraces are proposed on the fifth floor of the residential blocks.

### Children's Play Space

- 7.11 London Plan Policy 3. 6 and draft London Plan Policy S4 require development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. The Mayor's Play and Recreation SPG and draft London Plan Policy S4 expect a minimum of 10 sqm. per child to be provided in new developments.
- 7.12 The application is submitted in outline and the exact requirement may change when the final housing mix is agreed. Based on the indicative mix, the London Plan playspace requirement would be 1476sqm. The parameter plans show that space is provided within the site which would allow for on-site provision for ages 0-5. The Design and Access Statement sets out that these spaces will comprise small open spaces within sight of residences, where younger children can play within the view of adults. Play opportunities for the older age groups are located within the prescribed distance of the site Chandos Recreation Ground in line with GLA policy and full details of the on-site provision would be secured through Reserved Matters applications.

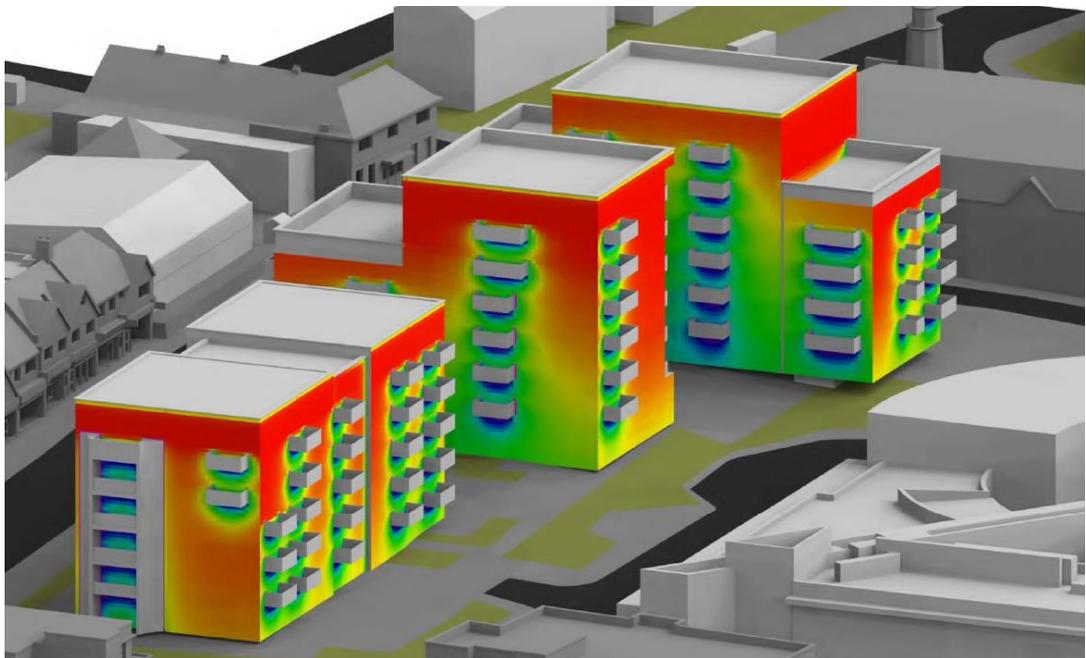
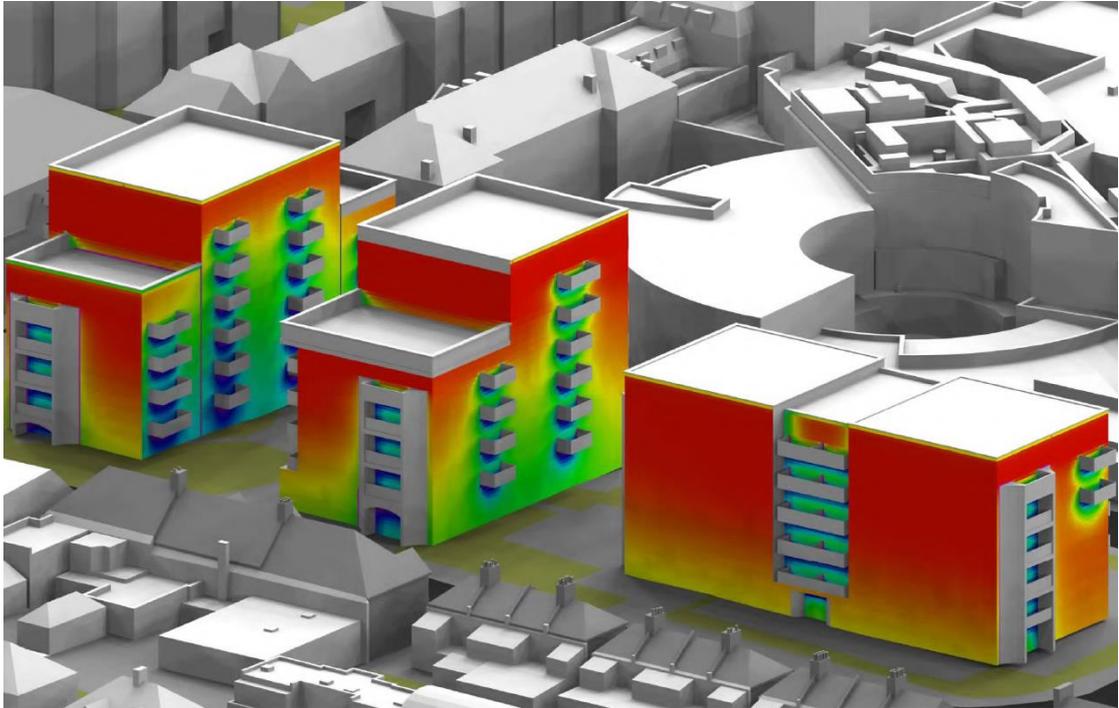
#### Privacy and Outlook

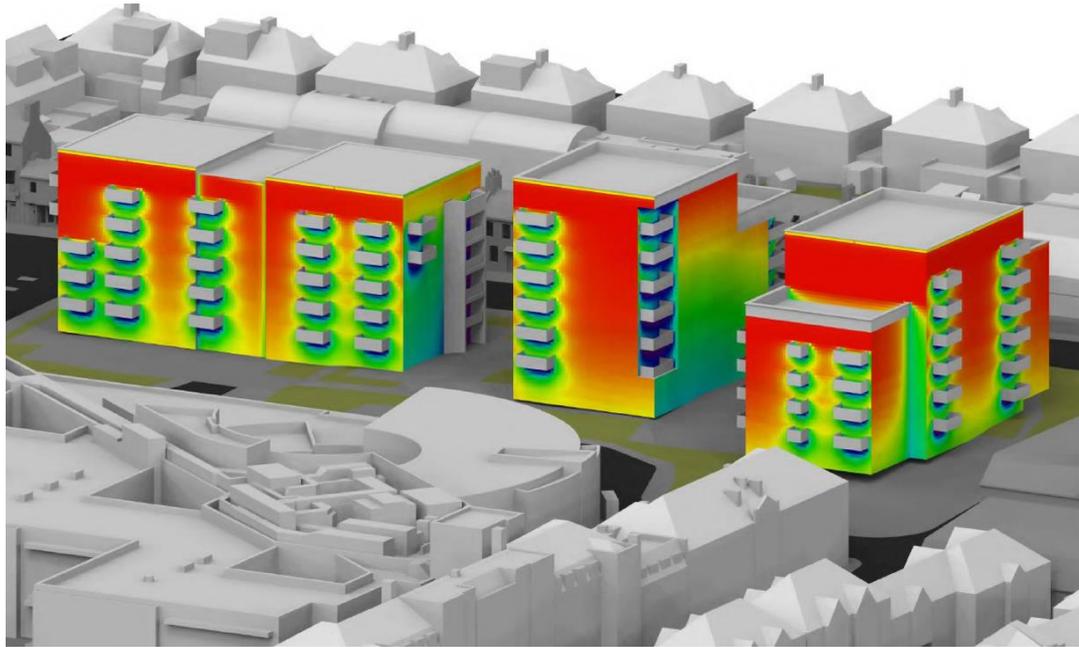
- 7.14 Policy DM01 of the Local Plan requires that development have regard to the amenity of residential occupiers. In this regard it is necessary to consider the design of the scheme and the privacy that would be afforded to future occupiers of the development.
- 7.15 In terms of privacy and outlook, the parameters sought show that externally the site would enjoy separation distances of at least 21 metres from all surrounding residential properties in line with SPD guidance. Within the site, the separation distance between the buildings would be approximately 18 metres in both cases, Whilst this would be below the recommended minimum, it is considered that the extent of the shortfall would not be so significant as to unacceptably harm the privacy and outlook from the facing elevations.

#### Daylight/Sunlight and Overshadowing

- 7.16 As an outline application, the final layout of the development is a reserved matter however the parameters sought demonstrate good separation distances between the buildings themselves and from neighbouring obstructions which would provide conditions of good levels of daylighting. An internal daylight and sunlight assessment from Avison Young has been submitted in support of the application which measures VSC across the development site and displays this through a colour coded 3D model order to give a graphical representation of the levels achieved across a facade.

Magenta on the facades indicates 0% VSC (none in this particular case), whilst red indicates the maximum VSC value at 40% for a completely unobstructed vertical wall or window. These models are shown below.





7.17 The red areas are those that would receive the most amount of daylight whilst those in green are those that would have the lowest levels of daylight (as measured by VSC). These results show that the windows of the development have the potential for good daylighting.

## 8.0 Affordable Housing

8.1 London Plan 2016 Policy H10 seeks the maximum reasonable amount of affordable housing to be negotiated. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings however in the case of publicly owned land as is the case with the application site, Policy H5 of the London Plan that an affordable housing target of 50% is applicable.

8.2 The overarching aim of NHS Property Services Limited (“NHSPS”) is to invest in its estate at Edgware Community Hospital to ensure that occupiers can provide services from modern, fit for purpose accommodation with the enhancement of the estate funded through the release of surplus land and capital receipts. The release of surplus land will not compromise the ability to accommodate existing services at ECH but will also have the benefit of facilitating the delivery of much-needed new homes.

8.3 The first stage of NHSPS’s investment into Edgware Community Hospital is a facilitation stage – the disposal of land for new housing will help to fund the replacement / renewal of critical hospital / site-wide infrastructure, specifically:

- the relocation of a substation;

- the upgrading of the electricity network to provide enhanced supply to both the hospital and the current residential proposals as well as to enable other surplus land to be released in the future;
- replacement and relocation of the large back-up generator and associated electrical switchgear for the main hospital;
- separation and diversion of utilities to protect hospital supplies; and
- separation of services to disconnect Plot A from the site-wide underground services tunnel network.

8.4 All of these works, which are essential to the future operation of the hospital, represent a significant investment in infrastructure that serves people across a wide area. The cost to deliver these infrastructure works is £3,121,518 (Q4 2020).

8.5 The applicant has submitted a Financial Viability Assessment (“FVA”) which includes the above infrastructure costs and is supported by a cost plan by AECOM. The FVA also includes an allowance for Borough CIL and Mayoral CIL.

8.6 The FVA was subject to independent review by the Council’s appointed viability consultants BNP Paribas (BNPP). Whilst the review from BNPP queried some of the input assumptions to the FVA, BNPP did concur with the overall conclusion of the FVA in that the proposed residential scheme on Plot A cannot viably deliver any affordable housing.

8.7 The reasons for this are partly due to significant infrastructure costs and partly due to the existing uses on the site which form a high Benchmark Land Value. BNPPRE have reviewed and they have agreed that the assumptions are reasonable.

8.8 On the point of the costs and as set out above, £3,121,518 of the costs are associated with infrastructure investments in the hospital which are critical to enabling the delivery of the wider site strategy. The costs set out on in the FVA also make allowance for Borough CIL and Mayoral CIL as set out in paragraph 8.5.

8.9 Notwithstanding the viability position, NPPF paragraph 65 states that “Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership”.

8.10 If an affordable housing level of 10% were to be incorporated into the scheme using the parameters set out with the application and using the FVA inputs then there would be an even more significant viability deficit and the scheme would not be deliverable.

- 8.11 The LPA recognises the community benefits that would arise from this application and the wider site strategy and also recognises the importance of ensuring that affordable housing is provided as part of any residential development. Therefore, in order to ensure that a level of affordable housing consistent with the minimum requirements of Paragraph 65 is able to be provided, officers consider that some flexibility should be given in respect of the Barnet CIL requirement.
- 8.12 The improvement of hospital infrastructure and the delivery of improved hospital clinical facilities with a later phase would serve a community benefit and these circumstances provide scope for flexibility in the view of officers. Under current CIL Regulations, the Council has the power to grant Exceptional Circumstances Relief for the Borough CIL liability associated with the proposed development. As part of the emerging Local Plan and proposed changes to the Barnet CIL, there would also be the scope for developments to make a “payment in kind” to offset CIL liabilities (such a payment in kind could constitute hospital infrastructure improvements).
- 8.13 In both circumstances outlined above, the authority to allow CIL relief lies with the Council. It has also been confirmed by the applicant that if CIL relief were to be granted then 10% of the homes provided could be provided as affordable. It is therefore recommended within the S106 heads of terms for two options to be set out in respect of the affordable housing these are as follows:

#### Option 1

0% affordable housing in line with the FVA and BNPP review subject to a review mechanism. In this circumstance the CIL monies would be fully payable and retained by the Council in line usual procedure.

#### Option 2

The Council would grant Exceptional Circumstances Relief, prior to the commencement of the chargeable development then the applicant would commit to providing 10% affordable housing.

- 8.14 Whilst clearly both options would be substantially below the 50% policy target for public land, the fundamental point is that no affordable housing could be viably provided as part of the development and this position has been confirmed by the Council’s advisors BNPP. Both options are therefore consistent with the viability position however Option 2 allows for some provision to be made in line with the minimum requirements of Paragraph 65 of the NPPF. It is also important to note that

the Council retains full discretion on the granting of CIL relief. Subject to an appropriate mechanism being agreed to secure the options outlined above, officers consider on balance that the affordable housing proposals are acceptable.

## **9.0 Design, Appearance and Visual Impact**

9.1 The proposes 4 blocks across the site varying heights and forms. The following table summarises the heights of each of the blocks across both phases.

### Height, Scale and Massing

9.2 The development would rise to a maximum of 7 storeys with further buildings of 5 and 6 storeys respectively. The surrounding typology consists of two storey terraced properties opposite the site on the A5 and a residential development of up to 4 storeys to the south of the site fronting the A5 (the development rises to 5 and 6 storeys further to the east adjacent to the railway). Two further commercial warehouse premises are located to the north of the site which do not rise significantly the 2-storey height of the residential properties in the vicinity.

9.3 Based on the context outlined above, it is clear that the heights of the proposed development would represent a marked increase in the scale of development in this vicinity. Whilst the maximum 7 storey height would fall below the threshold for the buildings to be considered as tall buildings, in its context the development would be prominent given the additional height over and above the prevailing height; and this is evident in the indicative street view images provided in discussions to date.

9.4 Indicative CGI's and views assessments show that the development show that whilst the scale of the development would be prominent within the streetscene, it would not be overly and unacceptably dominant. The development would front onto the A5 which is a main vehicular route through the borough and where there is a variety of building heights (existing and consented) ranging from low rise up to tall buildings of 14-23 storeys. As a main vehicular route identified as a corridor of change and cognisant of the existing and emerging context of this corridor it is considered that the height of the proposed development would be acceptable.

### Design and Appearance

9.6 In terms of the visual appearance of the scheme, this is an outline application and only indicative details are provided. These indicative details are supported by precedents and supplementary details on materiality. The indicative details

demonstrate that the development could have a high-quality aesthetic which would incorporate characterful, curved window arches and a red brick construction.

- 9.7 If outline permission were granted, full details would be submitted and assessed at reserved matters stage which would be expected to be consistent with the indicative details provided.

#### Layout

- 9.8 The proposed layout would allow for a clear and direct pedestrian route from the adjacent bus stop to the main entrance of ECH which would have benefit in terms of the accessibility of the hospital and the legibility of the local area. The buildings would be well set back from the A5 frontage and care has been taken to retain trees and incorporate areas of open space between the buildings for amenity.
- 9.9 Comments were received from the Metropolitan Police which raised concern at the permeability of the site and the consequent risk in terms of crime. Notwithstanding these concerns, retaining site permeability for the public as well as residents is considered to be an important element of the scheme and would have benefit in terms of hospital accessibility. It is considered that risk could be minimised through the use of boundary planting and landscaping to delineate the public and private areas as well as through the use of lighting and CCTV. The layout and landscaping of the scheme are reserved matters and further details would thus be sought at this stage and it would be expected that the applicant would engage with the police in drawing up the detailed scheme.

#### Conclusion

- 9.10 Having regard to all of the above, officers consider that the proposed scale and massing of the development is acceptable and would ensure integration into the surrounding urban fabric. Officers also consider that the scheme could be of a good design quality and is in accordance with Barnet Policy DM01.

### **10.0 Amenity Impact on Neighbouring Properties**

#### Daylight and Sunlight

- 10.1 The applicant has submitted a daylight and sunlight assessment from Avison Young which considers the impact of the development on surrounding receptors.

10.2 The assessment identified the following properties as in need of consideration in terms of daylight and sunlight. Those outlined in bold are those that fully comply with the BRE guidelines in terms of both daylight and sunlight assessment criteria.

- **239-241 Burnt Oak Broadway (odd)**
- **243-245 Burnt Oak Broadway****6-15 Neal Court (odd)**
- **247-249 Burnt Oak Broadway (odd)**
- **251-253 Burnt Oak Broadway (odd)**
- **255-257 Burnt Oak Broadway (odd)**
- **259 Burnt Oak Broadway**
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- 273 Burnt Oak Broadway
- 275 Burnt Oak Broadway
- 277 Burnt Oak Broadway
- 279 Burnt Oak Broadway
- 281 Burnt Oak Broadway
- 283 Burnt Oak Broadway
- 285 Burnt Oak Broadway
- 287-289 Burnt Oak Broadway (odd)
- **291 Burnt Oak Broadway**
- 293-295 Burnt Oak Broadway (odd)
- 297 Burnt Oak Broadway
- 299 Burnt Oak Broadway
- **Edgware Ex Service Mens Club**
- **16-37 Orchestra Court**
- 1-15 Orchestra Court
- **7 Fortune Avenue**
- **5 Fortune Avenue**
- 3 Fortune Avenue
- Ballota Court
- **Aurora Court**

10.3 Of those properties which do not meet the assessment criteria, the properties at 271-299 Burnt Oak Broadway only marginally fail to meet the 0.7 VSC target value with all retaining over 0.6. These properties were not assessed for sunlight due to their location.

- 10.4 The remaining properties all meet with the BRE daylight targets however marginally fail in terms of AP SH sunlight target values.
- 10.5 When taken together and considered in the wider context of the scheme, officers consider that the daylight and sunlight impact would be acceptable.

#### Privacy and Outlook

- 10.5 The development would achieve separation distances of at least 21 metres from all neighbouring windows whilst also achieving a separation distance of 10 metres from neighbouring gardens. These distances are in line with SPD guidance and demonstrate that there would be no unacceptable adverse impacts in terms of privacy or outlook.

#### Conclusion

- 10.6 With the above in mind, officers consider that, on balance, the application is in accordance with Policy DM01 in terms of impact on residential amenity and would not result in any unacceptable harm to the living conditions of any surrounding occupiers.

### **11.0 Sustainability**

- 11.1 The 2021 London Plan, requires within Policy SI2 requires major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- be lean: use less energy and manage demand during operation.
  - be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly.
  - be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site. be seen: monitor, verify and report on energy performance.
- 11.3 Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.
- 11.4 With regards to the energy hierarchy set out within the aforementioned London Plan policy, it is considered that the application is broadly in accordance. The application

is accompanied by an Energy Statement from AA Projects which sets out that the energy efficiency measures and sustainable energy measures that would be incorporated within the scheme.

#### Be Lean

- 11.5 The proposed energy efficiency and passive design measures including the building fabric and building services.

#### Be Clean

- 11.6 The applicant has set out in the Energy Statement that a district heat network connection has not been found to be feasible or viable for the development. Consequently, the scheme will utilise a communal ASHP system to provide heating to each of the flats. Heating will be supplied through radiators or underfloor heating located in each of the flats

#### Be Green

- 11.7 The renewable technologies feasibility study carried out for the development identified Solar PV has been found necessary for the development to achieve Compliance with London Plan targets. A total of 28.8 kWp would be needed for the proposed development.
- 11.8 In total, all of the measures combined would achieve CO2 savings in line with the London Plan target of 35%. Nevertheless, recognising the London wide net zero target the applicant is therefore required to mitigate the regulated CO2 emissions, through a contribution to the borough's offset fund. This contribution would be predicated on the formula set out within GLA guidance and which would be secured through the Section 106.

### **12.0 Transport / Highways**

- 12.1 Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

#### Residential Car Parking

- 12.2 The London Plan 2021 sets out the standards for residential parking based on inner/outer London and PTAL. Outer London PTAL 2 is up to 1 space per dwelling and Outer London PTAL 3 requires 0.75 spaces per dwelling.
- 12.3 Car parking standards for residential development are also set out in the Barnet Local Plan and recommend a range of parking provision for new dwellings based on the site's Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision is as follows:
- Four or more-bedroom units - 2.0 to 1.5 parking spaces per unit
  - Two and three-bedroom units - 1.5 to 1.0 parking spaces per unit
  - One-bedroom units - 1.0 to less than 1.0 parking space per unit
- 12.4 It is proposed to provide 16 car parking spaces (including 4 accessible) plus 2 car club spaces. The provision of disabled parking spaces (for all land uses) and electric vehicle charging points (20% active and remaining passive) in accordance with the London Plan should be conditioned. The level of parking proposed is low (approximate ratio of 0.12 spaces per dwelling) with the site having an average level of accessibility (i.e. Public Transport Accessibility Level of 3).
- 12.5 An initial review would indicate that there are local residential roads located approximately 200 metres plus from the site which are not protected (e.g. North Road and the connecting roads) as well as the area near Pavilion Way as noted by the applicant (approximately 500 metres from the site). The proposed development would result in potential overspill parking demands from both new residential and commercial land uses as well as additional demands from the proposed loss of hospital staff parking. Therefore, the LBB Transport team would not be able to support the scheme without CPZ reinforcement due to potential negative impacts on the local amenity as a result of overspill parking.
- 12.6 In order to mitigate any potential harm arising from any overspill, a S106 contribution has been agreed with the applicant which will be used to fund a CPZ review (and implementation if found to be necessary). The CPZ review would include:
- Fresh set of parking beat surveys including an analysis report
  - Scheme design
  - Informal consultation
  - TROs - stat consultation
  - Implementation (infrastructure, signs, lines & stats)
- 12.7 Subject to the agreed S106 items, in particular the CPZ review, the Council's Transport and Highways officers are satisfied with the proposed level of car parking.  
Hospital Car Parking Provision

- 12.8 The development proposals include reconfiguration of the main Hospital car park layout resulting in the net loss of 24 staff car parking spaces. The applicant has stated that 'the Trust is preparing a Healthcare Travel Plan to support the wider masterplan proposals for the development where a greater loss of staff car parking is anticipated. This will seek to ensure the future loss of parking is managed and does not result in additional local parking stress.'
- 12.9 The TA has been reviewed by Transport officers who have outlined that until the Hospital Travel Plan is implemented as part of the wider masterplan proposals alternate sustainable travel options should be provided for staff. To address this and help offset the loss of staff car parking spaces, the applicant has proposed to install 12 cycle parking stands (space for 24 bicycles) for the Hospital. In addition, it is proposed to introduce a cycle proficiency training course for staff to encourage higher take up of cycling and to increase their confidence to cycle on roads.
- 12.10 It is also noted that the commitment by the applicant to contribute to the CPZ review / reinforcement would help address any concerns relating to potential overspill parking impacts on the local amenity as a result of the loss of Hospital parking.

#### Cycle Parking

- 12.11 Cycle parking should be provided, designed and laid out in accordance with the new London Plan (2021) and the guidance contained in London Cycling Design Standards (it is noted that there has been slight changes to the standards from the previous 'Intend to Publish' London Plan to the now adopted London Plan). Details of cycle parking provision and layout in line with the London Plan and the London Cycling Design Standards and would be conditioned as part of any approval.

#### Access

- 12.12 Two of the existing vehicle access points on Burnt Oak Broadway will be closed with vehicle access to be provided via the main existing hospital access off the Burnt Oak Broadway (A5). The removal of the previously proposed vehicular access off the A5 is welcomed. The vehicle access proposals are supported. It is understood that the northern most residential car park can use either the Deansbrook Road or A5 access. However, the traffic volumes generated would be low.

#### Trip Generation and Network Impact

- 12.13 Trip Generation Assessment set out in the TA has been fully assessed by the Council's Transport and Highways officers who raise no objection in relation to net additional vehicle trip impacts on the surrounding road network as a result of the proposed development.

### **13.0 Other Matters**

### Flood Risk

- 13.1 Policy CS13 of the Barnet Core Strategy states that “we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels”.
- 13.2 A Flood Risk Assessment and Surface Water Drainage Strategy has been submitted by Stantec. The majority of the Site is located in Flood Zone 1 ‘Low Probability’ with a less than 1 in 1,000 annual probability of flooding from rivers.
- 13.3 It is considered that the proposed options demonstrate that surface water can be managed appropriately. Some queries on the methodology have been made by the Council’s Flood Risk officers and a full strategy using the appropriate methodology and mitigation measures as necessary would be secured at reserved matters stage.

### Ground Conditions

- 13.4 The application is supported by a ground condition survey which has been reviewed by the Council’s EHO who is happy with the scope and content. A full report in order to ascertain if prior uses have left contaminants within the made ground such as asbestos and lead would be secured by condition.

### Air Quality

- 13.5 The application was supported by an Air Quality Assessment which has been reviewed by the Council’s EHO who is happy that the development would not give rise to unacceptable air quality impacts subject to the assessment of further details at reserved matters stage.

### Arboriculture

- 13.6 A Preliminary Arboricultural Report has been submitted by ACS Consulting and includes a survey of all existing trees on site. The report confirms that the Site contains B and C grade trees which are classed as trees of a moderate to low quality. Wherever possible the existing trees are being retained and extensive new tree planting is also proposed.
- 13.7 The existing row of trees located along Burnt Oak Broadway would be extended with additional tree planting. Additional trees are also proposed to be located in the hospital car park, the staff garden and the amphitheatre.

13.8 As an outline application, landscaping is a reserved matter and the full tree strategy would be assessed at reserved matters stage once a full assessment and detailed report is submitted with the detailed application.

#### **14.0 Equalities and Diversity**

14.1 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.”

14.2 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.

14.3 The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.

14.4 Officers consider that the application does not give rise to any concerns in respect of the above.

#### **15.0 Conclusion**

15.0 The development would utilise land that is within the hospital estate however that is surplus to the operational requirements of the hospital and it is important to note that the development would not result in any loss or reduction in healthcare provision from the site.

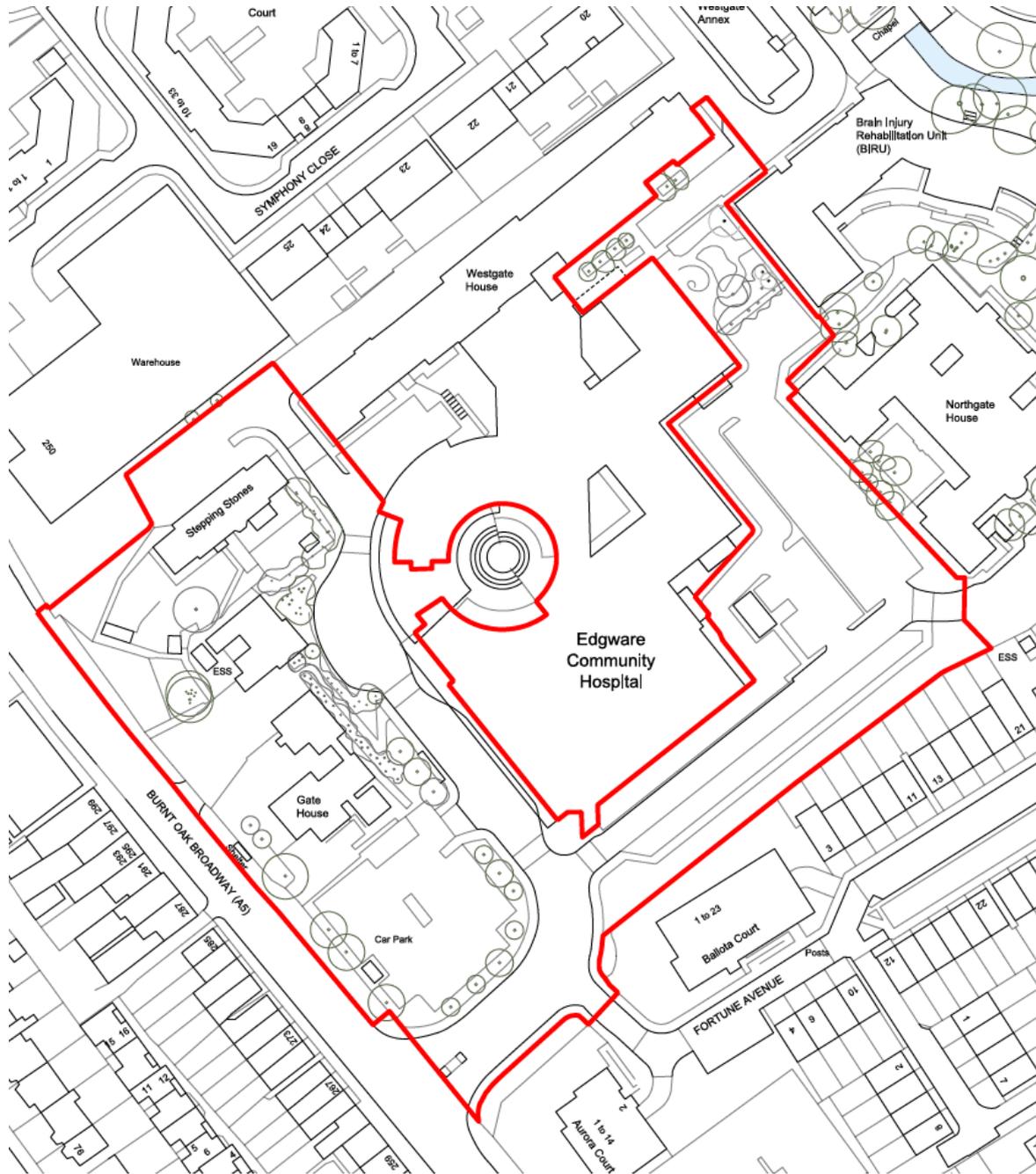
15.1 The development is the first phase of a holistic site wide strategy that will deliver hospital improvements, the most significant of which will be a new, modern fit for purpose breast screening facility. The receipts from the development cross subsidise the facilitation works of the latter phase which would subsidise the delivery of the

hospital improvements. The development is therefore an intrinsic element of the strategic objectives for the site and the hospital improvements cannot be delivered without the receipts from the current application. Therefore, whilst an affordable housing level of 0% is substantially below the policy target of 50%, the scheme is delivering substantial community benefit in the form of the hospital improvements. For this reason, officers are of the view that some flexibility should be shown with regards to the CIL payments and the S106 Heads of Terms include a mechanism which would allow the Council to grant CIL relief to the scheme which would enable the scheme to deliver 10% affordable housing. Such a provision would be in accordance with the minimum provision set out in the NPPF.

- 15.3 Based on the above, and on balance, it is considered that the application is acceptable and should be approved subject to conditions and the satisfactory completion of a S106 Agreement.

**RECOMMENDATION: TO GRANT OUTLINE CONSENT SUBJECT TO THE CONDITIONS LISTED AT APPENDIX 2 AND SUBJECT TO THE AGREEMENT OF A SATISFACTORY SECTION 106 AGREEMENT**

## Appendix 1: Site Location Plan



## **Appendix 2: Conditions**

### **Condition 1 – Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents.

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 application as assessed in line with Policies DM01, DM02, DM05 of the Barnet Local Plan (2012) and the London Plan (2021).

### **Condition 2 – Reserved Matters**

Applications for the approval of the reserved matters (being scale, layout, appearance and landscaping) shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

### **Condition 3 – Implementation**

The development hereby permitted in shall begin no later than 2 years from:

- i. The final approval of the last Reserved Matters Application pursuant to Condition 2, or;
- ii. The final approval of any pre-commencement condition associated with the Development.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

### **Condition 4 – Construction Management Plan**

No site works or works on this development including demolition or construction work shall commence on the relevant phase until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

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 the London Plan 2021.

#### Condition 5 – Delivery and Servicing Management Plan

Prior to the occupation of the relevant phase, a Delivery and Servicing Management Plan should be submitted to and approved in writing by the Local Planning Authority. The plan shall include revised layout drawings to show a servicing bay adjacent to Hospital Road and shall include vehicle tracking/swept path analysis to show the safe access and egress of a refuse vehicle into the bay.

All servicing and delivery arrangements shall be carried out in accordance with the approved Plan. If changes are made a revised Delivery and Service Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interest of highway safety 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.

#### Condition 6 – Residential Car Park Management Plan

Prior to occupation of the relevant phase, a Residential Car Parking Management Scheme to cover the residential use shall be submitted to and agreed in writing by the Local Planning Authority. The RCPMS shall include a plan identifying the disabled parking spaces to be delivered clearly marked with a British Standard disabled symbol and disabled parking shall be retained for the use of disabled persons and their vehicles and for no other purpose unless agreed in writing with the Local Planning Authority. The RCPMS shall include details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for each and every disabled space.

Reason: To ensure that parking is provided and managed in line with Barnet Council standards in the interests of highway and pedestrian 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. To ensure and promote easier access for disabled persons to the approved building 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.

#### Condition 7 – Hospital Car Park Management Plan

Prior to occupation of the relevant phase, a Car Parking Management Scheme to cover the hospital use shall be submitted to and agreed in writing by the Local Planning Authority. The document shall include details of allocations of spaces within the revised hospital car park and a plan identifying the disabled parking spaces to be delivered clearly marked with a British Standard disabled symbol and disabled parking shall be retained for the use of disabled persons and their vehicles and for no other purpose unless agreed in writing with the Local Planning Authority

Reason: To ensure that parking is provided and managed in line with Barnet Council standards in the interests of highway and pedestrian 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. To ensure and promote easier access for disabled persons to the approved building 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.

#### Condition 8 – Cycle Parking

Prior to occupation of the relevant phase, full details of cycle parking and cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority and shall be permanently retained thereafter unless agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Plan 2021 and London Cycle Design Standards, 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.

#### Condition 9 – Bat Surveys

Prior to the commencement of the relevant phase, bat surveys of the buildings to be demolished must be completed in accordance with current best practice guidance provided by the Bat Conservation Trust. The findings of which will be presented as part of bat survey and mitigation report. The report will include a detailed mitigation plan which, in the event of a bat roost being identified, will form the basis of a Natural England EPS Mitigation Licence application as necessary. The bat survey report and mitigation plan will need to be approved in writing by the council prior to commencement of works and works implemented in strict accordance with the mitigation plan and Natural England Licence.

Reason: in the interests of ecology in accordance with the Barnet Local Plan and London Plan 2021.

#### Condition 10 – Contaminated Land

##### Part 1

Before development commences of the relevant phase other than for investigative work:

- a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

- b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:
- a risk assessment to be undertaken,
  - refinement of the Conceptual Model, and
  - the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

- c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

## Part 2

- d) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

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 October 2016) and the London Plan 2021.

### Condition 11 – Surface Water Drainage

Prior to the commencement of the relevant phase, a detailed surface water drainage strategy report for the development shall be submitted and approved in writing by Local Planning Authority. The details shall include details of the discharge rates into the private sewer. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with Policy CS13 of the Barnet Local Plan, the London Plan 2021, and changes to SuDS planning policy in force as of 6 April (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (such as the SuDS Manual, C753).

### **Condition 12 – Phasing Plan**

Prior to the commencement of development, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved document.

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 application as assessed in line with Policies DM01, DM02, DM05 of the Barnet Local Plan (2012) and the London Plan (2021).