

**Location** **Former Watch Tower House And Kingdom Hall Sites The Ridgeway London NW7 1RS**

**Reference:** **22/0649/FUL** Received: 31st January 2022  
Accepted: 22nd February 2022

Ward: Mill Hill Expiry: 24th May 2022

**Case Officer:** **Josh Mclean**

Applicant: Marstead Peak Limited

Proposal: Demolition of existing buildings and structures, and redevelopment of the site including construction of 10no new buildings, ranging from 1 to 5 storeys (plus basement) in height and refurbishment of and extension to Bittacy Cottage - comprising 175 units of specialist older persons housing (Class C2) with ancillary communal facilities, 9no. residential dwellings (Class C3) and a community facility (Flexible Class F1/F2/E) alongside public open space, provision of car and cycle parking, associated landscaping and associated works

## **OFFICER'S RECOMMENDATION**

Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

### **RECOMMENDATION I:**

The application, being one of strategic importance to London, must be referred to the Mayor of London. As such, any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London.

### **RECOMMENDATION II:**

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

3. **Affordable Housing**

Delivery of affordable housing (9 units) and financial contribution of £1.5m:

London Affordable Rent

1 x 1B2P

3 x 2B4P

2 x 3B5P

Intermediate

1 x 1B2P

1 x 2B3P

1 x 2B4P

Viability review provisions (early and late stage).

4. **Specialist Older Persons Housing**

Operational Management Plan for the Specialist Older Persons Housing.

5. **Open Space**

Community Management and Maintenance Strategy to secure access to the public green space in perpetuity (364 days per year), as well as including details about matters such as maintenance, hours of access and security.

6. **Community Facility**

Community Management and Maintenance Strategy to secure the community uses proposed through the Community Hub, as well as including details about matters such as maintenance, hours of access and security;

7. **Public Right of Way**

Improvements to the public right of way;

8. **Skills and Employment**

On-site or Off-site contribution towards skills and employment.

9. **Car Club**

Provision of 1no. car club space.

10. **Travel Plan and Monitoring contribution**

Submission of a full Residential Travel Plan with incentives of £300 per dwelling and a

monitoring contribution of £15,000.

**11. Local Highways Improvements**

Funding for measures identified in ATZ, including accident mitigation.

Funding to improve local Wayfinding.

**12. CPZ Contribution**

Contribution towards the review of the existing CPZ and implementation of CPZ extension if need demonstrated.

**13. Restriction of Parking Permits**

Contribution towards the amendment of the Traffic Management Order to restrict future occupiers from obtaining residential parking permits. Inform new residents that they are not entitled to a parking permit for any current / future CPZ.

**14. Carbon Offset**

Contribution of £481,080 towards the Council's carbon offset fund.

**15. Be Seen Energy Monitoring Guidance**

Requires monitoring and reporting of the actual operational energy performance of major developments for at least five years via the Mayor's 'be seen' monitoring portal.

**16. Biodiversity, Landscape & Ecological Management Plan**

Submission of Biodiversity, Landscape & Ecological Management Plan, shall include details of long term design objectives, management responsibilities, maintenance schedules, replacement planting provisions for existing retained trees, and any new soft landscaping to be planted as part of the approved Combined Biodiversity and Landscape Net Gain scheme. To cover a period of 30 years.

**17. S106 Monitoring**

Contribution towards monitoring of the legal agreement.

**RECOMMENDATION III:**

That upon completion of the agreement specified in Recommendation II, the Service Director for Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director for Planning and Building Control:

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

Site

1823-BG-ZZ-00-DR-A-00.100 Rev P1 Site Location Plan

Existing Site

1823-BG-ZZ-00-DR-A-10.100 Rev P1 Existing Site Plan

Existing Plans

1823-BG-ZZ-B1-DR-A-10.200 Rev P1 Existing Basement Plan  
1823-BG-ZZ-LG-DR-A-10.201 Rev P1 Existing Lower Ground Floor Plan  
1823-BG-ZZ-00-DR-A-10.202 Rev P1 Existing Ground Floor Plan  
1823-BG-ZZ-01-DR-A-10.203 Rev P1 Existing First Floor Plan  
1823-BG-ZZ-02-DR-A-10.204 Rev P1 Existing Second Floor Plan  
1823-BG-ZZ-03-DR-A-10.205 Rev P1 Existing Roof

Demolition Site

1823-BG-ZZ-00-DR-A-15.100 Rev P1 Site Demolition Plan

Demolition Plans

1823-BG-ZZ-B1-DR-A-15.200 Rev P1 Demolition Basement Plan  
1823-BG-ZZ-LG-DR-A-15.201 Rev P1 Demolition Lower Ground Floor Plan  
1823-BG-ZZ-00-DR-A-15.202 Rev P1 Demolition Ground Floor Plan  
1823-BG-ZZ-01-DR-A-15.203 Rev P1 Demolition First Floor Plan  
1823-BG-ZZ-02-DR-A-15.204 Rev P1 Demolition Second Floor Plan  
1823-BG-ZZ-03-DR-A-15.205 Rev P1 Demolition Roof

Proposed Site

1823-BG-ZZ-B1-DR-A-20.100 Rev P1 Lower Basement Plan  
1823-BG-ZZ-B2-DR-A-20.101 Rev P1 Basement Plan  
1823-BG-ZZ-00-DR-A-20.102 Rev P1 Ground Floor Plan  
1823-BG-ZZ-01-DR-A-20.103 Rev P2 First Floor Plan  
1823-BG-ZZ-02-DR-A-20.104 Rev P2 Second Floor Plan  
1823-BG-ZZ-03-DR-A-20.105 Rev P2 Third Floor Plan  
1823-BG-ZZ-04-DR-A-20.106 Rev P2 Fourth Floor Plan  
1823-BG-ZZ-05-DR-A-20.107 Rev P2 Roof Plan

Proposed Buildings Plans

1823-BG-01-00-DR-A-20.200 Rev P1 Building 1 Ground Floor Plan  
1823-BG-01-01-DR-A-20.201 Rev P1 Building 1 First Floor Plan  
1823-BG-01-02-DR-A-20.202 Rev P1 Building 1 Second Floor Plan  
1823-BG-01-03-DR-A-20.203 Rev P2 Building 1 Roof Plan  
1823-BG-02-00-DR-A-20.200 Rev P1 Building 2 Ground Floor Plan  
1823-BG-02-01-DR-A-20.201 Rev P1 Building 2 First Floor Plan  
1823-BG-02-02-DR-A-20.202 Rev P1 Building 2 Second Floor Plan  
1823-BG-02-03-DR-A-20.203 Rev P1 Building 2 Third Floor Plan  
1823-BG-02-04-DR-A-20.204 Rev P1 Building 2 Roof Plan  
1823-BG-03-00-DR-A-20.200 Rev P1 Building 3 Ground Floor Plan  
1823-BG-03-01-DR-A-20.201 Rev P1 Building 3 First Floor Plan  
1823-BG-03-02-DR-A-20.202 Rev P1 Building 3 Second Floor Plan  
1823-BG-03-03-DR-A-20.203 Rev P1 Building 3 Third Floor Plan  
1823-BG-03-04-DR-A-20.204 Rev P1 Building 3 Roof Plan

1823-BG-04-00-DR-A-20.200 Rev P1 Building 4 Ground Floor Plan  
1823-BG-04-01-DR-A-20.201 Rev P1 Building 4 First Floor Plan  
1823-BG-04-02-DR-A-20.202 Rev P1 Building 4 Second Floor Plan  
1823-BG-04-03-DR-A-20.203 Rev P1 Building 4 Third Floor Plan  
1823-BG-04-04-DR-A-20.204 Rev P1 Building 4 Roof Plan  
1823-BG-04--1-DR-A-20.205 Rev P1 Building 4 Lower Ground Floor Plan  
1823-BG-05-00-DR-A-20.200 Rev P1 Building 5 Ground Floor Plan  
1823-BG-05-01-DR-A-20.201 Rev P1 Building 5 First Floor Plan  
1823-BG-05-02-DR-A-20.202 Rev P1 Building 5 Second Floor Plan  
1823-BG-05-03-DR-A-20.203 Rev P1 Building 5 Third Floor Plan  
1823-BG-05-04-DR-A-20.204 Rev P1 Building 5 Fourth Floor Plan  
1823-BG-05-05-DR-A-20.205 Rev P1 Building 5 Roof Plan  
1823-BG-06-00-DR-A-20.200 Rev P1 Building 6 Ground Floor Plan  
1823-BG-06-01-DR-A-20.201 Rev P1 Building 6 First Floor Plan  
1823-BG-06-02-DR-A-20.202 Rev P1 Building 6 Second Floor Plan  
1823-BG-06-03-DR-A-20.203 Rev P1 Building 6 Third Floor Plan  
1823-BG-06-05-DR-A-20.204 Rev P1 Building 6 Fourth Floor Plan  
1823-BG-06-05-DR-A-20.205 Rev P1 Building 6 Roof Plan  
1823-BG-07-00-DR-A-20.200 Rev P1 Building 7 Ground Floor Plan  
1823-BG-07-01-DR-A-20.201 Rev P1 Building 7 First Floor Plan  
1823-BG-07-02-DR-A-20.202 Rev P1 Building 7 Second Floor Plan  
1823-BG-07-03-DR-A-20.203 Rev P1 Building 7 Third Floor Plan  
1823-BG-07-04-DR-A-20.204 Rev P1 Building 7 Roof Plan  
1823-BG-08-00-DR-A-20.200 Rev P1 Building 8 Ground Floor Plan  
1823-BG-08-01-DR-A-20.201 Rev P1 Building 8 First Floor Plan  
1823-BG-08-02-DR-A-20.202 Rev P1 Building 8 Second Floor Plan  
1823-BG-08-03-DR-A-20.203 Rev P1 Building 8 Third Floor Plan  
1823-BG-08-04-DR-A-20.204 Rev P1 Building 8 Fourth Floor Plan  
1823-BG-08-05-DR-A-20.205 Rev P1 Building 8 Roof Plan

1823-BG-09-00-DR-A-20.200 Rev P1 Pavilion Ground Floor Plan  
1823-BG-09-01-DR-A-20.201 Rev P1 Pavilion Roof Plan

1823-BG-10-00-DR-A-20.200 Rev P1 Bittacy Cottage Ground Floor Plan  
1823-BG-10-01-DR-A-20.201 Rev P1 Bittacy Cottage First Floor Plan  
1823-BG-10-02-DR-A-20.202 Rev P2 Bittacy Cottage Roof Plan

1823-BG-11-00-DR-A-20.200 Rev P1 Kingdom Hall Ground Floor Plan  
1823-BG-11-01-DR-A-20.201 Rev P2 Kingdom Hall First Floor Plan  
1823-BG-11-02-DR-A-20.202 Rev P2 Kingdom Hall Roof Plan

1823-BG-12-B1-DR-A-20.200 Rev P1 Community Hub Lower Ground Floor Plan  
1823-BG-12-00-DR-A-20.201 Rev P1 Community Hub Ground Floor Plan  
1823-BG-12-01-DR-A-20.202 Rev P1 Community Hub First Floor Plan  
1823-BG-12-02-DR-A-20.203 Rev P2 Community Hub Roof Plan

#### Proposed Site Sections

1823-BG-ZZ-ZZ-DR-A-20.250 Rev P1 WTH Section 1&2&3

#### Proposed Building Sections

1823-BG-01-ZZ-DR-A-20.250 Rev P1 Building 1 Sections 1&2  
1823-BG-02-ZZ-DR-A-20.250 Rev P1 Building 2 Sections 1&2  
1823-BG-03-ZZ-DR-A-20.250 Rev P1 Building 3 Sections 1&2

1823-BG-04-ZZ-DR-A-20.250 Rev P1 Building 4 Sections 1&2  
1823-BG-05-ZZ-DR-A-20.250 Rev P1 Building 5 Sections 1&2  
1823-BG-06-ZZ-DR-A-20.250 Rev P1 Building 6 Section 1  
1823-BG-06-ZZ-DR-A-20.251 Rev P1 Building 6 Section 2  
1823-BG-07-ZZ-DR-A-20.250 Rev P1 Building 7 Sections 1&2  
1823-BG-08-ZZ-DR-A-20.250 Rev P1 Building 8 Sections 1&2  
1823-BG-09-ZZ-DR-A-20.250 Rev P1 Pavilion Sections 1&2  
1823-BG-10-ZZ-DR-A-20.250 Rev P1 Bittacy Cottage Sections 1&2  
1823-BG-11-ZZ-DR-A-20.250 Rev P2 Affordable Residential Building Sections 1&2  
P2  
1823-BG-12-ZZ-DR-A-20.250 Rev P1 Community Hub Sections 1&2

#### Proposed Site Elevations

1823-BG-ZZ-ZZ-DR-A-20.270 Rev P1 WTH Site Elevations 1&2&3  
1823-BG-ZZ-ZZ-DR-A-20.271 Rev P1 WTH Site Elevations 4&5&6  
1823-BG-ZZ-ZZ-DR-A-20.272 Rev P2 WTH Site Elevations 7&8&9&10  
1823-BG-ZZ-ZZ-DR-A-20.273 Rev P2 WTH Site Elevations 11&12

#### Building Elevations

1823-BG-01-ZZ-DR-A-20.270 Rev P2 Building 1 North and South Elevations  
1823-BG-01-ZZ-DR-A-20.271 Rev P2 Building 1 East and West Elevations  
1823-BG-02-ZZ-DR-A-20.270 Rev P1 Building 2 North and South Elevations  
1823-BG-02-ZZ-DR-A-20.271 Rev P1 Building 2 East and West Elevations  
1823-BG-03-ZZ-DR-A-20.270 Rev P1 Building 3 North and South Elevations  
1823-BG-03-ZZ-DR-A-20.271 Rev P1 Building 3 East and West Elevations  
1823-BG-04-ZZ-DR-A-20.270 Rev P1 Building 4 North and South Elevations  
1823-BG-04-ZZ-DR-A-20.271 Rev P1 Building 4 East and West Elevations  
1823-BG-05-ZZ-DR-A-20.270 Rev P1 Building 5 North and South Elevations  
1823-BG-05-ZZ-DR-A-20.271 Rev P1 Building 5 East and West Elevations  
1823-BG-06-ZZ-DR-A-20.270 Rev P1 Building 6 North and South Elevations  
1823-BG-06-ZZ-DR-A-20.271 Rev P1 Building 6 East and West Elevations  
1823-BG-07-ZZ-DR-A-20.270 Rev P1 Building 7 North and South Elevation  
1823-BG-07-ZZ-DR-A-20.271 Rev P1 Building 7 East and West Elevation  
1823-BG-08-ZZ-DR-A-20.270 Rev P1 Building 8 North and South Elevation  
1823-BG-08-ZZ-DR-A-20.271 Rev P1 Building 8 East and West Elevation  
1823-BG-09-ZZ-DR-A-20.270 Rev P1 Pavilion North East South West Elevations  
  
1823-BG-10-ZZ-DR-A-20.270 Rev P2 Bittacy Cottage North and South Elevation  
  
1823-BG-10-ZZ-DR-A-20.271 Rev P2 Bittacy Cottage East and West Elevation  
1823-BG-11-ZZ-DR-A-20.270 Rev P2 Affordable Residential Building North and  
South Elevation  
1823-BG-11-ZZ-DR-A-20.271 Rev P2 Affordable Residential Building Elevations  
East and West Elevation  
1823-BG-12-ZZ-DR-A-20.270 Rev P2 Community Hub North East South West  
Elevation

Also submitted for information purposes:

Affordable Housing Statement  
Archaeological Assessment  
Arboricultural Impact Assessment

Biodiversity Net Gain Metric  
 CAVAT Assessment  
 Circular Economy Statement  
 Daylight & Sunlight Assessment  
 Design & Access Statement  
 Desk-Based Archaeological Assessment  
 Energy Statement  
 Environmental Statement  
 Financial Viability Assessment, and Addendum dated 25<sup>th</sup> July 2022, and Letter dated 4<sup>th</sup> October 2022  
 Fire Safety Statement and Letter response to GLA (11/04/2022) dated 05/05/2022 prepared by Hoare Lea  
 Flood Risk Assessment & Surface Water Drainage Strategy  
 Landscape Statement, and Tree Strategy dated 11th August 2022, UGF Score for the Existing Site, UGF Score for the Proposed Scheme, UGF Diagram for the Proposed Scheme, Proposed Site Plan Ground Floor RPA Plan drawing no. 1823-BG-ZZ-00-DR-A-20.120 Rev P1.  
 Lighting Impact Assessment  
 Noise Impact Assessment  
 Phase 1 Geotechnical and Geoenvironmental Desk Study (Land Contamination)  
 Planning Statement (including Green Belt Visual Assessment)  
 Statement of Community Involvement  
 Sustainability Statement  
 SUDS Strategy Design Note  
 Transport Assessment incl. Framework Travel Plan, Delivery servicing Management Plan, Parking Design Management Plan  
 Utilities Assessment  
 Whole Life Carbon Assessment

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

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

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

- 3 a) Before the relevant part of the works are begun, details of the materials to be used for the external surfaces of the building(s), shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01

of the Development Management Policies DPD (adopted September 2012).

- 4
- a) No development (other than site demolition and site preparation works) shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.
  - b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

- 5
- a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
  - b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
  - c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

- 6
- a) No development (other than site demolition and site preparation works) shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.
  - b) The development shall thereafter be implemented in accordance with details approved under this condition.



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

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

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

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

- 8 Prior to first occupation of the development hereby approved, a Biodiversity Net Gain assessment and supporting plan that demonstrates biodiversity net gain including any watercourses and details of landscape enhancements shall be submitted and approved by the local planning authority.

A) This document shall include details of habitat creation, enhancement measures for biodiversity gains using an appropriate DEFRA Biodiversity Metric calculator. This shall be incorporated into the scheme of the hard and soft landscaping, of the development. This scheme will include details of existing trees to be retained and size, species, planting heights, densities, positions of any soft landscaping, and habitat enhancements such as bird and bat boxes, log piles etc appropriate to location shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

b) All work comprised in the approved scheme of landscaping and biodiversity enhancements under Part A shall be carried at the most optimal time for wildlife and plantings. All works must be completed within 12 months after occupation, or before the end of the first planting and seeding season, whichever is sooner.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan 2021 and Environment Act 2021.

- 9 Prior to the commencement of works on site, an updated badger and reptile survey is to be undertaken onsite by a suitably qualified ecologist as per best practice guidance. The surveys must be undertaken during the appropriate time of year for the surveys e.g., March - October. The results of these surveys and any subsequently mitigation recommendations and actions must be submitted to and approved by the Local Planning Authority before any development works can commence.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan and 2021 Environment Act 2021.

- 10 Prior to commencement of works a Construction & Environment Management Plan (CEMP) for Biodiversity shall be submitted and approved by the planning authority. Details within the CEMP shall include provisions to ensure that habitats, species, and statutory and non-statutory designated site of nature conservation (as applicable) are adequately protected throughout all phases of the development in accordance with Legislation and policy. As part of the CEMP an Ecology Toolbox Talk will be included to be delivered by the project ecologist prior to the commencement of works on site. Details to protect species shall include within the Ecological Mitigation Strategy and Construction Exclusion Zone plan within the CEMP.

- Ecological Mitigation Strategy (EMS). The document will outline the methods, responsibilities and timing for all mitigation affecting the protected and notable species including bats, badgers, reptiles, nesting birds, and hedgehogs, and the adjacent Driver's Hill SINC. The strategy will ensure compliance with the mitigation hierarchy as described within BS4042: 2014 Biodiversity clause 5.2 Mitigation hierarchy.

- Construction Exclusion Zone (CEZ) Plan. The plan will outline the location and specification of protective fencing that will safeguard the protective buffer zone of the adjacent SINC and protect the southwest field. The plan will be commensurate with the tree protection plan and will need to consider the Root Protection Area of any retained tree in and around the site. The CEZ protective fencing will need to be installed by competent personnel in line with the CEZ plan with input from the project ecologist.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan and 2021 Environment Act 2021.

- 11 Prior to the first occupation of the development hereby approved, details of a Sensitive Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for project, shall be in accordance with Bats Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series.

Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan.

- 12 Prior to the commencement of works, details of an Invasive Species Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This shall comprise a detailed plan showing the location of invasive species (Schedule 9 listed species Wildlife and Countryside Act 1980 (as amended) and Species of Concern under the London Invasive Species Initiative.

In accordance with best practice and as directed by Ecological Mitigation Strategy these species shall be treated or prevented from spreading out with the site.

Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan and 2021 Environment Act 2021.

- 13 Prior to occupation of the development the details the location, including height, orientation, and make of at least six purpose-built bat and six bird boxes or bricks to be installed on the building and trees nearby in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)', shall be submitted and approved by the local planning authority. These installations shall be maintained and replaced as necessary for the lifetime of the building as directed by an appropriately qualified and licenced bat ecologist.

Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 14 Prior to first commencement of works relating to the basement car parking area and vehicular access on The Ridgeway, a Stage 1 Road Safety Audit shall be undertaken in relation to these elements. The results of the audit shall be submitted to and approved in writing by the Local Planning Authority.

Any necessary works identified within the audit shall thereafter be fully implemented prior to the first occupation of any part of the development.

Reason: In the interest of highway/pedestrian 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.

- 15 a) Before the permitted development is first occupied a detailed Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

b) The development shall be carried out in accordance with the approved plan.

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.

- 16 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
- 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.

The Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development set out in the Environmental Statement.

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

Reason: In the interests of highway safety, noise 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 Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 17 Prior to the first occupation of each building; details of cycle parking and cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Such spaces shall be in accordance with the London Plan 2021 and London Cycle Design Standards 2014. All 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.

- 18 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing.
- b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with Policy T6 of the London Plan 2021.

- 19 Prior to first occupation of the residential units, a Residential Car Parking Management Plan shall be submitted to and agreed in writing for each Phase 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.

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.

- 20 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once

occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021

- 21 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. 1823-BG-ZZ-B2-DR-A-20.101 Rev P1 (Basement Plan) and Drawing No. 1823-BG-ZZ-00-DR-A-20.100 Rev P1 (Proposed Site Plan Ground Floor) shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Polices T6 and T6.1 of the London Plan 2021.

- 22 Part 1

Before development commences other than for investigative work:

a) A site investigation shall be designed for the site using information obtained from the submitted Phase 1 Geotechnical And Geoenvironmental Desk Study. 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.

b) 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

c) 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).

- 23 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: In the interest of good air quality in accordance with Policy DM04 of the Barnet Local Plan Development Management Policies (2012) and Policy SI1 of the London Plan 2021.

- 24 The level of noise emitted from the any approved extraction and ventilation plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and D14 of the London Plan 2021.

- 25 a) Prior to occupation of any building containing ventilation/extraction plant a report shall be carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and be submitted to and approved in writing by the Local Planning Authority.

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

content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policies D13 and D14 of the London Plan 2021.

- 26 The development shall be constructed and implemented in accordance with the mitigation measures as set out in Chapter 10 of the approved Environmental Statement - Volume 1 dated 28/01/2022 by Air Quality Consultants

Reason: In the interests of air quality during the construction and occupation stages.

- 27 a) Prior to any above grade works taking place, details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the \*\*\*\* as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (2016), and Policies D13 and D14 of the London Plan 2021.

- 28 Prior to the first occupation of the development, a strategy setting out how the development could enable future connection to any District Heating Network shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved

Reason: In the interests of sustainable development and in accordance with the London Plan 2021.



- 29 Prior to the occupation of the development the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance.

The post-construction assessment should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings

- 30 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity spaces provided on the site and a programme for their implementation shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved and the agreed programme of implementation.

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan.

- 31 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 treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat
- c) 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, DM16, 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).

- 32 a) Prior to the first occupation of the relevant buildings hereby approved, details of

any proposed green roofs to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

- 33 a) Prior to occupation, the development hereby approved shall obtain a 'Secure by Design' accreditation and confirmation shall be submitted to and approved, in writing, by the Local Planning Authority.

The development shall only be carried out in accordance with the approved accreditation.

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

- 34 No development (other than site demolition and site preparation works) shall take place until a detailed design of the Surface Water Drainage of the site has been submitted to and approved in writing by London Borough of Barnet planning authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the proposed SuDS operation and maintenance plan. The scheme should include:

- A fully labelled SuDS network diagram showing, pipes and manholes, suds features with reference numbers etc.
- SuDS design input data and results to support the design.
- Infiltration site investigation results showing that infiltration systems are feasible method of discharge for this site, if SuDS infiltration method is proposed;
- Appropriate design rainfall i.e. Flood Estimation Handbook (FEH) design rainfall 2013.
- Assessment of the proposed drainage system during the 30-year design rainfall according to Design and Construction Guidance, March 2020;
- Assessment of the attenuation storage volumes to cope with the 100-year rainfall event plus climate change.
- Evidence of Thames Water (Water Company) agreement for discharge to their system (in principle/ consent to discharge) if the proposal includes connecting to a sewer system.
- Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing the flood risk to occupants or neighbouring properties;
- SuDS operation and maintenance plan;

- SuDS detailed design drawings; and,
- SuDS construction phasing.

Reasons: 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.

- 35 Prior to the erection and installation of any photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and constructed in accordance with the approved 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 CS5 and DM01 of the Barnet Local Plan.

- 36 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 2016).

- 37 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the wholesome water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 38 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3)

permitted under this consent 90% shall have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers.

- 39 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 62% in carbon dioxide emissions of the domestic element and 54% of the non-domestic element when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 Building Regulations in accordance with the submitted Energy Statement. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policy SI 2 of the London Plan 2021.

- 40 The development must be carried out in accordance with the provisions of the Fire Safety Statement ((Dated 17/01/2022 REF: DOC-1921561-05-IDL-2021118-Marstead Living Planning statement-Rev02) and Letter response to GLA (11/04/2022) dated 05/05/2022 prepared by Hoare Lea unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

- 41 The specialist older persons housing hereby approved shall be used only for purposes under Use Class C2, and for no other purpose of the of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure that the development meets and continues to meet the Borough's identified care needs and in accordance with policies CS4 of the Barnet Core Strategy and DM09 of the Development Management Policies DPD.

- 42 The 392sqm of community floor space hereby approved for purposes falling within Use Class E(f), F1 and F2 shall only be occupied for such uses and shall not be used for any other purpose, including any other purpose within Use Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floor space within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

#### **RECOMMENDATION IV:**

- 1 That if the above agreement has not been completed has not been submitted by 28 April 2023, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):
  1. The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing, older person living, carbon offset, tree management and highways mitigation. The proposal would therefore not address the impacts of the development, contrary to Policies CS4, CS5, CS9 and CS10 of the Local Plan Core Strategy (adopted September 2012), policies DM01, DM04, DM09, DM10, DM13 and DM17 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

#### **Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered, and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq. m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq. m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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

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

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

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

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

- 3 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 4 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

5 No works shall be undertaken during outside of the species-specific activity period. Guidance can be found within BS 8683: 2021 A process for designing and implementing biodiversity net gain and BS42040:2013: Biodiversity - Code of practice for planning and development, and documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval.

6 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases, and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs, and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Biosecurity, trees should not be imported directly from European suppliers and planted straight into the field but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine.

7 Badgers and their active setts are protected under the Protection of Badgers Act 1992 therefore, planning permission does not negate statutory obligation to protect badgers from activities that would otherwise damage or disturb the species. It must be noted that any works that are deemed likely to impact badgers must be covered under an approved mitigation licence from Natural England and such works would only be able to be undertaken between July 1st and November 31st as badgers and their young are less sensitive to disturbance during this time.

All reptile species are protected from deliberate injury or death under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and while a licence is not required to cover their removal from a development site, an approved mitigation strategy (see CEMP below) will need to be in place prior to any ground works taking place.

8 In the event of a protected species being found works must stop and the project ecologist consulted, and the correct level of additional surveys and mitigation applied including any licences needed as referenced within Construction & Environment Management Plan (CEMP). Following the appropriate level of approval works may resume

9 While it is understood that any vegetation clearance within the site boundary falls under permitted development there is a risk that nesting birds maybe negatively impact by the proposed clearance works should the works commence during the active nesting bird season. Nesting birds and their active birds' nests are protected from damage of disturbance under the Wildlife and Countryside Act 1981, as

amended (section 1).

Generally, trees, buildings and scrub may contain nesting birds between 1st March and 31st August inclusive. It is considered that nesting birds are likely to be present between the above dates. You are advised to seek the advice of a competent ecologist prior to undertaking any works which could affect nesting birds during the period outlined above



## **OFFICER'S ASSESSMENT**

### **1. POLICY CONSIDERATIONS**

#### **Key Relevant Planning Policy**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case, the development plan comprises The London Plan (published 2021) 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.

#### **National Planning Policy Framework (2021)**

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.

This document replaces the previous version of the National Planning Policy Framework (NPPF) published in February 2019. The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.

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 also states that the purpose of the planning system is to contribute to the achievement of sustainable development. In addition, the NPPF retains a 'presumption in favour of sustainable development', unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

#### **The London Plan 2021**

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004).

The London Plan policies most relevant to the determination of this application are as follows:

*Chapter 1 Planning London's Future - Good Growth*

GG2 (Making Best Use of Land)  
GG4 (Delivering the homes Londoners need)  
G5 (Urban Greening)  
G6 (Biodiversity and access to nature)  
G7 (Tree and woodlands)

*Chapter 3 Design*

D1 (London's form, character and capacity for growth),  
D2 (Infrastructure requirements for sustainable densities)  
D3 (Optimising site capacity through the design-led approach),  
D5 (Inclusive design),  
D6 (Housing quality standards),  
D7 (Accessible housing),  
D8 (Public realm),  
D11 (Safety, security & resilience to emergency)  
D12 (Fire safety)

*Chapter 4 Housing*

H1 (Increasing housing supply)  
H4 (Delivering affordable housing)  
H5 (Threshold approach to applications)  
H6 (Affordable housing tenure)  
H7 (Monitoring affordable housing)  
H10 (Housing size mix)  
H13 (Specialist older persons housing)

*Chapter 5 Social Infrastructure*

S1 (Developing London's social infrastructure)

*Chapter 6 Economy*

E11 (Skills and opportunities for all)

*Chapter 7 Heritage and Culture*

HC1 (Heritage conservation and growth)

*Chapter 8 Infrastructure and Natural Environment*

G1 (Green infrastructure)  
G2 (London's Green Belt)  
G4 (Open Space)  
G5 (Urban greening)  
G6 (Biodiversity and access to nature)  
G7 (Trees and Woodland)

*Chapter 9 Sustainable Infrastructure*

SI 1 (Improving air quality)  
SI 2 (Minimising greenhouse gas emission)  
SI 4 (Managing heat risk)  
SI 5 (Water infrastructure)  
SI 6 (Digital connectivity infrastructure)

SI 7 (Reducing waste and supporting the circular economy)  
SI 8 (Waste capacity and net waste self-sufficiency)  
SI 12 (Flood risk management)  
SI 13 (Sustainable drainage)

#### *Chapter 10 Transport*

T1 (Strategic approach to transport)  
T2 (Healthy Streets)  
T3 (Transport capacity, connectivity and safeguarding)  
T4 (Assessing and mitigating transport impacts)  
T5 (Cycling),  
T6 (Car parking)  
T6.1 (Residential parking)  
T7 (Deliveries, servicing and construction)  
T9 (Funding transport infrastructure through planning)

#### *Chapter 11 Funding the London Plan*

DF1 (Delivery of the Plan and Planning Obligations)

#### *Chapter 12 Monitoring*

M1 (Monitoring)

#### Mayoral Supplementary Guidance

- Planning for Equality and Diversity in London (October 2007)
- All London Green Grid (March 2012)
- Play and Informal Recreation (September 2012)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Housing (March 2016)
- Affordable Housing and Viability (August 2017)
- Circular Economy Statement LPG (March 2022)
- Whole Life Carbon LPG (March 2022)
- Housing Design Standards LPG (DRAFT 2022)

#### **Relevant Local Plan (2012) Policies**

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. The Local Plan development plan policies of most relevance to the determination of this application are:

#### Core Strategy (Adopted 2012):

- CS NPPF (National Planning Policy Framework - Presumption in favour of sustainable development)
- CS1 (Barnet's Place Shaping Strategy - Protection, enhancement and consolidated growth - The three strands approach)
- CS3 (Distribution of growth in meeting housing aspirations) CS4 (Providing quality homes and housing choice in Barnet)
- CS5 (Protecting and enhancing Barnet's character to create high quality places)

- CS7 (Enhancing and protecting Barnet's open spaces)
- CS9 (Providing safe, effective and efficient travel)
- CS10 (Enabling inclusive and integrated community facilities and uses) CS11 (Improving health and well-being in Barnet)
- CS12 (Making Barnet a safer place)
- CS13 (Ensuring the efficient use of natural resources)
- CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

- DM01 (Protecting Barnet's character and amenity) DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM06 (Barnet's Heritage and Conservation)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM09 (Specialist Housing)
- DM10 (Affordable housing contributions)
- DM13 (Community and education uses)
- DM15 (Green belt and open spaces)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

- Affordable Housing SPD (February 2007)
- Delivery Skills, Employment, Enterprise, and Training from Development through S106 SPD (October 2014)
- Green Infrastructure SPD (October 2017)
- Planning Obligations SPD (April 2013)
- Residential Design Guidance SPD (April 2016)
- Sustainable Design and Construction SPD (April 2016)

**Barnet's Local Plan (Reg 22) 2021**

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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 has been taken of the policies and site proposals in the draft Local Plan limited weight has been given to the draft Local Plan in the determination of this application. The independent Examination in Public commenced on Tuesday 20th September 2022.

Under the Draft Local Plan, the application Site lies within the Mill Hill Grown Area (Draft Policy GSS07) and is allocated for development ref. Site 49 for redevelopment for residential uses (with indicative capacity for 224 units) with supporting community uses while the site maintains the essential characteristics of the Green Belt, including retaining the areas of

undeveloped land.

## **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.

## **Environmental Impact Assessment (EIA)**

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 as amended (hereafter referred to as 'the EIA Regulations') requires that for certain planning applications, an Environmental Impact Assessment (EIA) must be undertaken.

The term EIA is used to describe the procedure that must be followed for certain projects before they can be granted planning consent. The procedure is designed to draw together an assessment of the likely environmental effects (alongside economic and social factors) resulting from a proposed development. These are reported in a document called an Environmental Statement (ES).

The process ensures that the importance of the predicted effects, and the scope for reducing them, are properly understood by the public and the local planning authority before it makes its decision. This allows environmental factors to be given due weight when assessing and determining planning applications.

The Regulations apply to two separate lists of development project. Schedule 1 development for which the carrying out of an Environmental Impact Assessment (EIA) is mandatory and Schedule 2 development which require the carrying out of an EIA if the particular project is considered likely to give rise to significant effects on the environment. The proposed development does not fall within Schedule 1 of the regulations.

The development which is the subject of the application comprises development within column 1 of Schedule 2 of the Regulations. The development is deemed to fall within the description of Infrastructure projects and more specifically urban development projects (paragraph 10(b)).

As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 5 hectares or 150 residential units.

An Environmental Statement (ES) has been submitted in support of the application, and this is accompanied by a Non-Technical Summary (NTS). The details contained within these documents are discussed in the relevant sections below.

## **2. MATERIAL CONSIDERATIONS**

### **Site Description and Surroundings**

The Site is located within the Mill Hill ward. It is bounded by The Ridgeway to the north, by residential dwellings fronting Bittacy Park Avenue to the east, by residential dwellings

fronting Engel Park and Rushden Gardens to the south, and by greenfield land / residential dwellings fronting Woodcote Avenue to the west.

The Site extends to 7.3ha and comprises two adjacent components: the circa 3.6ha Watch Tower House site (to the east) and the circa 3.7ha Kingdom Hall (to the west), divided north to south by a public right of way. The Site slopes significantly from north to south.

The Site is located within the Mill Hill Conservation Area and entirely within the Green Belt.

The Site has a PTAL of between 0 and 2.

The Site lies within Flood Zone 1 (Low Risk) according to the Environment Agency's Flood Maps for Planning.

The Watch Tower House and Kingdom Hall sites form part of a group of sites located off The Ridgeway in Mill Hill that were previously owned/occupied by the International Bible Student Association (IBSA). IBSA is a registered charity responsible for managing the administrative affairs of the Jehovah's Witnesses in Britain.

The existing Watch Tower House site accommodation includes institutional style (not self-contained and not permanent) residential accommodation (c. 170 bedspaces) for Members (volunteers), offices, workshops (metal work, woodwork and related activities), dining, and recreation functions. The existing use of Watch Tower House is considered to be Sui Generis. Historically there has been no public access to the site except via prior invitation. The purpose/function of this collection of activities is to support the operations at IBSA House, which comprise the printing and distribution of bible literature. The heights of the existing buildings on the Watch Tower House site varies. Accommodation is spread across 5 levels, comprising:

- A double height lower ground floor/basement
- Principal accommodation levels (part of which is consolidated into double/triple height spaces)
- A set-back upper level

The existing buildings are set within grounds that accommodate extensive areas of surface car parking estate/access roads, and amenity gardens.

The existing Kingdom Hall site comprises a previously developed area to the north and an undeveloped private field to the south. The previously developed area accommodates a principal large building used as a Kingdom Hall of Jehovah's Witnesses (Use Class F1(f)) with associated surface car parking and ancillary buildings/structures. The building was historically used for conferences, lectures, volunteer training, congregation meetings, dinners/functions, and weddings. Its primary purpose was to provide meeting/function space for IBSA Members based at these sites. Historically, public access/use of the building was possible only in very limited circumstances. The existing building on the Kingdom Hall site comprises a single storey (double height) structure. The open field to the south (2.9ha) is private land and is not open to the public.

The existing floorspace on site comprises:

- Kingdom Hall (F1): 530 sqm
- Watch Tower House Site (Sui Generis): 11,065 sqm
- Total: 11,595sqm

There are a number of developments that have been completed, or are under construction, in the surrounding area as follows:

Millbrook Park, 480m east of the Site, which formed part of the Mill Hill East 48ha development zone identified as a major regeneration opportunity for Barnet. Outline planning permission (ref. H/04017/09) was granted in September 2011 for the comprehensive redevelopment of the site for mixed-use residential led development including 2,174 residential dwellings, 1,110sqm high street uses (Class A1-A5) and 3,470sqm of commercial/employment floorspace (Class B1) and a 2-form entry primary school. A separate application for full planning permission for a new 3-form entry primary school was subsequently sought and approved to cater for the anticipated demand. More recently, subsequent full planning permissions for the combined addition of 92 units have been granted taking the total to 2,266 residential dwellings.

The National Institute of Medical Research (NIMR), 180m northwest of the Site, is subject to a Planning Brief adopted in March 2016 to guide the residential redevelopment of the site. Following this, planning permission (16/4545/FUL) was granted by the Mayor on 22 December 2017 for the redevelopment of the site to provide 460 new residential units, consisting of 448 flats across 19 blocks (three to nine storeys in height) and 12 two storey houses. The development proposes to create new publicly accessible open space to the north of the Site and residential led development to the south. Subsequent applications have been approved, increasing the total number of residential units at the site.

'IBSA House', 210m east of the Site, which previously acted as an administrative office building for Jehovah's Witnesses alongside a large industrial shed that was used for the purpose of printing and distributing religious literature. A planning application (ref. 19/6551/FUL) was submitted to LBB in December 2019 for the demolition of the existing printworks and factory buildings and redevelopment of the site (to provide a total of 197 residential units); including the conversion of the existing IBSA House office building into 61 flats and the erection of five new residential blocks ranging from three to six storeys in height to provide an additional 136 flats. The application received resolution to grant, subject to completion of a S106 agreement, at LBB's Strategic Planning Committee on 6 April 2021.

### **Description of the Proposed development**

The proposed development is as follows:

*Demolition of existing buildings and structures, and redevelopment of the site including construction of 10no new buildings, ranging from 1 to 5 storeys (plus basement) in height and refurbishment of and extension to Bittacy Cottage - comprising 175 units of specialist older persons housing (Class C2) with ancillary communal facilities, 9no. residential dwellings (Class C3) and a community facility (Flexible Class F1/F2/E) alongside public open space, provision of car and cycle parking, associated landscaping and associated works.*

In summary, the proposed development comprises the demolition of all existing buildings, with the exception of Bittacy Cottage, and the construction of:

- A 175-unit Specialist Older Persons Housing scheme on the site of Watch Tower House, incorporating a retained and extended Bittacy Cottage Class C2);
- A 9-unit affordable residential block on the site of the Kingdom Hall (Class C3);
- A 392 sq.m GIA Community Hub building on the service yard at Kingdom Hall (Flexible

Class F1/F2/E); and

- 3ha public green space south of the Community Hub, alongside significant improvements to the public right of way which bisects the Site.

<b>Proposed Use</b>	<b>Floorspace (Gross Internal Area) (sqm)</b>
Affordable Housing Block (C3)	918
Community Hub (F1/F2/E)	392
Watch Tower House Site (including ancillary facilities & Bittacy Cottage) (C2)	21,331 (above ground)
	5,861 (below ground)
<b>Total</b>	<b>28,502</b>

### Watch Tower House (WTH)

The proposed development on the site of WTH comprises a Specialist Older Persons Housing scheme (use class C2).

This comprises 175 self-contained apartments alongside ancillary communal facilities including a wellness centre including gym and pool, restaurant/dining room, lounges, library, personal storage, and communal gardens and treatment rooms.

The scheme will be provided as a single unified/integrated development, managed by a single operator (Marstead Living) who will provide a range of on-site services, including care.

Occupancy will be restricted to persons over the age of 65 years and who require a minimum level of personal/nursing care.

Care services will comprise in-home/on-site 'personal' and 'nursing' care services (as defined by Care Quality Commission (CQC)). The permanent on-site staff will include a nurse during working hours (supported by an out-of-hours on call service), who will provide nursing care services

The overarching purpose of providing this type of specialist housing is to prolong independence and improve the wellbeing of older persons, particularly in respect to reducing loneliness and social isolation.

It is proposed to demolish the existing WTH building and construct 8 new buildings (alongside a Garden Pavilion and a retained/extended Bittacy Cottage).

The proposed mix is below:

<b>Unit Type</b>	<b>Units</b>	<b>Mix (%)</b>
1 bed	<b>26</b>	15%
2 bed	127	73%
3 bed	22	12%
<b>Total</b>	<b>175</b>	<b>100%</b>



The proposed buildings (excluding Bittacy Cottage at 2 storeys and the Garden Pavilion at single storey) range in height from 3 to 5 storeys (inc. ground). The proposed buildings of 5 storeys have been focussed to the centre of the scheme. The proposals intend to break down the existing single large mass, with smaller north south orientated buildings that follow the contours of the site, consolidated onto the northern part of the site, on previously developed land.

Bittacy Cottage is to become the operations' hub for Marstead Living offering office space, breakout area, changing rooms and external garden for staff. The building will also offer reception and office space for specialised personnel offering care (such as a nurse & domiciliary care). In addition, the proposed facilities within the Ridgeway Gate building will also be a focal point for community activities for residents of the site as well as the wider local community who will also have access to its facilities.

### Kingdom Hall

The existing Kingdom Hall building will be demolished and replaced with a comparably sized two storey residential block providing 9no. affordable housing units (Class C3) with car parking provided on a 1:1 basis. The proposed mix is below:

Unit Type	Units	Mix (%)
1 bed 2 person	2	22%
2 bed 3 person	1	11%
2 bed 4 person	4	45%
3 bed 5 person	2	22%
<b>Total</b>	<b>9</b>	<b>100%</b>

The proposed building is 2 storeys in height (incl. ground).

### Community Hub

The Community Hub will be located south-east of the affordable housing building on previously developed land currently occupied by a service yard and associated structures. It will comprise 392 sq. m. (GIA) of flexible space for use by the local community. A small part of the community hub building is expected to be used as a community kiosk café (circa 20 sq. m). The Hub building will sit at the entrance to the 3ha of newly accessible public open space, providing views over the open space and London skyline, whilst also providing natural surveillance for the open space. The Hub includes the provision of toilets to serve the users of the building.

The Hub is designed as a two-storey building which includes a portico style entrance, arts and craft style clay tile roof, and picture windows, drawing upon local precedent within the wider area.

### Public Green Space

Currently the field located south of the Kingdom Hall building is private space. As part of the proposed development this space will be enhanced, and long-term maintenance of the field secured. Public access will be secured in perpetuity (364 days per year) to create 3ha of public green space.

Currently the field comprises amenity grassland. As part of the proposed development this

will be enhanced and managed as a wildflower meadow, enhancing biodiversity. In addition, significant improvements will be made to the Public Right of Way which runs alongside the open space, to widen the route to create a more usable space and replacing the existing poor quality 1.8m high chain link fence with a 1.2 m high timber post and rail fence to create an attractive pedestrian route. Tree planting is proposed adjacent to the Public Right of Way to strengthen visual screening between the field and the proposed buildings. A Maintenance and Management Strategy is proposed to be secured by S106 and is included within the Heads of Terms.

### Access & Servicing

Both the Watch Tower House and Kingdom Halls sites will continue to be accessed via vehicles, pedestrians and cycles from The Ridgeway. A separate pedestrian-only access point will also be provided into the Watch Tower House site, between the two vehicular access points. Routes for pedestrians will be available internally within the Watch Tower House site, which will enable access to the various blocks on-site. Some of these central routes will be shared with vehicles (associated with delivery and servicing activity), however the majority will be vehicle-free. In addition, the Public Right of Way (PROW) provides a pedestrian route between The Ridgeway and Rushden Gardens.

Cycle and car parking is provided on-site in safe and convenient locations. All delivery and servicing activity will take place on-site. At the Watch Tower House site delivery vehicles will enter the site and can either stop along the internal roadway running along the northern edge of the site, or vehicles can stop in one of the two dedicated loading locations. For the Kingdom Hall site, due to the low number of daily deliveries anticipated, delivery vehicles will be able to stop outside the blocks to make their deliveries.

### **Key Relevant Planning History**

Reference: W03005E

Description: Erection of part single, part three and four storey extensions.

Decision: Approved

Decision Date: 22 May 1980.

Reference: W03005F

Description: Part single, part three and four storey extensions.

Decision: Approved

Decision Date: 07 November 1985.

Reference: W03005G

Description: Extension of car park and new planting.

Decision: Approved

Decision Date: 07 January 1987.

Reference: W03005J

[Kingdom Hall Site]

Description: Change of use of existing farm building to place of worship and provision of 34 car parking spaces.

Decision: Refused

Decision Date: 23 May 1991.

Appeal Allowed 14 January 1992.

Reference: W03005K

Description: Demolition of existing factory building & re-development and extension of remaining building for residential institutional use.

Decision: Refused

Decision Date: 21 January 1992.

Appeal Allowed 25 February 1993.

Reference: W03005Q

Description: Demolition of existing buildings and redevelopment with a 3 & 4 storey building for institutional use. Revised proposal to that approved on 2 April 1993.

Decision: Approved

Decision Date: 19 September 1994.

Reference: W03005AB

[Kingdom Hall Site]

Description: Use of former farm Building as a place of worship - renewal of planning permission W03005J granted on appeal in January 1992.

Decision: Approved

Decision Date: 7 February 1996.

Reference: W03005AC

[Kingdom Hall Site]

Description: Installation of electricity sub-station, entrance gates and enclosure.

Decision: Approved

Decision Date: 19 March 1996.

Reference: W03005AF

[Kingdom Hall Site]

Description: Replacement of former chicken sheds with parking spaces for 8 cars and landscaping.

Decision: Approved

Decision Date: 8 April 1997.

Reference: W03005AE

Description: Demolition of existing factory block and redevelopment with replacement building for institutional use, being a revised scheme to that approved on 19 September 1994 W03005Q, and 25th February 1993 W03005K.

Decision: Approved

Decision Date: 8 April 1997.

Reference: W03005AL

Description: Conservatory extension at the rear - amendment to planning permission W03005Q approved 19.09.94.

Decision: Approved

Decision Date: 9 July 1998.

Reference: W03005AJ

Description: Excavation to provide a hard surfaced tennis court and surrounding fencing.

Decision: Approved

Decision Date: 27 November 1997.

Reference: W03005AU/07

Description: Erection of single storey gatehouse attached to annexed cottage, widening road entrance to Watch Tower House following demolition of garage and shed and provision of

pedestrian gate and new bike store.

Decision: Approved

Decision Date: 2 January 2008.

### **Public Consultation**

As part of the consultation exercise, 317 letters were sent to neighbouring properties and residents. In addition, the application was advertised in the local press and a site notice posted.

Overall, 230 responses have been received, comprising of 202 letters of objection and 28 letters of support.

The objections received against the application be summarised as follows:

- Impact on Green Belt
- Absence of need for this type of housing
- Impact to Conservation Area
- Impact on views
- Insufficient affordable housing
- Siting of affordable housing block
- Overdevelopment
- Scale, massing and height
- Volume of buildings is excessive
- Design of buildings / architecture
- Footprint of buildings
- Cumulative impact from other nearby schemes
- Quality of proposed accommodation
- Impact on surrounding existing amenities
- Impact on neighbouring privacy
- Reduction of daylight / sunlight
- Overlooking
- Air and noise pollution
- Anti-social behaviour in the field
- Traffic and / or highways safety
- Insufficient vehicle and cycle parking
- Loss of Trees
- Impact to biodiversity / wildlife / habitats
- Impact on existing infrastructure (sewage / water)
- Disturbance due to construction
- Carbon impact
- Impact on archaeology

In addition, a petition objecting to the planning application because it has a considerably larger footprint and is much higher than the existing Watch Tower House, it reduces the Green Belt in Mill Hill and will adversely impact on the area. We are petitioning for four stories maximum and no more than a 10% increase in footprint. The petition contains 49 signatures.

An ePetition against the planning application with the same narrative above was created and gathered 17 signatures.

The letters of support can be summarised as follows:

- Positive aspects for the area
- Development would be much welcomed
- The over 65s will have a home that will suit their requirements
- The provision of social housing is very welcome
- Proposed amenities will benefit the local community such as a Farm Shop and a Coffee Shop
- Ability to have own and individual secure accommodation
- Clear growing need for such specialised housing solutions
- Little amenity available on The Ridgeway
- Increase in the amount of green amenity and is in my view a very good example of green belt development
- Additional trees and plants will make this a very wonderful home for the over 65s
- Giving back the green belt space to the public is a win-win as the area is currently inaccessible
- The development seeks to address the limited supply of high-quality, senior living accommodation in LB Barnet
- The scheme has strong sustainability credentials with a clear emphasis on the wellbeing of the end-user
- The architectural typology responds to the character of the local area.
- Great improvement to the existing site
- Expand the sector in order to meet the health, housing and social care needs of the UK's ageing population

### **Elected Representatives**

#### **Cllr Val Duschinsky**

Residents have raised concerns about this development in the green belt. These mainly concern the increased building footprint and building volume, the height of the proposed buildings and the effect this would have on the openness of the green belt, and the final concerns relate to the inadequate provision of parking spaces, both for the residents but also for the staff who will be required to work there.

#### **Former Cllr John Hart**

I consider the inclusion of any 5-storey buildings in this development - which initially was planned with a maximum of 4 storeys - to be an excessive intrusion in the skyline of the sensitive area involved. There should be no buildings higher than 4 storeys at the very most.

### **Neighbouring / Residents Associations and Local Amenity Groups**

#### **Hendon and District Archaeological Society**

We have studied the very full archaeological assessment submitted with the application. This is a large proposal, and the redevelopment operations are likely to reveal evidence of the nineteenth century Bittacy House and its gardens, and may well uncover prehistoric remains, some of which have been found nearby. We therefore believe that Historic England, to whom I am copying this, may wish to recommend an archaeological condition, for instance a Watching Brief.

#### **Mill Hill Conservation Area Action Committee**

The Conservation Area Advisory Committee (CAAC) have examined this application and whilst we know many letters with comments have been submitted it is important that we comment on the wider Conservation Area issues.

### *Conservation Area*

The Mill Hill Conservation Area Character Appraisal Statement Adopted (April 2008) makes little reference to Watch Tower House, other than to mention it as a building with institutional use in the same paragraph as the National Institute for Medical Research (NIMR) at the eastern end of The Ridgeway. These buildings occupy large sites with car reliant users. In our opinion, judging by the architecture of the proposed scheme it will not jar with the Conservation Area unlike the new blocks on the NIMR site that architecturally contribute nothing to the character and feel of the area.

### Transport and Parking

#### WATCH TOWER HOUSE:

The idea of an upmarket retirement village does not imply there is likely to be less traffic and daily upheaval compared with other schemes of flats on The Ridgeway, such as the NIMR site (Ridgeway Views). CAAC is concerned about is the potential for overspill parking on The Ridgeway and this is difficult to establish from the Transport Assessment by Arup.

Having researched the document, we could find no reference to 'overspill' parking from the site, so we don't know if this has been properly dealt with. If residents are charged for parking spaces, then they may choose to park off-site to avoid the cost and this will lead to parking on adjoining roads.

Any failure to provide adequate on-site parking will impact on the character and appearance of the Conservation Area.

The report claims on page 39 that there will be 103 car parking spaces provided which equates to a parking ratio of 0.59 spaces per dwelling. We view the parking ratio differently as set out below.

As far as we can ascertain the parking provision will be as follows:

- 9 spaces for visitors
- 8 spaces for staff
- 2 spaces for visiting staff
- 4 spaces for electric cars in the car club
- 4 spaces for high vehicles that will not fit in the basement parking
- 17 spaces for disabled use
- 59 spaces allocated for residents of the Specialist Older Persons Housing

One of the most worrying aspects of this provision is in relation to staff. The Planning Statement by Avison Young states para. 11.35 "As set out in the Socio-Economics Assessment within the Environmental Statement, it is expected that the site will support 85 FTE (full time equivalent) permanent end user jobs." The parking provision for this level of employment is woefully low at 8 staff spaces. A further 2 for visiting staff are to be provided but we could find no reference as to how many visiting staff might be expected. The site has a low PTAL rating, so many of the staff will come by car and MHPS suggest that the lack of staff parking will definitely cause overspill parking on The Ridgeway and surrounding roads.

Taking the 17 disabled use spaces and the 59 general spaces together (76 spaces) and

comparing this to the number of use class C2 units (175) this gives a parking ratio per dwelling of 0.43 (not 0.59 as suggested by Arup). This seems low, especially when one considers that these days people in their 60s & 70s are still quite active and that any partner or live-in carer need not have any medical needs.

We also note that only 20% of the car spaces will be provided with electric charging points and given the government targets for phasing our petrol/diesel vehicles this % seems low. Upcoming Building Regulations later this year will require all new dwellings to have vehicle charging points.

#### **KINGDOM HALL:**

The parking for the affordable housing is at the rate of 1 per dwelling. This level of provision has proved to be unsatisfactory on the nearby NIMR site where overspill car parking has resulted on The Ridgeway, leading to further double yellow line proposals from the Council's Highways team to endeavour to resolve the matter. The 9 spaces proposed do not allow for visitors and is of concern.

Additionally, the Community Hub on this part of the site has been designed to function as a community building as opposed to a facility solely for the occupants of the retirement village. Presumably, the Applicant is aware that, as this is a low PTAL area, a high percentage of visitors will come by car. We therefore question whether 8 spaces proposed for the use of the Hub is going to be sufficient without causing overspill parking.

Given the site arrangement there is a real risk that the community parking will be filled by overflow parking from the affordable housing.

Further, the provision of the Open Space may lead to people arriving by car with dogs and children and parking while they go for walks, picnics and the like as they do in other parts of the locality. This likelihood does not seem to have been considered.

The Mill Hill Conservation Area Character Appraisal Statement (2008) states under the heading 'The principal negative features are:' Traffic is busy and noisy and a balancing act has to be struck between traffic flows and environment improvements to the public realm. CAAC is of the opinion that insufficient parking has been provided on this site that will cause overspill parking in the Conservation Area and add to the noise and congestion.

#### *New Public Open Space*

CAAC is concerned about the large open space behind Kingdom Hall, running down the length of the development and the public footpath. The Applicant states a desire to open up this area as a public green space, which some consider admirable, while others hold a different view.

There is concern that the area will be criss-crossed with paths and hardstanding, and that giving the area over to 'periodic farmers markets and community events' (Landscape Statement part 2 p.17) will very much change the nature of this wildlife habitat. CAAC is also concerned about the planting of trees on the area that would impede the fine views over London. We would question whether this level of use has been factored into the Biodiversity Net Gain calculator, given that the full metric and associated plans have not been submitted.

#### *Building Heights and Views*

The discussion of building heights is one of our greatest concerns. We are reasonably content that views from The Ridgeway have been fully considered. However, of equal concern are views into the site from the wider area - Engel Park, Bittacy Park Avenue,

Rushden Gardens and Woodcote Avenue. No existing or proposed levels plans are included in the application and this makes assessment of the interrelationship between blocks difficult.

The photographic montages have all been examined and they only show glimpsed views. If the technique is accurate then the views seem reasonable. Clearly some of the tree screening will be more effective in summer than in winter. The included views of these blocks from the south do not show them as dominant. More worrying are the blocks when viewed from the open field as the new buildings will be higher than the existing ones.

The problem we have is with the 5-storey Blocks. Block 8 is going to be quite visible from the rear of the houses on Bittacy Park Avenue and within all the views this is an exceptional case. We feel the residents in the houses backing onto the site here will consider the view of Block 8 to be over-bearing as it is much closer than the original buildings. There is a tree belt between the block and the back gardens but many of these are deciduous and will not provide screening in winter months. The Planning Report (part 2 of 4) shows in Plates 2 & 3 the outlook for properties along Bittacy Park Avenue has been considered, but in our view the design does not go far enough. Our suggestion would also ensure Block 8 does not dominate the long-distance views from the south. The relationship between Block 7 (part 3/part 4 storeys) and the adjoining property on The Ridgeway is overbearing.

#### *Affordable Housing*

Policy CS4 of the Core Strategy seeks to deliver 40% affordable housing across all development sites. For a scheme of this scale (175 dwellings and 9 affordable units) a total affordable housing need would be seventy-four affordable dwellings. Nine dwellings fails to meet an identified housing need of 40% per major development site and as such clause 149(g) is not triggered and the development constitutes inappropriate development within the Green Belt.

We have no doubt that the Applicant will argue that C2 housing does not trigger the need for affordable housing. However, this fallacy was usurped by the Court ruling in Rectory Homes Ltd v SSHCLG & SODC [2020] EWHC 2098 (Admin). In this case Judge Holgate ruled that whether the units were C2 or C3 was irrelevant, if they could operate as independent dwellings, albeit with some external care provision in the case of C2, then they triggered the need for affordable housing provision.

As the scheme fails to comply with the requirements of Clause 149(g), it is inappropriate development within the Green Belt and no 'very special circumstances have been advanced.

#### *In Conclusion*

CAAC has examined the application in some depth and there are issues of concern as outlined above and highlighted below:

The general height of the blocks especially Blocks 5, 6, 7 & 8 are of concern.

The general parking provision to avoid overspill parking on The Ridgeway is inadequate. Much emphasis has been put on bicycle use but the hilly nature of the area makes it uncondusive to cycling.

The level of affordable housing does not appear to meet current planning law.

The new community use building does not meet the Local Plan (Reg.19) planning brief.



We are also concerned that the new open space area should remain as natural as possible. We would like to ensure that the new planting will be used to reinforce the existing planting and frame views into the site, especially from the new public open space and views from south of the site.

Having taken all material considerations into account, the current application is considered inappropriate by reason of its size and scale, within the Green Belt, resulting in a form of development which is harmful to the Green Belt and the openness of the Green Belt. It is not considered that very special circumstances have been demonstrated that would outweigh the harm caused.

CAAC believes that the project is too large for the site given its Green Belt and Conservation Area status and we cannot support the scheme as it stands. We trust that the planning department will take account of the points raised in this letter and recommend the application for refusal.

## **Mill Hill Preservation Society**

### *Local Plan*

The existing buildings provided 85 self-contained residential units with additional ancillary spaces for the staff of the International Bible Studies Association who have now vacated the site but are caretaking there. The site includes existing car parking and extensive gardens. The western half of the site comprises a large open space with Kingdom Hall adjacent to The Ridgeway. The site has numerous mature trees and is subject to an Area Tree Preservation Order. A public footpath bisects the site from north to south and falls away sharply with good views towards London. Suburban roads of semi-detached housing surround the site to the south, east and west.

The site was not allocated for development in the current Local Plan. Under the emerging Local Plan (Reg. 19) the site is earmarked for development with 80% of the 7.3 hectares (58,500 sqm) retained as undeveloped Green Belt, with 18% (13,600 sqm) given over to residential and 2% (1,500 sqm) for community uses. However, the allocation of the site is subject to various objections and as such carries limited weight in the determination of any application (see NPPF para. 48).

The emerging Plan anticipates the delivery of circa 224 units (C3). This would be an increase of some 260% in dwellings over and above the existing site and this has been a cause of concern among local residents as it is inappropriate for the Green Belt.

### *Green Belt*

By virtue of the fact that the site has been developed previously it is classified as a 'brownfield site' that lies within the Green Belt. The National Planning Policy Framework (NPPF) clause 147. states that "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." The key question is whether this proposal is 'inappropriate development' and whether the Applicant therefore has to demonstrate that very special circumstances (VSC) exist. As the draft Local Plan (Reg.19), endorsed by Council on 19 October 2021, is seeking to allocate the site for residential development, the Society has come to the view some form of care home (C2 Use) is not inappropriate within the Green Belt, but the configuration of this proposal is inappropriate.

NPPF Clause 149. States ... 'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.'

This proposal does have a greater impact on the openness of the Green Belt than the existing buildings. Whilst the development is limited to the confines of the previously developed land and whilst there is provision for affordable housing this falls short of meeting an identified affordable housing need. Policy CS4 of the Core Strategy seeks to deliver this but this proposal does not satisfy the standard.

Policy CS4 of the Core Strategy seeks to deliver 40% affordable housing across all development sites. For a scheme of this scale (175 dwellings and 9 affordable units) a total affordable housing need would be seventy-four affordable dwellings. Nine dwellings fails to meet an identified housing need of 40% per major development site and as such clause 149(g) is not triggered and the development constitutes inappropriate development within the Green Belt.

We have no doubt that the Applicant will argue that C2 housing does not trigger the need for affordable housing. However, this fallacy was usurped by the Court ruling in *Rectory Homes Ltd v SSHCLG & SODC* [2020] EWHC 2098 (Admin). In this case Judge Holgate ruled that whether the units were C2 or C3 was irrelevant, if they could operate as independent dwellings, albeit with some external care provision in the case of C2, then they triggered the need for affordable housing provision.

As the scheme fails to comply with the requirements of Clause 149(g), it is inappropriate development within the Green Belt and no 'very special circumstances have been advanced.

It is appreciated that there is a need within the Borough for C2 housing, however, the emerging Local Plan could only be found to be sound if sufficient provision had been identified within it to meet the identified need and the Applicant has not sought to consider any other alternative location for this proposal that may be more suitable.

#### *Conservation Area*

The Mill Hill Conservation Area Character Appraisal Statement Adopted (April 2008) makes little reference to Watch Tower House, other than to mention it as a building with institutional use in the same paragraph as the National Institute for Medical Research (NIMR) at the eastern end of The Ridgeway. These buildings occupy large sites with car reliant users. In our opinion, judging by the appearance and layout of the proposed scheme it will not jar with the Conservation Area unlike the new blocks on the NIMR site that architecturally contribute nothing to the character and feel of the Conservation Area. Comments pertaining to parking and impact on the Conservation Area are considered below.

#### *Over-development of the Site*

The consideration as to over-development of the site is clouded by the emerging Local Plan (Reg.19) in that the suggested development potential is noted at 224 flats, whereas this scheme proposes 175 retirement units plus 9 affordable housing units, making a total of 184 i.e., less than the draft Local Plan.

Looking in greater detail the Applicant claims the existing amount of site that is 'built-up' is

20,454 sqm, whereas the proposed is 17,445 sqm which is a reduction of nearly 15%. The area of land comprising buildings and car parks is currently 16,978 sqm and in the proposed scheme it is 10,813 sqm which is a reduction of just over 36%. The current open land without any buildings and surface infrastructure is 52,392 sqm whereas the current scheme proposes this figure is increased to 55,401 sqm which is an increase of over 5%. The open space to the south of the C2 care home will not be public open space.

Conversely, the Applicant shows the building footprint above ground is currently 5,651 sqm that increases to 6,688 sqm, an increase of about 18%. The building floorspace above ground increases from 14,077 (including potential mezzanine space) to 22,641 sqm and this is an increase of about 60%. The existing building volume above ground is 45.120 cum that increases to 87,611 cum - about 94% more.

It seems to MHPS that the measure of 'overdevelopment' will come from issues indirectly related to the above, namely the height and bulk of proposed blocks, the number of storeys in each block and views into the site from the surrounding roads and properties. MHPS suggests that where the buildings are higher than the screening trees the openness of the Green Belt is lost.

### *Design Issues*

The Society would not like to think that this application was an attempt to obtain normal C3 housing through an indirect route. The Society is pleased that the retirement dwellings are Use Class C2 as this provides more protection going forward to ensure the development will remain specialist older persons housing if occupation agreements are sufficiently strict and not be converted to C3 residential. We note the appropriate Use Class for the affordable homes is C3.

The design of the buildings with a mixture of flat roofs and pitched roof is certainly more in keeping with Mill Hill than the development on the NIMR site. The images in the application show quite intricate brick detailing and the Society expects the high level of detail to be maintained during the construction phase, should officers be minded to approve the application, we would request that a condition be added to secure the detailing. The separation of blocks to allow views between them also contributes to the openness of the site. These aspects of the design are good.

Bittacy Cottage, the new 'operations hub' for Marstead is altered and extended. The proposed extension is disproportionate - doubling in size from 178 sqm to 366 sqm as set out in the Design & Access Statement 7: Section 6.12. We accept that the design has been managed such that the views from The Ridgeway will be more or less unchanged. We feel in this instance the design details of the extension should exactly match the original building to provide better design continuity.

The proposed use of the community hub building is unclear. In previous discussions it was explained as a potential farm shop, pet centre or any use that would engage the residents of the retirement village. This seems to have changed, now being more a building that is available for public community use. We refer to this element again under our transport section. Moreover, the community space allocated is over 1,000 sqm short of that anticipated in the emerging Local Plan (Reg. 19).

Certainly, the buildings are lower than when we first looked at the preliminary designs when some blocks were 6 storeys high. The Society would prefer all the buildings to be 4 storeys or less. We note that Councillor John Hart has written saying that he thought the scheme would be better no higher than 4 storeys so that excessive intrusion in the skyline of the sensitive area involved would be avoided.

## *Negative Effects*

The discussion of building heights is one of our greatest concerns. We are reasonably content that views from The Ridgeway have been fully considered. However, of equal concern are views into the site from Engel Park, Bittacy Park Avenue, Rushden Gardens and Woodcote Avenue.

The photographic montages have all been examined and they only show glimpsed views. If the technique is accurate, then the views seem reasonable. Clearly some of the tree screening will be more effective in summer than in winter. We shall cover issues related to additional planting later.

No existing or proposed levels plans are included in the application, and this makes assessment of the inter-relationship between blocks difficult.

Allowing for perspective and the slope of the land, the 4-storey blocks along the side of the open field (blocks 02, 03 & 04) may screen the taller 5-storey blocks (05 & 06) in the centre of the site. The included views of these blocks from the south do not show them as dominant. Nor those of the blocks when viewed from the open field as the views tend to be looking up to them. The relationship between Block 07 (part 3/part 4 storeys) and the adjoining property on The Ridgeway is overbearing.

The problem we have is with Block 08 that is shown as 5 storeys. Block 08 is going to be quite visible from the rear of the houses on Bittacy Park Avenue and within all the views this is an exceptional case. We feel the residents in the houses backing onto the site here will consider the view of Block 8 to be over-bearing as it is much closer than the original buildings. There is a tree belt between the block and the back gardens but many of these are deciduous and will not provide screening in winter months.

Block 08 needs to be redesigned to be part 3 and part 4 storeys - the 3-storey element being at the southern end of the block. This would make it similar to Block 7. Balconies on the south side need to have screens to prevent overlooking to the east. The Planning Report (part 2 of 4) shows in Plates 2 & 3 the outlook for properties along Bittacy Park Avenue has been considered, but in our view the design does not go far enough. Our suggestion would also ensure Block 08 does not dominate the long distance views from the south.

## *Transport and Parking*

### WATCH TOWER HOUSE:

The idea of an upmarket retirement village does not imply there is likely to be less traffic and daily upheaval compared with other schemes of flats on The Ridgeway, such as the NIMR site (Ridgeway Views). The Society is concerned about is the potential for overspill parking on The Ridgeway and this is difficult to establish from the Transport Assessment by Arup.

Having researched the document, we could find no reference to 'overspill' parking from the site, so we don't know if this has been properly dealt with. If residents are charged for parking spaces, then they may choose to park off-site to avoid the cost and this will lead to parking on adjoining roads.

Any failure to provide adequate on-site parking will impact on the character and appearance of the Conservation Area.

The report claims on page 39 that there will be 103 car parking spaces provided which

equates to a parking ratio of 0.59 spaces per dwelling. We view the parking ratio differently as set out below.

As far as we can ascertain the parking provision will be as follows:

- 9 spaces for visitors
- 8 spaces for staff
- 2 spaces for visiting staff
- 4 spaces for electric cars in the car club
- 4 spaces for high vehicles that will not fit in the basement parking
- 17 spaces for disabled use
- 59 spaces allocated for residents of the Specialist Older Persons Housing

One of the most worrying aspects of this provision is in relation to staff. The Planning Statement by Avison Young states para. 11.35 "As set out in the Socio-Economics Assessment within the Environmental Statement, it is expected that the site will support 85 FTE (full time equivalent) permanent end user jobs." The parking provision for this level of employment is woefully low at 8 staff spaces. A further 2 for visiting staff are to be provided but we could find no reference as to how many visiting staff might be expected. The site has a low PTAL rating, so many of the staff will come by car and MHPS suggest that the lack of staff parking will definitely cause overspill parking on The Ridgeway and surrounding roads.

Taking the 17 disabled use spaces and the 59 general spaces together (76 spaces) and comparing this to the number of use class C2 units (175) this gives a parking ratio per dwelling of 0.43 (not 0.59 as suggested by Arup). This seems low, especially when one considers that these days people in their 60s & 70s are still quite active and that any partner or live-in carer need not have any medical needs.

We also note that only 20% of the car spaces will be provided with electric charging points and given the government targets for phasing our petrol/diesel vehicles this % seems low. Upcoming Building Regulations later this year will require all new dwellings to have vehicle charging points.

#### KINGDOM HALL:

The parking for the affordable housing is at the rate of 1 per dwelling. This level of provision has proved to be unsatisfactory on the nearby NIMR site where overspill car parking has resulted on The Ridgeway, leading to further double yellow line proposals from the Council's Highways team to endeavour to resolve the matter. The 9 spaces proposed do not allow for visitors and is of concern.

Additionally, the Community Hub on this part of the site has been designed to function as a community building as opposed to a facility solely for the occupants of the retirement village. Presumably, the Applicant is aware that, as this is a low PTAL area, a high percentage of visitors will come by car. We therefore question whether 8 spaces proposed for the use of the Hub is going to be sufficient without causing overspill parking.

Additionally, given the site arrangement there is a real risk that the community parking will be filled by overflow parking from the affordable housing.

Further, the provision of the Open Space may lead to people arriving by car with dogs and children and parking while they go for walks, picnics and the like as they do in other parts of the locality. This likelihood does not seem to have been considered.

#### *New Public Open Space*

The Society is concerned about the large open space behind Kingdom Hall, running down the length of the development and the public footpath. The Applicant states a desire to open up this area as a public green space, which some consider admirable, while others hold a different view.

There is concern that the area will be criss-crossed with paths and hardstanding, and that giving the area over to 'periodic farmers markets and community events' (Landscape Statement part 2 p.17) will very much change the nature of this wildlife habitat. The Society is also concerned about the planting of trees on the area that would impede the fine views over London. We would question whether this level of use has been factored into the Biodiversity Net Gain calculator, given that the full metric and associated plans have not been submitted.

### *Landscape*

Having examined the Landscape Statement by Exterior Architecture (ExA) and the Arboricultural Impact Assessment by Taylor Grange, the Society is generally satisfied with the proposals. Within the site there are a total of 294 trees and tree groups, 14 hedgerows and one woodland all surveyed as part of the BS5837 baseline on the site. A Tree Preservation Order (13594/P1 January 2021) covers the whole site. Some of the trees on the site are over 150 years old including a Cedar of Lebanon nearest the entrance and some very large English Oak trees.

To facilitate the Development, 63 trees, 4 tree groups and 9 hedgerows will be removed from the site. Four trees will also be relocated from current positions to alternative locations to secure their retention. The woodland would also be retained. There are no trees of high arboricultural value that will be removed to facilitate the proposed development. No ancient woodland, ancient trees or veteran trees are present to be affected by the proposed development. \*

\* All the Category A trees are retained - 23 in all; 77 of the Category B trees are retained and 13 removed; 106 Category C trees are retained with 39 removed; All of the Category U trees are removed - 9 in all: 2 of the Category B and 2 of the Category C trees are moved and replanted.

Overall, the layout seems to demonstrate a clear design effort to minimise the impact on the retained tree cover through modelling the development around the root protection areas where possible and avoiding potential for future conflicts between trees and future occupants of the site. However, we feel with the increased height and arrangement of blocks there will be an adverse impact on the local environment. As the landscape develops there will also be an impact on the sunlight and daylight within habitable rooms and there will be future pressure to remove trees as they grow, particularly screening trees on the eastern boundary in close proximity to the buildings.

Opportunities for new tree and hedgerow planting across the new development also suggests that a net-gain in tree cover will be provided through the proposals. Whilst we could not find the exact number of trees to be newly planted, Section 5. Landscape Strategies by ExA shows a schedule and layout of proposed soft landscaping that, on counting, shows 178 new tree plantings. With 206 being retained and 178 being newly planted the total site number will be 384.

### *In Conclusion*

The Society has examined the application in some depth and there are issues of great concern as outlined above. Of these concerns, the general height of the blocks, especially

Block 08 and the general parking provision to avoid overspill parking on The Ridgeway are the most worrying.

The level of affordable housing does not appear to meet current planning law.

The new community use building does not meet the Local Plan (Reg.19) planning brief.

We are also concerned that the new open space area should remain as natural as possible. We would like to ensure that the new planting will be used to reinforce the existing planting and frame views into the site, especially from the new public open space and views from south of the site.

Having taken all material considerations into account, the current application is considered inappropriate by reason of its size and scale, within the Green Belt, resulting in a form of development which is harmful to the Green Belt and the openness of the Green Belt. It is not considered that very special circumstances have been demonstrated which would outweigh the harm caused to the Green Belt.

The Society wish to receive reassurance on these points as we cannot support the scheme as it stands. We trust that the planning department will take account of all the points raised in this letter in its discussions with the applicant

#### Responses from External Consultees

#### **Greater London Authority (GLA)**

##### *Stage 1 Strategic Issues Summary*

*Green Belt:* The proposal is within the Green Belt, and as presented does not meet any of the exceptions set out in Paragraph 149 of the NPPF and so it constitutes inappropriate development. The delivery of a 3ha public open space is welcomed, however a full public benefits package is required to be presented to determine whether very special circumstances exist.

*Loss of social infrastructure:* Additional information is required to justify the loss of social infrastructure on site (including place of worship), to align with Part F of Policy S1.

*Housing / Affordable Housing:* The delivery of 7% affordable housing (by habitable room) is currently wholly unacceptable. A viability assessment is being robustly interrogated by GLA officers. Early and late-stage reviews are required.

*Urban Design / Heritage:* The intended massing and scale would impact upon the openness of the Green Belt. The proposals need to demonstrate it would not cause harm to the Mill Hill Conservation Area. A London Plan compliant fire statement: consideration of site layout, views and enhancing dual aspect delivery is required prior to Stage II.

*Transport:* A revised pedestrian design, removal of parking for a shared electric car fleet and improvements to signage is required. Delivery and servicing, construction logistics plan and travel plan to be appropriately secured.

#### **Metropolitan Police Secure by Design**

I do not object to this proposal but due to the reported issues affecting the ward and overall

crime levels within the borough, I would respectfully request that a planning condition is attached to any approval, "whereby the development must achieve Secured by Design accreditation, prior to occupation".

### Responses from Internal Consultees

#### **Commercial Services Street Scene**

The waste strategy for this development is acceptable to the Street Scene collections team.

#### **Conservation**

The NPPF identifies harm to designated heritage assets (i.e. the Mill Hill Conservation Area) as being either substantial or less than substantial, with the former being equivalent to the total loss of significance. The NPPF also advises that great weight should be given to the conservation of designated assets, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In this case, although the harm to heritage significance is considered to be less than substantial, the degree of harm is of considerable importance and thus great weight should be attached to this in the decision-making process.

I conclude that the proposed development does not respond appropriately to the area's local character and does not adequately reflect the distinctive identity of the Mill Hill Conservation Area. Consequently, the development will fail to preserve or enhance the character and appearance of the Mill Hill Conservation Area and would therefore conflict with Barnet's Local Plan policies, which seek to preserve and enhance the borough's conservation areas, as informed by the Mill Hill Conservation Area Character Appraisal.

#### **Ecology**

Upon review of the submitted Ecological Impact Assessment (EclA) (Avison Young, January 2021), I visited the site on 04/07/2022. The purpose of the site visits cross reference the findings of the previous ecological reports, with particular focus on the southwest field. It was determined that recommendations outlined with the submitted ecological report will be sufficient to ensure adequate protected of the protected and notable species (bats, badgers, nesting birds) and adjacent Driver's Hill SINC. Further clarification is needed regarding the field in the southwest corner of the site. Upon receipt of the request information, it is recommended that the application be approved subject to the following request for further clarification and conditions outlined further below.

Given that semi-improved neutral grassland (southwest field) and its condition remain unchanged since the previous condition assessment no alteration to the previous ecological reports are required and the ES chapter or thus the conclusion of the ES chapter and BNG metric remain valid. Therefore, I am content for the application to be approved subject to the now agreed conditions.

#### **Sustainable Drainage**

The applicant has provided additional information that has addressed our previous concerns and we have no objection in principle to the development.

It's noted that there are still some outstanding issues, including discrepancies between proposed impermeable areas and some cover / invert levels, missing branch pipe in



hydraulic model, and missing half drain times for the proposed attenuation features. However, as these items are unlikely to have a notable impact on the proposed drainage strategy we are happy for these to be addressed at the detailed design stage. We request that this is requested by a condition.

## **Transport**

We are in alignment with the issues raised by TfL these are summarised further below. The applicants Transport Note issued (attached) appears to have addressed these matters and I expect TfL would be happy.

- Provide demarcation for pedestrian route; provide way-finding signage to improve legibility of the site
- Secure improvements identified in the ATZ assessment by s106 agreement.
- Clarify the number of wider cycle spaces to be provided; and secure the provision of cycle parking and approval of details by condition.
- Remove the proposed shared electric car space and fleet and secure the provision of electric vehicle charging points meeting the London Plan car parking standards.
- Secure legal restrictions to exempt future residents
- Secure a Car Parking management plan to regulate the use of car parking spaces.
- Secure the DSP and CLP by conditions.
- Improve the travel plans with enhanced targets and measures to encourage sustainable travel behaviour in light of comments and secure them by s106 agreement; and incorporate the shuttle bus initiative into the Travel Plan.
- Secure appropriate Mayor CIL payment from the proposal toward Crossrail.

## **Trees**

Unacceptable loss of important and protected trees within the landscape this is contrary to local planning policy DM01 and DM16 and the new London Plan Policy G7 which states:-

"Development proposals should ensure that, wherever possible, existing trees of value are retained:- Category A, B and lesser category trees where these are considered by the local planning authority to be of importance to amenity and biodiversity, as defined by BS 5837:2012"

With proposed buildings located so close to the protected trees there is an unacceptably high risk of irreversible damage from construction activities.

The proposals impact on the tree root protection areas of trees which is likely to cause an unacceptable level of harm to protected trees contrary to guidance within BS5837:2012

Very high risk of post development pressure to remove trees close to the proposed buildings which will result in a loss of visual tree amenity and biodiversity.

## **Urban Design**

The proposed scheme is underpinned by a plethora of technical studies to justify the master planning effort and the architectural effort behind this proposal. The aim through pre-apps was to produce a proposal which is of high quality and demonstrates a very good relationship between landscape and built environment.

The architectural approach provides coherence in the use of materials, building articulation

and of course the subsequent activities that take place around the proposed structures. The resulting architecture allows for variety without becoming illegible and we are hence happy to support the proposal.

### **3. PLANNING ASSESSMENT**

#### **Principle of Development**

##### **Demolition of existing buildings**

Barnet Policy DM06 states that all heritage assets will be protected in line with their significance, with a presumption in favour of retaining locally listed buildings and any buildings which makes a positive contribution to the character or appearance of the 16 Conservation Areas.

The site is subject to an allocation within the Draft Local Plan which supports redevelopment.

The existing buildings on the site are not statutorily or locally listed, although the site is within a Conservation Area. The 2008 Mill Hill Conservation Area Character Appraisal does not identify the existing Watch Tower House and Kingdom Hall buildings as making a positive contribution to the Conservation Area. Bittacy Cottage, which is proposed to be retained, refurbished, and extended under this application, is noted to be a positive contributor.

The application is accompanied by a Townscape, Visual and Above Ground Heritage Assessment within the Environmental Statement which sets out that Watch Tower House and Kingdom Hall are of no architectural or historic merit. The site in its existing state does not contribute to the heritage significance of any of the listed or locally listed structures, nor to the significance of the Conservation Area. The Council's Conservation Officer confirms that there is no objection in principle to the demolition of the 1960s building on site. On the Kingdom Hall site, the existing modern single storey building has limited aesthetic merit and no objection is raised to its removal.

As such, the removal of existing buildings and replacement is acceptable in principle, subject to wider site and policy considerations, in particular the impact of the replacement development on the Green Belt and Conservation Area.

##### **Loss of existing uses**

The Site comprises two separate planning units: the former Watch Tower House site, and Kingdom Hall site. The sites form part of a group of sites located off The Ridgeway in Mill Hill that were owned and occupied by the International Bible Student Association (IBSA). IBSA is a registered charity of the Jehovah's Witnesses in Britain.

Until recently, IBSA's activities were undertaken from a group of sites in/around Mill Hill, as follows:

- (1) Watch Tower House;
- (2) IBSA House and associated printworks (200m to east of Watch Tower House): administrative accommodation and printing facilities associated with the production and distribution of IBSA's magazines. This site is subject of a planning application for residential redevelopment which was approved at committee on 06/04/21 (ref. 19/6551/FUL);
- (3) Kingdom Hall: conference and meeting facility; and

(4) A portfolio of residential and commercial properties in the local area which were acquired on an incremental basis to support the expansion of the Association.

IBSA relocated its operations from Mill Hill to a new facility on a 33ha site known as Temple Farm at West Hanningfield near Chelmsford in 2019/2020, with the exception of a skeleton group of mainly caretaking and maintenance volunteers who remain in Mill Hill for the time being.

#### *Watch Tower House site*

The Watch Tower House site provides institutional style (not self-contained and not permanent) residential accommodation (c. 170 bedspaces) for Members (volunteers), offices, workshops (metal work, woodwork and related activities) which required generous sized spaces, dining, and recreation functions. None of these functions can be disaggregated as they are all interdependent on one another. Historically there has been no public access to the site except via prior invitation. The purpose/function of this collection of activities is to support the operations at IBSA House, which comprise the printing and distribution of bible literature. While the Watch Tower House site was owned by a faith-based charity, it was not a faith facility. The use does not comprise social infrastructure for the purposes of London Plan Policy S1, nor is it an employment use in policy terms. The use of Watch Tower House site is Sui Generis. There is no planning policy protection over the loss of Sui Generis uses such as this.

#### *Kingdom Hall site*

The Kingdom Hall site comprises a previously developed area to the north and an open field to the south. The previously developed area accommodates a single large building used as a Kingdom Hall of Jehovah's Witnesses which operates under planning permission ref. W03005AB which allows the building to be used as a place of worship (with associated car parking). This falls within Use Class F1(f) (public worship or religious instruction (or in connection with such use)). In practice the building was historically used for conferences, lectures, volunteer training, congregation meetings, dinners/functions, and weddings. Whilst the Kingdom Hall site comprises a standalone planning unit, it functioned as a piece of infrastructure (or ancillary use) that supported the IBSA activities operating in/around Mill Hill, in that its primary purpose was to provide meeting/function space for Members based at these sites. Historically, public access/use of the building was possible only in very limited circumstances. As IBSA has relocated operations, the location of the need for the meeting space has now shifted to Chelmsford, where a new replacement facility has been provided (an auditorium), and an additional Kingdom Hall is in the development pipeline. As a new facility to replace the existing facility has been provided in a more appropriate location to satisfy social needs, there is no shortage of provision of such facilities and no detrimental effect on its users.

The site is subject to an allocation in the Draft Local Plan for redevelopment to provide residential with supporting community uses. Barnet Policy DM13 accepts the loss of community uses in circumstances where new community use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or there is no demand for continued community or education use, and that the site has been marketed effectively for such use. London Plan Policy S1 Part G states redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are proposed.

The proposed development comprises the replacement of the former social infrastructure

use with a range of social infrastructure uses to address the needs of future residents as well as the surrounding community. The proposed development provides circa 3ha of new public open space and a 392 sq. m. GIA flexible space Community Hub. Furthermore, the proposed Ridgeway Gate Building on the Watch Tower House site will be a focal point for community activities for residents of the Proposed development as well as the wider local community who will also have access to its facilities. In addition, provision of replacement facilities to meet the needs of IBSA Members has been made off-site in Chelmsford.

In summary, the loss of existing uses is considered to be acceptable as the proposed development would deliver a range of social infrastructure uses to address the needs of future residents as well as the surrounding community. As such, Officers consider that the proposed development would accord with London Plan Policy S1 and Barnet Policy DM13.

### **The Proposed Use: Housing and Specialist Older Persons Housing**

The NPPF promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. Planning policies and decisions should "promote and support the development of underutilised land and buildings, especially if this would help to meet identified needs for housing". Paragraph 62 requires the housing needs of older people to be assessed and reflected in policies.

London Plan Policy GG2 (Making the Best Use of Land) seeks to enable the development of brownfield land. Applicants should proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Part D note that development should apply a design-led approach to determining the optimum development capacity of sites.

London Plan Policy H1 seeks to increase housing supply through optimising the potential housing delivery on all suitable and available brownfield sites through local authority planning decisions. Table 4.1 of the London Plan (2021) sets a ten-year target (2019/20-2028/29) of 23,640 homes. Policy H1 Part B states that Boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions.

London Plan Policy H13 requires boroughs to work positively and collaboratively with providers to identify suitable sites for Specialist Older Persons Housing and includes an annual benchmark for 275 Specialist Older Persons Housing units for Barnet. The London Plan states at paragraph 4.13.9 that these benchmarks are designed to inform local level assessments of specialist housing need and that Boroughs should plan proactively to meet identified need for older persons accommodation. London Plan Policy H13 Part B sets out five criteria that older person housing provision should deliver, as follows:

- affordable housing in accordance with Policy H4 and H5
- accessible housing in accordance with Policy D7
- the highest standards of accessible and inclusive design in accordance with Policy D5 Inclusive design
- suitable levels of safe storage and charging facilities for residents' mobility scooters
- pick up and drop off facilities close to the principal entrance suitable for taxis (with appropriate kerbs), minibuses and ambulances.

Policy DM09 states housing proposals for older people should help to meet an identified need; demonstrate that they will not have a harmful impact on the character and amenities

of the surrounding area; be within walking distance of local shops and easily accessible by public transport; and provide adequate communal facilities including accommodation for essential staff on site. Draft Local Plan Policy HOU04 carries forward the criteria set out in Policy DM09, specifying that proposals should be within 400m.

In 2018 the Council, in partnership with the West London Alliance, commissioned a Strategic Housing Market Assessment (SHMA). This Assessment identified future need for 6,900 specialist older person additional housing units of various types over the period 2016-41 (276 per year).

The proposed development comprises 175 Specialist Older Persons Housing units (Use Class C2) which will comprise a significant contribution to meeting the identified need for such housing within the Borough, plus 9 conventional homes (Use Class C3) which contributes to the Borough's affordable housing provision.

With respect to the criteria set out in London Plan Policy H13 Part B, the proposed development satisfies these as follows:

- The proposal includes the maximum reasonable amount of affordable housing (as confirmed by the Council's independent viability assessor);
- With respect to accessibility, 19 of the 175 Specialist Older Persons Housing units are M4(3) Wheelchair Units which equates to 11% against a requirement of 10% in Policy D7.
- Relevant standards of accessible and inclusive design have been taken into account in the design of the proposed development. Units are generously sized to enable future adaptation as needed, providing flexibility for future occupants and prolonging independence within the home.
- Convenient and safe storage for mobility scooters is provided at basement level. This is accessible via lifts from the ground floor level and separate to the car access.
- The proposed vehicular access provides adequate opportunity for pick up and drop off of future occupants. Swept path analysis has been undertaken to demonstrate access for emergency vehicles is also accommodated.

There are substantial benefits afforded by the provision of Specialist Older Persons Housing, including:

*Providing fit-for-purpose housing for older persons that addresses a significant identified need*

In line with national trends, the population of London and Barnet is ageing. The London Plan has set LB Barnet an annual benchmark of delivering 275 units of specialist older persons housing per annum between 2017 and 2029, the highest of all London boroughs. This need is further evidenced in the Barnet Strategic Housing Market Assessment which identified a need for 6,900 'Older Persons Homes' in the period 2016-41 (average of 276 per year), equating to around 9% of the boroughs total Objectively Assessed Housing Need for this period.

There is a clear and demonstratable need for Specialist Older Persons Housing in the Borough and the proposed development affords the opportunity for a single site to accommodate a significant proportion of the annual requirements.

*Allowing Barnet residents to lead more independent lives, in their own homes, and for longer*

The proposed development comprises residential accommodation with ancillary communal

facilities, provided as a single unified/integral development, managed by a single operator who will provide a range of on-site services (including care under a separate contract), where occupancy is restricted to persons over the age of 65 years. The residential accommodation will comprise self-contained residential units with complete security of tenure (i.e. lifetime lease or sales) and specified to meet the need of older residents.

The provision of such accommodation has been proven to prolong independence and improve the wellbeing of older persons, particularly in respect to reducing loneliness and social isolation. Loneliness is a significant risk factor for older adults, being associated not only with depression and poor quality of life, but also with the development of dementia, frailty and comorbidity.

#### *Reduce demands on the NHS and social services from this age group*

Alongside self-contained housing, residents will have access to ancillary communal facilities, including a wellness centre including gym and pool, restaurant/dining room, lounges, library, personal storage, and communal gardens and treatment rooms. Care services will comprise in-home/on-site 'personal' and 'nursing' care services (as defined by CQC). The permanent on-site staff will include a nurse during working hours (supported by an out-of-hours on call service), who will provide nursing care services.

In addition to the social and psychological benefits afforded through this independent, but supported, accommodation, research has also identified wider benefits on healthcare resources.

#### *Free up under-occupied family sized housing in Barnet*

There is a significant need for family sized housing to be provided in the Borough. Given the specific mix requirements of Specialist Older Persons Housing, 'family sized' units will not form part of the Specialist Older Persons Housing offer. However, it is well documented that Specialist Older Persons Housing provision can address the policy priority to increase the supply of family sized housing by enabling residents to relocate out of conventional underutilised family sized homes and downsize into Specialist Older Persons Housing units that better meet their needs. This frees up conventional family housing for occupation by others. The target/expected market for future residents at the scheme is expected to be predominantly from within the Borough.

With regard to local level policy, Officers are satisfied the proposed development will not have a harmful impact on the character and amenities of the surrounding area. The proposed development includes the provision of communal resident facilities, alongside management and staff office provision to support the Specialist Older Persons Housing use. The proposed development therefore satisfies the aspiration of Local Plan Policy DM09 and Draft Local Plan Policy HOU04 and is therefore acceptable from a land use policy perspective.

### **Development in the Green Belt**

The entirety of the Site is designated as Green Belt.

#### Planning Policy

NPPF paragraph 137 states 'the Government attaches great importance to Green Belts. The

fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".

NPPF paras. 147-149 are clear that the construction of new buildings in the GB should be regarded as inappropriate other than where defined exceptions apply, which includes:

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

London Plan Policy G2(A) accords with national policy, stating:

*"The Green Belt should be protected from inappropriate development:*

- 1) development proposals that would harm the Green Belt should be refused except where very special circumstances exist,*
- 2) subject to national planning policy tests, the enhancement of the Green Belt to provide appropriate multi-functional beneficial uses for Londoners should be supported."*

National and London Plan policies are then consistently accounted for in Barnet Core Strategy Policy CS7, Development Management DPD Policy DM15 and draft Local Plan Policy ECC05.

#### Assessment of the Proposal against policy

The proposed development is considered to trigger the exception (g) of Paragraph 149 of the NPPF, on the basis that the site is 'previously developed' and any harmful impacts to openness as a result of the proposed development would be outweighed by beneficial impacts and any harm to the Green Belt would, on balance, be less than substantial.

#### Previously Development Land

Previously Developed Land (PDL) is defined at NPPF Annex 2:

*"Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."*

The entirety of the Watch Tower House site comprises PDL (for the purposes of the NPPF definition), in that it is land which is occupied by permanent structures and associated fixed infrastructure (including the associated curtilage). However, it should not be assumed that the whole of the Site can be developed (with reference to NPPF para 149(g)). The applicant

sets out that a reasonable application of this would be that if the extent of land within the site proposed to be developed with permanent structures and associated fixed infrastructure (and the landscape spaces immediately in between them) (the 'developed envelope') was equal to or less than the existing, then this should be acceptable in principle. This approach is considered reasonable to Officers.

The northern part of the Kingdom Hall site comprises PDL. It follows that a proposed developed envelope that is equal to or less than this should be acceptable in principle. As above, this approach is considered reasonable to Officers.

The applicant has provided spatial metrics plans and a table summarising numerical metrics that could be used to quantify the spatial impact of the proposed development compared to the existing on-site condition.

The extent of the existing 'developed envelope' of the Watch Tower House and Kingdom Hall sites is 20,454sqm. The extent of the development envelope of the proposed development is 17,445sqm (a reduction of 14.7% compared to the existing).

### Openness

"Openness" is not defined either in the NPPF or in any development plan policies. Extensive case law exists on how practitioners and decision makers should assess impacts on openness, which is reflected in the PPG. The PPG (Paragraph: 001 Reference ID: 64-001-20190722) states that:

*"assessing the impact of a proposal on the openness of the Green Belt requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*

- *Openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *The duration of the development, and its remediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *The degree of activity likely to be generated, such as traffic generation".*

In practice, the measurement of openness is a subjective matter to be assessed by the decision maker. Professional judgement is required to reach a determination on whether a proposed development will have a greater impact on openness, and how substantive that impact would be. This should be based on fact and degree, with robust evidence being necessary to reach robust informed judgements. In accordance with the PPG and case law (Turner v SSLG 2016) consideration should be given to both spatial and visual factors in considering impact on openness. The degree of activity and duration of the development are also relevant.

### Spatial

The applicant has provided Officers with a number of different metrics which quantify the spatial impact of the proposed development compared to the existing on-site condition. The metrics demonstrate the proposed development delivers a reduction in the size of the developed envelope (i.e., urbanised area), and a reduction in the amount of land within the developed envelope that is building footprint, roads and car parks when compared to the



existing condition which results in an increase of openness. The amount of open green land increases which also increases openness. These increases in openness should be considered alongside a likely reduction in openness associated with an increase in building footprint/volume. A balanced judgement is required to determine the level of weight to be given to each metric. On balance it is Officers view that from purely a spatial perspective the scheme would have a slight (less than substantial) adverse effect on the openness of the Green Belt.

### Visual Impact

The applicant has submitted a Green Belt Visual Assessment in support of the application which considers the effects of the proposed development on views from various locations in the local area and within the Site itself. The Assessment concludes:

- Extent of visibility of the proposed development - The extent of visibility of the existing development when compared to the proposed development would be very similar across the area of open land to the south (Cophall Playing Fields, Hendon Golf Club etc). The extent of visibility of the existing development when compared to the proposed development would also be very similar in the Green Belt areas west of the Site (Arrandene Open Space, Mill Hill Cemetery, the area of scrubland located downslope of Mill Hill International School and the field adjacent to the Site). A small area of new built form as a result of the proposed development would be introduced on the eastern side of Mill Hill East Underground Station (outside the Green Belt). There would be a slight increase in the extent of built form visible along Engel Park in the suburban housing area southeast of the Site (outside the Green Belt). The most notable change would be the increase in the extent of built form visible in the rural Totteridge Valley north of The Ridgeway. The very limited and intermittent nature of proposed development visibility is indicative of how the proposed height, scale and massing responds sensitively to its context and how it would be well integrated into the landform and vegetation of the local landscape.

- Effects of the proposed development on views from The Ridgeway and Partingdale Lane towards the western part of the Site - The overall visual openness of the Green Belt would be enhanced for users of the road and adjacent footpath. The overall nature of the change would be neutral taking into account both the adverse and beneficial aspects of the visual change.

- Effects of the proposed development on views from The Ridgeway and Partingdale Lane towards the eastern part of the Site - The visual openness of the Green Belt would be enhanced for users of the road and adjacent footpath. The overall level of visual change for users of the road and adjacent footpath would be low and beneficial in nature.

- Effects of the proposed development on views from Recreational Open Spaces to the South - The change to the character, components, and openness of the view near the Cophall Sports Centre for recreational open space users would be negligible. The visual openness of the Green Belt would be preserved.

- Effects of the proposed development on views from the West from Mill Hill Cemetery - The overall level of visual change for cemetery visitors would be negligible. The visual openness of the Green Belt would be preserved.

- Effects of the proposed development on views from the West from Arrandene Open Space - The change to the character, components, and openness of this view for recreational open space users would be negligible. The visual openness of the Green Belt would be preserved.

- Effects of the proposed development on views from the North - There would be no effect on views obtained by recreational walkers on Public Footpath 27. The visual openness of the Green Belt would be preserved. In views from Public Footpath 24 the proposed development would also not be visible or would be difficult to perceive due to the enclosure of the proposed built form by intervening landform and vegetation. IBSA House and the buildings at the Ridgeway Views housing area would remain visually prominent elements in the view. The magnitude of visual change would be negligible. The visual openness of the Green Belt would be preserved.

- Effects of the proposed development on views within the Site from the Public Footpath - There would be a notably beneficial change to views from the public footpath as the existing fencing along the western edge of the footpath would be replaced by a relatively low timber fence with resultant opening up of views across the Site field. Winter views of the Affordable Residential Building, Community Hub and Bittacy Cottage Extension buildings would be substantially enclosed / heavily filtered by retained vegetation. Views of the buildings proposed in the eastern part of the Site would be typically screened by tree/shrub vegetation along the eastern edge of the footpath. The overall magnitude of visual change would be medium, and the overall nature of effect would be beneficial. The visual openness of the Green Belt would be enhanced.

- Effects of the proposed development on views within the Site from the field - At Year 1 following completion of the proposed development, partial views of the proposed buildings would replace existing glimpsed views of the current Watch Tower House buildings. The proposed tree planting would contribute to a visually more robust vegetation belt that would visually enclose the lower parts of the proposed buildings. Although these would be a small increase in the amount of built form in the view compared to existing condition, the view towards the eastern part of the Site would be visually more unified and cohesive. The magnitude of change would be low. The nature of the change would be neutral based on the balance of adverse changes (increased amount of built form in the view) and positive changes (buildings with materials that are more visually recessive and a visually more robust vegetation belt). The visual openness of the Green Belt would be substantially preserved. By Year 15, the supplementary tree belt proposed along the western edge of the public footpath would visually reinforce the existing tree belt and substantially enclose views into the eastern part of the Site. The view would have a stronger well-vegetated character as a result of (1) the taller, denser and visually more robust tree/shrub vegetation in the view and (2) the notable reduction of the proportion of the view occupied by built form. The magnitude of change would be low. The open character of the view would be conserved. The overall nature of the effect would be beneficial. The overall visual openness of the Green Belt would be enhanced due to the reduction in the amount of built form in the view.

- Effects of the proposed development on Greenspace Visibility and Visual Permeability within the Site - the area of greenspace and the visual openness of the land in the south-eastern part of the Site would be enhanced through the substantial removal of buildings and areas of hard-standing from this part of the Site. In terms of visual permeability through the site, there would be a greater level of visual permeability through the northern and central parts of the Site through the provision of greenspace corridors that extend east-west and north-south between the proposed relatively small building footprints. The visual openness of the Green Belt would be enhanced.

The Assessment demonstrates the proposed development delivers varying effects on views from various locations in the local area surrounding the Site and within the Site itself. The effects of the proposed development on visual openness of the Green Belt would be

enhanced or preserved in all assessed views from outside the Site. The effects of the proposed development on visual openness from views within the Site would be enhanced from the public footpath, and substantially preserved from the field in Year 1, with openness enhanced by Year 15. The area of greenspace and the visual openness of the land in the south-eastern part of the Site would be enhanced, and there would be a greater level of visual permeability through the northern and central parts of the Site.

Again, a balanced judgement is required when considering the predicted effects on these views. Officers consider that the visual impact of the scheme will have a neutral effect on the openness of the Green Belt when compared to the existing.

#### Degree of activity

The previous uses on-site generated activity. The existing Watch Tower House site was until recently used 24 hours per day, 365 days per year. This will remain the case with the proposed development.

The Planning Statement submitted with the application sets out that the existing Watch Tower House site had a resident population of 185 persons, which was supplemented during the daytime by volunteers who lived off-site. The typical peak daytime population of the site was 600 people. The future resident population of the proposed Specialist Older Persons Housing is expected to be 271 persons. This will be supplemented by on-site staff of typically around 10 at any one time plus an allowance for visitors. Therefore, the degree of activity (intensity) of the proposed use of the Watch Tower House site is likely to be at least 54% less than the typical daytime intensity of the existing use.

The Kingdom Hall site was used daily but not for 24 hours per day, for a mix of 'congregational' and 'head office' purposes including meetings. The future resident population of the proposed general needs affordable housing is 36 persons. In addition to the residential element, the Community Hub will bring additional visitors to the site. It is difficult to quantify this given the flexible use proposed however it is not expected this will be anywhere close to the peak intensities of the existing Kingdom Hall. When combined it is apparent that the new uses will remain significantly less intensive than the existing/historic uses of the Kingdom Hall site.

Officers consider the reduction in the expected degree of activity on the Site when compared to the existing condition would result in a lesser impact on the openness of the Green Belt when compared to the existing.

#### Conclusion - Overall Impact on Openness

Taking into account the matters set out above, it is Officers opinion that the proposed development would have a slightly greater impact on the openness of the Green Belt compared to the existing, however the harm associated with this would be less than substantial.

Where the proposed development would result in less than substantial harm to the Green Belt, the provision of affordable housing becomes a relevant consideration for engaging the second arm of NPPF para 149(g). The relevant policy test is the inclusion of affordable housing within the proposed development that would contribute to meeting an identified local need. Following established planning principles, the amount of affordable housing necessary to engage this would be as per that required to satisfy relevant development plan policies, 35% or the maximum determined via the viability tested route. The applicant has

provided a Financial Viability Assessment and Addendum, alongside the affordable housing offer of 9 units on-site and a £1.5m financial contribution to enable further affordable housing delivery off-site. The Council's independent assessor concludes the offer is the maximum reasonable amount. This is discussed in greater detail later in this report, but with respect to Green Belt policy the proposed development is considered to contribute to meeting an identified local need.

As a consequence, the proposed development is considered to accord with NPPF Para 149(g) and is therefore acceptable in Green Belt policy terms.

### Fallback

Even if it were considered that the proposed development would have a more substantial harmful effect on the Green Belt than that concluded by Officers, Officers consider there to be Very Special Circumstances (VSC) to justify the development due to the significant public benefits that would arise, as follows:

- Enhancements to Green Belt - NPPF para. 145 requires that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity, and biodiversity; or to improve damaged and derelict land. In this context, the objectives of the All London Green Grid (as accounted for in Core Strategy Policy CS7 and draft Local Plan Policies GSS13 and ECC04) are relevant considerations, specifically including the policy objective to deliver a new regional park within the designated GB/MoL in the 'Brent Valley and Barnet Plateau' Green Grid area (the Site is located within this area). In practice this new Regional Park is intended to comprise a series of component parts principally comprising existing open green spaces and the linkages between them. The policy objective is to improve the spaces to maximise long term benefits to residents (and biodiversity etc), which in many cases will require accessibility improvements. There is an opportunity for the field on the Kingdom Hall site to make a significant contribution to this policy objective and the delivery of substantive enhancements to the Green Belt as a consequence. The proposed development would secure enhancements to this land (circa 3ha) and secure public access to this space in perpetuity. This represents a significant public benefit which, in line with Policy G2 of the London Plan. The proposed development also improves the existing Public Right of Way and achieves a UGF score of 0.89 and biodiversity net gain of 10.95% for habitats and 145.54% for hedgerows.

- Housing need - the proposed development will increase the supply of homes by 184 homes within the Borough in supporting the objectives of NPPF para 60, London Plan Policy H1, Local Plan Policy CS1, Draft Local Plan Policy GSS01;

- Need for specialist housing - the proposed development will provide Specialist Older Persons Housing supporting the objectives of NPPF para. 61, PPG, London Plan Policy H13, Local Plan Policy DM09, draft Local Plan Policy HOU04 and Barnet's Housing Strategy;

- Need for affordable housing - The provision of 9 general needs affordable housing units on-site and a financial contribution of £1.5m to enable off-site delivery of further affordable homes contributes to the Borough's affordable housing targets as sought by NPPF para 62, London Plan Policy H4/5, Local Plan Policies CS4/DM10, draft Local Plan policy HOU04;

- Human health and wellbeing - The proposed Specialist Older Persons Housing

accommodation is intended to prolong independence and improve the wellbeing of older persons, particularly in respect to reducing loneliness and social isolation. Care services will comprise in-home/on-site 'personal' and 'nursing' care services (as defined by CQC). The permanent on-site staff will include a nurse during working hours (supported by an out-of-hours on call service), who will provide nursing care services. In addition, the proposed development will provide a publicly accessible 392 sq. m community hub.

### Summary

The proposed development comprises the reuse/redevelopment of previously developed redundant land. Officers consider any harm to the Green Belt would, on balance, be less than substantial and the proposed development will contribute to meeting an identified affordable housing need within the area of the local planning authority. This satisfies the exception at NPPF para 149(g) (second limb) and therefore would not be inappropriate development.

Should a different view be taken that the proposed development would lead to substantive harm to the Green Belt, Officers consider VSC would apply given the significant public benefits which result from the scheme as set out above.

### Housing Quality

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 implicit in London Plan (2021) Chapter 1 'Planning London's Future - Good Growth', Chapter 3 'Design' and Chapter 4 'Housing', and explicit in Policies GG4 (Delivering the homes Londoners need), D3 (Optimising site capacity through the design-led approach), D5 (Inclusive design), and D6 (Housing quality and standards). 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, and Residential Design Guidance SPD.

### Unit mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan 2021 Policies H10 and H12; and, the 2012 Barnet Development Management Policies DPD Policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD, 2012) identify 3- and 4-bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for other unit sizes.

The development proposes the following unit mix for the Specialist Older Persons Housing:

<b>Unit Type</b>	<b>Units</b>	<b>Mix (%)</b>
1 bed	26	15%
2 bed	127	73%
3 bed	22	12%
<b>Total</b>	<b>175</b>	<b>100%</b>

The development proposes the following unit mix for the conventional (affordable) housing:

<b>Unit Type</b>	<b>Units</b>	<b>Mix (%)</b>
1 bed 2 person	2	22%
2 bed 3 person	1	11%
2 bed 4 person	4	45%
3 bed 5 person	2	22%
<b>Total</b>	<b>9</b>	<b>100%</b>

It is noted that adopted and emerging local policies do not specify a specific mix for Specialist Older Persons Housing. NPPF Paragraph 62 requires the size of housing needed for different groups (including older people) to be assessed and reflected in planning policies. The housing needs (in terms of unit sizes) of older persons is different to those of younger households due to the differences in typical household sizes which are much smaller. Therefore, weighting towards 1- and 2-bedroom units for the Specialist Older Persons Housing is considered acceptable.

In terms of the affordable homes, a mix of 1-, 2- and 3-bedroom units is proposed. The Draft Local Plan sets out that 2-bedroom units capable of accommodating 4 bedspaces can be considered as family homes. The provision of family homes in the affordable tenure is strongly supported.

Officers consider the proposed dwelling mix for the Specialist Older Persons Housing and the conventional (affordable) housing to be acceptable and in accordance with the objectives of Barnet Local Plan (2012) policies DM08 and CS4.

### **Affordable Housing**

Policy H4 of the London Plan 2021 sets a strategic target of 50% of all new homes to be delivered across London to be genuinely affordable. Policy H5 provides a threshold approach, allowing the provision of a minimum of 35% affordable housing, subject to the development adhering to the tenure mix requirements of Policy H6; adherence to other relevant policy requirements; and not receiving any public subsidy. Where this cannot be met then the development must be assessed under the Viability Tested Route.

The Barnet Core Strategy and Development Management policies (2012) (CS4 and DM10) seek a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings with a tenure split of 60% social rented and 40% intermediate housing.

The emerging Barnet Local Plan seeks to align with the London Plan requirements but still maintains the 60/40 tenure split.

The application was submitted on the basis of a proposed provision of 9 affordable residential units, all of the Use Class C3 units (6.4% of overall scheme by habitable room, 5% by unit), comprising 60% low-cost rent (London Affordable Rent) and 40% intermediate (shared ownership). Given that the offer was below the London Plan fast track threshold, the applicant submitted a Financial Viability Appraisal (FVA) (by Gerald Eve). The applicant's FVA concluded that the proposed scheme with this affordable provision translated to a project deficit of -£9,817,709.

The Council appointed BNPPRE to independently assess the applicant's FVA. In addition, the GLA's internal viability team have undertaken an assessment of the submitted appraisal. BNPPRE concluded in April 2022 that the proposed scheme with the provision of 9 affordable residential units generated a surplus of £1,420,070 against the viability

benchmark. The GLA viability team's detailed assessment dated 5th May 2022 concluded that the scheme was in surplus by £10,334,371, and therefore had scope to provide additional affordable housing.

In response, Gerald Eve provided a FVA Addendum to BNPPRE and the GLA in respect of a number of points. The Addendum revised the finance rate to align with both BNPP and GLA's view (reduced by 0.5%) and updated the build costs to align with those set out in the BNPPRE review (increased by circa £3.2m). A revised modelling exercise concluded the deficit for the scheme as -£5,610,374. The applicant also provided a further financial offer in excess of what they considered justifiable having regard to the viability of the scheme. The revised affordable housing offer is the 9 affordable units on site and a financial contribution of £1.5m. The applicant provided an estimate of the number of affordable homes this may deliver off-site, setting out that in a scenario where the funds were used to convert open market homes to affordable (in a manner akin to the way grant is used) it would enable the delivery of an additional 14 affordable homes (a mix of London Affordable Rent and Shared Ownership) in addition to the 9 on-site. This would equate to an overall affordable provision of 12.5% (by unit).

BNPPRE have reviewed the revised affordable housing offer of 9 affordable units on site and a financial contribution of £1.5m and also updated the construction costs to current day to take into account inflation of 6.3%. BNPPRE conclude the revised affordable housing offer of 9 affordable units on site and a financial contribution of £1.5m results in a deficit of -£1,743,978 and the offer is therefore deemed to be reasonable.

The affordable housing offer is set out as below:

Unit Type	London Affordable Rent	Shared Ownership	Total
1 bed 2 person	1	1	2
2 bed 3 person	0	1	1
2 bed 4 person	3	1	4
3 bed 5 person	2	0	2
<b>Total Units</b>	<b>6</b>	<b>3</b>	<b>9</b>

An early-stage review and late stage review will be secured by way of S106 Agreement and are listed in the Heads of Terms.

As a consequence of the above and noting that the development economics of Specialist Older Person Housing schemes are different than conventional housing schemes, Officers consider that the application satisfies London Plan and Local Plan affordable housing policy requirements.

### **Standard of accommodation**

Housing standards are set out within Policy D6 (Housing quality and standards) of the Mayor's London Plan (2021); and Barnet's adopted Sustainable Design and Construction SPD (2016). Table 3.1 in the London Plan provides a minimum gross internal floor area for different types of dwelling.

All the Specialist Older Persons Housing and affordable residential units exceed the

minimum internal standards as demonstrated in the applicant's supporting documents in relation to the unit sizes. All units meet the minimum areas for bedrooms, bathrooms w/c's and storage and utility rooms.

### **Wheelchair housing standards**

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessibility 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.

The submission sets out that 11% of the Specialist Older Persons Housing and 10% of the affordable 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 secure these wheelchair units.

### **Amenity space**

London Plan Policy D6 states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. The minimum requirements are set out in table below:

<b>Outdoor Amenity Space Requirements</b>	<b>Development Scale</b>
For Flats: 5sqm of space per habitable room	Minor, major and large scale

The emerging Barnet Local Plan seeks to follow the London Plan requirements as set out in the first paragraph above.

The development proposes a mix of private and communal amenity areas. Private amenity space is provided to all units in the form of balconies or terraces which meet or exceed the relevant mayoral standards, but are not fully compliant with LBB standards in relation to private amenity space standards, however this is compensated by the generous communal amenity areas which total 3.04ha (30,400 sqm) across the scheme, access to the 3ha public green space and community hub and is considered acceptable in this instance. In addition, all the Specialist Older Persons Housing and affordable residential units exceed the minimum internal standards. The Specialist Older Persons Housing is also supported by ancillary resident amenities. The development would provide an acceptable level of outdoor amenity space in accordance with Barnet's adopted Sustainable Design and Construction SPD (2016) standards, and Policy D6 of the Mayor's London Plan (2021).

### **Children's Play Space**

Policy S4 of the London Plan seeks to ensure that development proposals incorporate good quality, accessible play provision for all ages. At least 10m<sup>2</sup> of suitable playspace should be provided per child.



Barnet's DPD refers to the Mayor's SPG 'Providing for Children and Young People's Play and Recreation for the accessibility benchmarks for children. Aligning with this, Policy CS7 of Barnet's adopted Core Strategy (2012) requires improved access to children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan. In addition, Barnet's Draft Local Plan Policy CDH07 states that development proposals should provide play spaces in accordance with the London Plan and Mayor's SPG.

Given the nature of the occupants of the Specialist Older Persons Housing, it does not generate a child yield.

Using the GLA's population yield calculator, the applicant has estimated that the total number of children expected to occupy affordable housing element of the development will be 11.4. The development would therefore need to provide 114 sqm of children's play space, broken down as follows:

<b>Age</b>	<b>Play requirement</b>	<b>Play provided</b>
0 -4	37 sqm	50 sqm
5 – 11	27 sqm	40 sqm
12 +	17 sqm	40 sqm
<b>Total</b>	<b>81 sqm</b>	<b>130 sqm</b>

As per the figures in the table above, the amount of playspace provided in the scheme across all age groups exceeds the amount of playspace required by the London Plan Housing SPG.

## **Design**

High quality design underpins the sustainable development imperative of the NPPF and Policies D1, D3, D5, D6, D7, D8, and D9 of the London Plan (2021). Policy CS5 of Barnet's Core Strategy (2012) seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high- quality design. Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces, and streets. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

All proposed developments should be based on an understanding of the local characteristics, preserving or enhancing the local character and respecting the appearance, scale, mass and height of surrounding buildings and streets, in accordance with DM01 of the Development Management Policies DPD (2012).

## **Design Concept**

The submitted Design and Access Statement begins through an analysis of the surrounding urban grain, building heights, local character and also historic context of the site itself. The document then outlines the evolution of the design, identifying the opportunities and key design considerations including the character of the Conservation Area, maintenance of the openness of the Green Belt and retention of existing trees.

The Council's Urban Design officer considers the proposed development complementary to

the site and surroundings, noting the elevations studies and supporting details illustrate the scheme is of the highest architectural quality, with a materials palette informed where possible from local analysis of materials.

## **Layout**

As set out above, the layout of the scheme has been informed by the location of previously developed land within the site. The Ridgeway gate in Building 1 provides a public facing element for the scheme, towards the main road and will also be a focal point for community activities for residents of the site including opportunities to interact with the wider community who will have access to some of these facilities. The residential buildings are arranged in the northern part of the site. Further south on the Watch Tower House site are ancillary amenity buildings which will serve future residents. Bittacy Cottage is to become the operations' hub offering office space, breakout area, changing rooms and external garden for staff. In addition, the building will offer reception and office space for specialised personnel offering care (such as a nurse & domiciliary care).

A Community Hub is proposed to the southeast of the affordable housing building at the entrance to the 3ha of newly accessible public open space provided for the benefit of the local community.

## **Height, scale and massing**

Scale and height are varied across the proposed development up to 5 storeys (including ground) with height being lower at the edges and stepping up to a maximum height within the centre of the site. The buildings are articulated at the upper levels with setbacks and sloping roofs to increase the views to the sky and reduce the perceived height of the buildings. A sensitive design response to the height, scale and massing of the buildings, including provision of a staggered building height profile to reflect the sloping nature of the site has been taken.

A Townscape, Visual and Above Ground Heritage Assessment accompanies the application and concludes that the design of the proposed development is a substantial improvement on the architectural quality of the existing buildings onsite. The design of the buildings is sympathetic to the surrounding area, using high quality materials and including contextual roofscapes. The elevations are subtly articulated to create visual interest and provide depth. The opening up of the boundary to the north improves the perception of permeability in the area. The retention and addition of trees throughout the Site has been designed to limit visibility of the proposed development from the wider area, maintaining the level of screening that the Site currently has. The public realm enhancements provide noticeable benefits to the Site and its surroundings. The opening up of the field on the western side of the Site would enhance the area and provide an open green space for the public. The development would have a beneficial effect on the townscape character of the close surroundings of the Site. Given the topography of the site, the retention of trees and the siting of proposed buildings the Proposed Development would be largely screened from view (either completely or to a large degree) from many of the surrounding areas. When seen, it would often be in glimpsed views, or only parts of the upper floors would be visible. The Assessment sets out the proposed development would have a beneficial effect on views from close to the Site from the east and west along the Ridgeway.

The Council's Urban Design Officer considers height is concentrated away from existing

residents and manipulation of topographic levels nestles the development comfortably on site.

### **Character, appearance and materials**

The architectural approach of the proposed development provides coherence in the use of materials and building articulation, and has drawn on local precedents from the arts and crafts era. The design of the buildings is sympathetic to the surrounding area, using high quality materials and including contextual roofscapes which reference local character. The elevations are subtly articulated to create visual interest and provide depth. Entrances to buildings are designed to provide visual connection through the building to invite residents in. The articulation of the buildings have been designed to enhance way finding, offering subtle differences between buildings for ease of recognition and to provide a sense of ownership to each building's residents. Places to rest are integrated into building entrances set into a curved wall to act as a marker for each building and provide opportunities for residents to socialise.

Large bay windows form a key feature on the architecture of the scheme. The balconies have a direct relationship to the bay and the roof language above, corresponding to the recessed and expressed pitches respectively. A variety of brick tones are proposed to add to the character of the facades. The architectural intent is for the brick buildings to feel solid and grounded whilst providing generous external amenity for the residents. A 45 degree chamfer allows the balcony's to smoothly protrude from the façade.

With regard to the extension to Bittacy Cottage, the proposed extension replaces previous unsympathetic alterations with a modest contemporary design that is subservient to the main building. In addition, existing large storage sheds visible from the entrance are removed and open space introduced.

The design principles and proposed materials are considered appropriate in this context and it is considered that the proposed detailed appearance represents a high quality of development. A condition is proposed to secure the materials.

### **Conservation, Visual impact and views**

The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes duties on local planning authorities when considering whether to grant planning permission for development which affects a listed building or its setting or a conservation area. The local authority is to have special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest which it possesses (section 66) and to pay special attention to the desirability of preserving or enhancing the character or appearance of any conservation area (section 72). In addition, London Plan Policy HC1, Barnet Core Strategy CS5, Development Management Policy DM06, Draft Local Plan Policy CDH08 and the NPPF variously require the consideration of the impact to heritage assets including listed buildings, conservation areas and archaeology.

The existing buildings on the Site are not statutorily or locally listed. However, the Site is located within the Mill Hill Conservation Area and Bittacy Cottage is identified as a positive contributor to the conservation area.

The application is accompanied by a Townscape, Visual and Above Ground Heritage Assessment and Green Belt Visual Assessment.

The Townscape, Visual and Above Ground Heritage Assessment provides a series of rendered views taking from surrounding vantage points, which assesses the impact of the proposal when seen from outside the site. The Assessment concludes that the design of the proposed development is a substantial improvement on the architectural quality of the buildings seen on much of the site today. The design of the buildings is sympathetic to the surrounding area, using high quality materials and including contextual roofscapes. The elevations are subtly articulated to create visual interest and provide depth. The opening up of the boundary to the north improves the perception of permeability in the area. The retention and addition of trees throughout the Site has been designed to limit visibility of the proposed development from the wider area, maintaining the level of screening that the Site currently has. The public realm enhancements provide noticeable benefits to the Site and its surroundings. The opening up of the field on the western side of the Site would enhance the area and provide an open green space for the public. The proposed development would have a beneficial effect on the townscape character of the close surroundings of the Site. The proposed development would be largely screened from view (either completely or to a large degree) from many of the surrounding areas by existing and/or proposed trees. When seen, it would often be in glimpsed views, or only parts of the upper floors would be visible. The proposed development would have a beneficial effect on views from close to the Site from the east and west along the Ridgeway.

In terms of heritage, as previously stated earlier in the report, no objection is raised to the demolition of the existing buildings on the site. The site sits at the south-eastern edge of the conservation area and marks a very distinct change in character between the suburban housing of Bittacy Hill and the semi-rural character of the institutional buildings, cottages and open spaces along The Ridgeway. Officers consider that the large flat-roofed 1960's building that occupies the site has a minimal public presence being positioned away from The Ridgeway, and highly screened by established trees and vegetation along the northern boundary. Only limited views into the site are possible from the public footpath which runs north-south from The Ridgeway to Rushden Gardens. Historically, Bittacy House, a Georgian villa stood on the site prior to the Watch Tower House and was also sited some distance into the site with an equally discreet presence.

In reviewing the proposed development, the Council's Conservation Officer raises concerns regarding the proposed form, scale, layout and grain to the existing building. With the exception of the current re-development of the former NIMR site on the northern side of The Ridgeway, there are few examples of clusters of large, closely-spaced buildings of this type within the conservation area. The height of the tallest blocks at 5 storeys is uncharacteristic of buildings within the conservation area. Although the conservation area does not have a single architectural style or predominant layout of buildings, the close grouping and tight grain of the proposed buildings, is quite unlike other built forms found within the conservation area. Due to the dense grouping of built structures, it is considered to create an urban feel which is at odds with the character of the conservation area. There is further harm considered by the proposed introduction of built development on the northern part of the site, in close proximity to The Ridgeway, where currently no development exists. The existing building is set back behind a screen of established planting. The result will have the effect of increasing the urbanised appearance of the site and eroding its contribution to the conservation area.

On the Kingdom Hall site, the existing modern single storey building has limited aesthetic merit and no objection is raised to its removal. The proposed replacement 2 storey, triple-gabled residential building is of a design more in-keeping with the local vernacular, however, it is much larger than the existing structure and will have greater prominence when seen from The Ridgeway.

Although the two storey extensions to Bittacy Cottage have been reduced in size from earlier proposals, they are still large and could not be considered to be subordinate to the original building. The use of flat roofs is also considered to be out of keeping.

In summary, the Conservation Officer concludes that the increased density of the overall development, expressed by the increases in the bulk, massing and height of the buildings will be visually apparent and will cause harm to the conservation area's character and appearance. Taking into account these concerns, it is considered that harm is 'less than significant'.

With reference to paragraph 202 of the NPPF, the effect of an application on the significance of a designated heritage asset should be taken into account in determining the application. In weighing applications that will lead to less than substantial harm to the significance of a designated heritage assets, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The applicant has identified a series of benefits of the scheme, mainly the redevelopment of a brownfield, previously developed site, provision of elderly person homes, affordable housing and the provision of 3ha of newly accessible public open space. The benefits of the proposal and the balancing of these issues will be made within the Planning Balance section at the end of the report.

The Green Belt Visual Assessment concludes the extent of visibility of the existing site and the proposed development would be very similar when viewed from the area of Green Belt land to the south and west. Although there would theoretically be an increase in the extent of built form visibility in the rural Totteridge Valley to the north, it would be difficult to perceive any change to the visibility of built form from within the valley. In terms of effects on views from The Ridgeway and Partingdale Lane, there would be an overall enhancement in the visual openness of views towards the western part of the site and the visual openness of the Green Belt would be enhanced in views towards the eastern part of the site.

The visual openness of the Green Belt would be preserved in views from recreation open spaces to the south, from the west (Mill Hill Cemetery and Arrandene Open Space), and from the north.

In terms of effects on the site specific openness of the Green Belt, the visual openness of the Green Belt would be enhanced on views from the public footpath and from the field (by year 15). With regard to effects on greenspace visibility and visual permeability, the visual openness of the Green Belt would be enhanced.

In respect of archaeology, an Archaeological Desk-Based Assessment accompanies the application and concludes that it is not considered likely that any archaeological remains of high significance will be encountered that would preclude development.

### **Fire Safety**

London Plan Policy D12 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

A Fire Statement has been submitted in support of the application which establishes the fire

strategy principles for the development. The fire strategy will be further developed for submission to the Approving Authority at the appropriate time and will meet the functional requirements of the Building Regulations 2010, taking recommendations from BS 9991:2015 and BS 9999:2017 and the requirements of Policy D5 and D12 of The London Plan. The development therefore complies with London Plan policy.

### **Safety, security and crime mitigation**

Pursuant to London Plan Policy D11 and Barnet Core Strategy Policy CS12, development should include measures to design out crime. The scheme is considered to enhance safety and security and mitigate the potential of crime through:

- The provision of well-lit primary pedestrian routes leading to entrances to blocks;
- Active uses being sited to the Site entrance and adjacent to the field;
- Maximising active frontages and regular spacing of entrances;
- Passive surveillance of communal and public spaces through active frontages and introducing pedestrian routes to avoid unobserved spaces;
- Careful siting of parking in secured car parks or, where in the public realm, in well observed areas.

The Metropolitan Police were consulted on this application and confirmed they had no objection. The Metropolitan Police requested the development achieve Secure by Design. A condition is proposed requiring the applicant to demonstrate compliance with secured by design principles.

### **Amenities of Neighbouring and Future Residents**

Part of the 'Sustainable development' imperative of the NPPF 2021 is pursuing a high standard of amenity for existing and future users through the design of the built environment (paragraph 130). In addition, Policy DM01 of Barnet's Development Management Policies DPD (2012), as well as the Sustainable Design and Construction SPD (2016), provide further requirements and guidance, to avoid and mitigate against harmful impacts on neighbouring residential amenities.

#### **Privacy, overlooking and outlook**

The Barnet Residential Design Guidance SPD states there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

#### ***Privacy and separation to neighbouring sites and properties***

The proposed buildings, have been sited in the landscape to minimise opportunity for direct overlooking. Windows and balconies/terraces have been carefully positioned away from neighbouring properties where possible. In addition, given the topography of the site, the retention of trees and the siting of proposed buildings the proposed development would be largely screened from view (either completely or to a large degree) from many of the surrounding areas. When seen, it would often be in glimpsed views, or only parts of the upper floors would be visible.

To the northwest lies a two storey residential property, Ebor Cottage. At its closest point the

nearest proposed building within the scheme (the affordable block) has a separation distance of 13m (building to building) to this property. There are no directly facing windows between the block and Ebor Cottage at ground floor level due to the presence of an existing boundary fence. At first floor level the affordable block is set back away from Ebor Cottage which ensures there are no directly facing windows. During the application determination period in response to a request from the occupiers of Ebor Cottage, the affordable block was amended to reduce the size of balconies along the northern elevation, increasing the distance between the balcony and Ebor Cottage to 17.5m, with a privacy screen introduced to further mitigate perceived overlooking. In addition, trees are retained along the boundary which further screens views between the Cottage and affordable block. It is not considered that the proposal would result in any significant loss of privacy to Ebor Cottage.

To the northeast lies residential properties on The Ridgeway. No. 1 The Ridgeway lies in closest proximity to the Site. At its closest point the nearest proposed building within the scheme (Building 07) has a separation distance of 14m (building to building) to this property. This distance is from the proposed building to the single storey garages of No. 1 The Ridgeway. The existing dwelling is set back at first floor level increasing the separation between the property and the proposed development to 20m. Building 07 has been sited at an oblique angle to No. 1 The Ridgeway to minimise overlooking. In addition, trees are retained along the boundary which further screens views between the existing property and the proposed development. It is not considered that the proposal would result in any significant loss of privacy to this neighbouring residential property or others on the Ridgeway.

To the east there are residential properties along Bittacy Park Avenue. At the closest point the separation distances between these properties and proposed buildings within the scheme is circa 40m.

To the south there are residential properties along Engel Park and Rushden Garden. At the closest point the separation distances between these properties and proposed buildings within the scheme is circa 85m.

To the west there are residential properties along Woodcote Avenue. The separation distances between the between these properties and proposed buildings within the scheme exceeds 100m.

In summary, it is not considered that the proposal would result in any significant loss of privacy to neighbouring residential properties.

#### *Privacy and separation within the site*

Progressive privacy is the key principle applied to the layout of the masterplan. The unique nature of the site having access and egress restricted to the northern boundary, and its elongated north-south aspect have been maximised to provide a community centred on security and well being of the future community. Within the Site, the separation distance between buildings varies. At the closest points the separation between proposed buildings ranges from between 8.2m and 15m. Buildings are angled to minimise instances of directly facing windows serving habitable rooms, and windows carefully positioned and staggered along the elevations to ensure adequate privacy for future occupants. In addition, the scheme has sought to maximise outlook onto green spaces with 74% of proposed units having a direct outlook over the Green Belt or proposed amenity and landscaped areas.

Overall, Officers are satisfied that there would be no demonstrable overlooking and loss of

privacy to neighbouring properties or between proposed future occupiers as a result of the proposed development.

### **Noise and general disturbance**

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. The use is consistent with the residential character of the wider area.

An Acoustic Assessment has been submitted in support of the application. The existing sound levels affecting the noise-sensitive development and noise levels generated by the development can be suitably controlled in line with the recommended guidance. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

### **Air quality**

London Plan Policy SI1 states that proposals should not lead to further deterioration of existing poor air quality or create unacceptable risk of high levels of exposure to poor air quality. Proposals must be at least Air Quality Neutral and use design solutions to prevent or minimise increased exposure to existing air pollution. Major development must be submitted with an Air Quality Assessment.

An Air Quality Assessment has been submitted in support of the Application within the Environmental Statement. This has assessed both the construction and operational impacts of the proposed development. This Assessment confirms the building and transport related emissions associated with the proposed development are both below the relevant benchmarks. The proposed development is therefore air quality neutral in accordance with London Plan Policy SI 1.

### **Daylight and Sunlight**

The application proposals are accompanied by a Daylight Sunlight and Overshadowing Assessment. This has assessed Ebor Cottage which was the only property within the immediate context of the Site which has an outlook over the Site. All other surrounding residential buildings that are not situated within the immediate context of the Site or do not have an outlook over the Site have not been considered within the daylight and sunlight assessment.

Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. The BRE issued a 3rd edition of their guidance on 9 June 2022. The tests with respect to impact to neighbours remain the same as the previous (2011) guidance. Given the application was submitted prior to the publication of the new Guidance, it is considered the application of the former BRE guidance remains acceptable, and that a further assessment of impacts upon neighbouring properties is not required in this case.

#### *Daylight*

The daylight analysis assessed 9 windows to Ebor Cottage. The results of the VSC (Vertical Sky Component) methodology records full BRE compliance (100%). In relation to NSL (No Sky Line) which measures the amount of diffuse light which a room receives, 5 rooms (100%) achieve full BRE compliance.



## *Sunlight*

In relation to sunlight 5 rooms (100%) achieve full BRE compliance for APSH (Annual Probable Sunlight Hours).

The results of the technical analysis demonstrate full BRE compliance (100%) for both daylight methodologies (VSC & NSL) and full BRE compliance (100%) for the sunlight methodology APSH). Therefore, the daylight and sunlight impacts of the scheme to this adjoining property is considered acceptable.

## *Overshadowing*

The submitted Daylight Sunlight and Overshadowing Assessment also assess the extent of any overshadowing of adjoining amenity spaces serving neighbouring off-site properties. The overshadowing study demonstrates that all these tested areas will still exceed the BRE's target of 50% surface area to receive at least 2 hours in sunlight on March 21st. The effect of overshadowing on each these areas would therefore be negligible.

## *Internal Residents*

The applicant has also carried out an assessment of the likely internal daylight and sunlight levels within the proposal. This shows that 79% of assessed rooms will meet or exceed their respective ADF (Average Daylight Factor) targets set out in BRE Guidance. Of the rooms that do not meet the standard this is predominately due to the use of balconies which provide an amenity benefit to the units, but limit the view of the sky. In terms of sunlight, 59% of the assessed rooms record BRE compliance for APSH (Annual Probable Sunlight Hours). Overall it is concluded that the levels of internal daylight and sunlight are within acceptable levels.

With regard to overshadowing, all but 1 assessed proposed amenity space will meet or exceed the BRE's target of 50% surface area that receives at least 2 hours in sunlight on March 21st. The isolated marginal shortfall is located within the internal courtyard of the proposed residential accommodation and records 48.5% of the surface area that receives at least 2 hours in sunlight. However, there are adjoining amenity spaces that far exceed the BRE's suggested target value that the residents have access to. Importantly, the 3ha proposed public green space located south of Kingdom Hall demonstrates 100% of its surface will receive at least 2 hours in sunlight on March 21st.

## **Transport, highways and parking**

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.

London Plan Policy T6.1 sets a maximum car parking ratio of 1.5 spaces per unit for outer London areas with a PTAL of 1-2.

### **Trip Generation & Impact**

The applicant's transport statement has calculated the following trip generation for the existing uses on-site, and the anticipated trip generation by various transport modes as a result of the proposal. Compared with the existing consented use of the Site, the proposed development is forecast to result in a decrease of trips in the AM and PM peak hours.

	<b>AM peak hour (08:00 – 09:00)</b>			<b>PM peak hour (17:00 – 18:00)</b>		
	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
<b>Existing</b>	23	34	57	39	40	79
<b>Forecast</b>	21	28	49	39	35	74

Given the nature of the Specialist Older Persons Housing, these residents are likely to arrive and depart throughout the day. The majority of journeys are expected to occur outside of peak hours.

This level of trip generation including the methodology has been assessed by Council highway officers who have not raised any concern regarding the impact of the above on local highway infrastructure.

### **Parking (Car, Cycle, Disabled, Visitors)**

#### *Car Parking*

A total of 121 car parking spaces are proposed. Of these 121, 103 will be for the Specialist Older Persons Housing, 9 for the affordable housing units, and 9 for the community hub, as follows:

<b>Type</b>	<b>Number</b>
Specialist Older Persons Housing resident space	84 (0.48 spaces per unit, incl. 17 wheelchair accessible spaces)
Specialist Older Persons Housing Staff space	8
Specialist Older Persons Housing Visiting Staff space	2
<b>Specialist Older Persons Housing – TOTAL</b>	<b>103</b>
<b>Affordable Block – TOTAL</b>	<b>9</b>
<b>Community Hub – TOTAL</b>	<b>9</b>
<b>Site wide car parking TOTAL</b>	<b>121</b>
<b>Minibus space TOTAL</b>	<b>1</b>

A car parking ratio of 0.48 for the Specialist Older Persons Housing and 1.0 for the affordable housing complies with the maximum parking standard set out within the London Plan for areas with a PTAL of 0-1. The design of the car park layouts and on street spaces have been reviewed and are considered suitable for the intended use.

In accordance with London Plan (2021) Policy T6, 20% of all spaces will have an Electric Vehicle Charging Point (EVCP) from the outset, with all remaining spaces having passive provision for future use.

Based on the above and as the parking ratio remains in accordance the London Plan requirements across the site, the proposed level of provision is deemed acceptable. Travel

Plan incentives and monitoring will be secured by S106 Agreement and are set out in the Heads of Terms.

### *Cycle Parking*

The application supporting documents confirm that cycle parking will be provided in accordance with London Plan cycle standards, as follows:

- Specialist Older Persons Housing: 35 long-stay and 9 short-stay
- Affordable housing: 17 long-stay and 2 short-stay
- Community (Flexible F1, F2 and E use): 2 long-stay and 5 short-stay

Cycle parking for the affordable block will be provided in a secure covered cycle store, with cycle parking for the specialist older persons housing located in the basement, and visitor spaces will be at surface level within the public realm.

The development proposals accord with the cycle parking requirement of the London Plan.

### *Vehicular, Pedestrian and Cycle Access*

The existing Watch Tower House and Kingdom Hall sites are currently accessed from The Ridgeway. The two sites are divided north to south by a Public Right of Way (PROW) which provides a pedestrian route between The Ridgeway and Rushden Gardens. Both sites have a main vehicle access point, with separate gated accesses for pedestrians. Watch Tower House can also be accessed on foot at the vehicle exit point and at a separate pedestrian-only access gate.

Vehicular access to the Site will continue to be taken from The Ridgeway, in similar places to the existing access/egress points. Within the Watch Tower House site a two-way route will be provided along the western edge of Watch Tower House site to provide access to the basement car park. This will be able to accommodate to passing cars, with passing places provided along the route for larger vehicles to stop if required. At the southern-most end of this route a turning head will be provided. The ramp to the basement car park has been designed to accommodate two-way movements.

The centre of Watch Tower House site will accommodate vehicular movements associated with delivery and servicing activity. This is forecast to be a low level of movement, therefore for the most part this will operate as pedestrian / cyclist only space.

A single access / egress point will be provided for Kingdom Hall site. This will provide access to the car parking spaces and movements associated with delivery and servicing activity.

The main pedestrian accesses for Watch Tower House and Kingdom Hall sites will be in the same location as the main vehicle access points. A separate pedestrian-only access point will be provided into Watch Tower House site, between the two vehicular access points. The Public Right of Way bisecting Watch Tower House and Kingdom Hall will be maintained. Improved planting and landscaping will enhance the look and feel of this route for pedestrians.

Routes for pedestrians will be available internally within Watch Tower House site, which will enable access to the various buildings on-site. A wooded footpath will be provided around the eastern and southern part of Watch Tower House site for leisure walks. Routes within both Watch Tower House and Kingdom Hall sites have been designed to minimise gradients

(shallower than 1:21), and regular resting points will be provided.

Cyclists will be able to access the Site from The Ridgeway, in the same places as the pedestrian access points. Cyclists entering Watch Tower House site will be able to do so on the carriageway and cycle to the basement access point to access the long-stay cycle parking spaces, which are located in the basement.

With respect to highways safety, the submission of a Stage 1 Road Safety Audit is secured by condition as agreed with Highways Officers.

### Waste and Recycling

Barnet Core Strategy Policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill. All delivery and servicing activity will take place on-site. Waste storage areas are provided to each block for food, recycle and general refuse, within a suitable distance for either direct collection or to be moved by the on-site management team to a collection point. The quantum of waste storage for the entire scheme has been calculated on the basis of the conventional housing standards as there are no specific standards for Specialist Older Persons Housing. Given the nature of the Specialist Older Persons Housing, these units are likely to generate a lower occupancy level than conventional housing and therefore less waste.

## **Energy, Sustainability, and Resources**

### Energy

London Plan Policy S12 states that major development should be net zero-carbon. The hierarchical principles of be lean, be clean, be green, and be seen should be implemented in order to reduce greenhouse gas emissions and minimise energy demands.

An Energy Statement has been submitted in support of the application. This outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions. The Strategy follows the London Plan Energy Hierarchy: Be Lean, Be Clean and Be Green. The overriding objective in the formulation of the strategy is to maximise the reductions in total CO<sub>2</sub> emissions through the application of the hierarchy with a technically appropriate and cost-effective approach, and to minimise the emission of other pollutants. The development will be constructed to comply with Part L 2013 (with 2016 amendments) of the Building Regulations and in line with the London Plan to achieve a 59.9% reduction in regulated carbon dioxide emissions beyond the baseline. In order to achieve zero carbon, the developer will need to make a carbon offset contribution to bridge this gap. A contribution of £481,080 is to be secured via planning obligation.

The proposed development also follows the principles of the circular economy and whole-life cycle carbon, as detailed in the Circular Economy Statement and Whole Life Carbon Cycle Assessment which accompany the application, in accordance with London Plan Policy S12, S13 and S17.

Submission of further details on whole life carbon and circular economy are secured by condition. Energy monitoring is to be secured by obligation.

Officers are satisfied the scheme would meet the necessary sustainability and energy efficiency requirements of the London Plan Policy S12, S13 and S17.

## **Overheating**

Policy SI4 (Managing Heat Risk) of the London Plan (2021) requires development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.

Policy CS13 of the Barnet Local Plan Core Strategy (2012) sets out the Council's expectation with regards to delivering developments that demonstrate exemplary levels of sustainability, and which mitigate and adapt to the effects of a changing climate.

An assessment of overheating is included within the Energy Statement. This concludes all assessed units comply with CIBSE TM59 criteria. All units will be provided with a minimum of mechanical ventilation with heat recovery (MVHR) units, and openable windows and/or ventilation panels, allowing the occupant to adapt their internal environment according to their own needs.

Officers are satisfied that the scheme would adequately minimise and manage heat risk in accordance with the objectives of Policy SI4 of the Mayor's London Plan (2021) and Policy CS13 of the Barnet Local Plan Core Strategy (2012).

## **Water Consumption**

In terms of water consumption, a condition would be recommended in the event planning permission is granted to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Barnet's Core Strategy (2012) Policy CS13 and Policy SI5 of the London Plan (2021).

The proposed development, subject to conditions, would therefore meet the necessary sustainability and efficiency requirements of the London Plan (2021).

## **Landscaping, Trees and biodiversity**

The NPPF recognises that access to high quality open spaces can make an important contribution to the health and well-being of communities (para 92). The NPPF (paragraph 174) considers that decisions should contribute to and enhance the natural and local environment by recognising the wider benefits from natural capital and ecosystem services, making specific reference to trees. Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

## **Landscape and Open Space**

There is a policy objective within the All London Green Grid (as accounted for in Core Strategy Policy CS7 and draft Local Plan Policies GSS13 and ECC04) to deliver a new regional park within the designated Green Belt/MoL in the 'Brent Valley and Barnet Plateau' Green Grid area (the Site is located within this area). In practice this new Regional Park is intended to comprise a series of component parts principally comprising existing open green spaces and the linkages between them. The policy objective is to improve the spaces to maximise long term benefits to residents (and biodiversity etc), which in many cases will require accessibility improvements. There is an opportunity for the field on the Kingdom Hall

site to make a significant contribution to this policy objective and the delivery of substantive enhancements to the Green Belt as a consequence. Currently the field located south of the Kingdom Hall building is private space with no public access. As part of the proposed development this space will be enhanced and opened up to create 3ha of public green space which is expected to be well used by the future occupiers of the scheme and the wider local community given the presence of the Public Right of Way (PROW) and the improvements to this and the field that are proposed.

Currently the field comprises amenity grassland. As part of the proposed development this will be enhanced and managed as a wildflower meadow, enhancing biodiversity. In addition, significant improvements will be made to the PROW which runs alongside the open space, to widen the route to create a more usable space and replacing the existing poor quality 1.8m high chain link fence with a 1.2 m high timber post and rail fence to create an attractive pedestrian route. Tree planting is proposed adjacent to the PROW to strengthen visual screening between the field and the proposed buildings.

The Community Hub building will sit at the entrance to the 3ha of newly accessible public open space, providing views over the open space and London skyline, whilst also providing natural surveillance for the open space.

A Community Maintenance and Management Strategy is proposed to be secured by S106 and is included within the Heads of Terms. This is intended to secure access to the field in perpetuity, as well as specifying maintenance details for the landscaping, the hours for public access to the field, and details on site security. Detailed landscaping conditions are included in the list of suggested conditions which will ensure the Council can secure the future quality of the field and the other landscaped areas across the scheme.

The enhancement of the field and the securing public access is a significant public benefit of the proposed development, and will make a significant contribution towards providing a new regional park in this part of London as sought by policy.

## **Trees**

London Plan Policy G7 seeks to ensure that proposals retain existing trees of value where possible. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed.

Core Strategy Policy CS7 seeks to maintain and improve the greening of the environment through the protection of incidental greenspace, trees, hedgerows and watercourses. It seeks to ensure that development protects existing site ecology and makes the fullest contributions to enhancing biodiversity, both through on-site measures and by contributions to local biodiversity improvements.

Development Management DPD Policy DM01 requires development to include hard and soft landscaping that provides an appropriate level of new habitat, including tree and shrub planting, contributes to biodiversity including the retention of existing wildlife habitat and trees, and adequately protects existing trees and their root systems. Trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. Development Management DPD Policy DM16 seeks the retention and enhancement, or creation of biodiversity.

Draft Local Plan Policy CDH07 seeks to safeguard existing trees and their root systems, or

replace them, if necessary, with suitable size and species of trees.

The applicant has submitted an Arboricultural Impact Assessment and Tree Strategy. There are 358 existing trees on the site. Of these 276 (77%) are retained, including all of the Category A (highest quality) trees. The breakdown of the trees is below.

<b>Tree strategy</b>	<b>Cat A</b>	<b>Cat B</b>	<b>Cat C</b>	<b>Cat U</b>	<b>Total</b>
	<i>Trees of high quality</i>	<i>Trees of medium quality</i>	<i>Trees of low quality</i>		
Retained*	23	92	158	3	276
Removed**		15	57	6	78***
Moved		2	2		4
<b>Total</b>	<b>23</b>	<b>109</b>	<b>217</b>	<b>9</b>	<b>358</b>

\* 1 no. cat B tree has recently been lost to high winds

\*\* Trees to be removed include 2 no. cat U trees which have been approved to be removed

\*\*\* Total no. of trees to be removed = 78, including 14 trees within tree groups

In total 78 trees, including 14 within groups, are proposed to be removed which fall within Category B, C and U. All Category A trees, those of the highest quality, are retained as part of the proposed development. During the course of pre-application discussions the design of the scheme was amended to minimise tree removal across the site. The trees that are to be removed cannot be retained as they are of poor arboricultural condition (the 6 no. Category U trees), situated within the footprints of proposed structures or surfaces, or because they are too close to proposed structures to enable retention. Replacement tree planting of 192 trees is proposed across the site, with a diverse range of tree species to improve biodiversity, support a range of wildlife, enhance the visual interest and stress seasonality throughout the site. The proposed development will therefore deliver a net uplift in the number of trees on the Site compared to the existing condition.

The applicant has submitted a CAVAT Assessment which assesses the value of the existing trees to be removed and the proposed trees. This Assessment concludes the trees to be removed have a cumulative total value of £360,617 and the trees to be planted, following 15 years growth, have a cumulative total value of £546,298, outweighing the losses by £185,681.

Overall it is considered that the proposed tree removal is acceptable in this instance in order to allow for the development of the site, and suitable landscaping and tree protection measures are secured via condition with a Tree Management Plan included as a S106 obligation.

## **Biodiversity**

Core Strategy Policy CS7 seeks to ensure that development protects existing site ecology and makes the fullest contributions to enhancing biodiversity, both through on-site measures and by contributions to local biodiversity improvements.

Development Management DPD Policy DM01 requires development to include hard and soft landscaping that provides an appropriate level of new habitat, including tree and shrub planting, contributes to biodiversity including the retention of existing wildlife habitat and trees, and adequately protects existing trees and their root systems.

Draft Local Plan Policy ECC06 seeks the retention and enhancement, or the creation of biodiversity in development proposals by ensuring that development makes the fullest

contributions to enhancing biodiversity and protects existing site ecology. To realise this aim it is expected that at least the required level of biodiversity net gain, stated by regulation, is attained. This should be achieved both through on-site measures and where necessary by contribution to local biodiversity improvements.

The Environmental Statement includes an assessment of the impact of the proposed development on ecology and nature conservation. The findings of the extended Phase I habitat survey identified that the Site is dominated by buildings, hardstanding and amenity grassland with a number of scattered trees, dense scrub and introduced shrub also present. These habitats provide opportunities for the following protected and priority species: badger, bats, birds, reptiles and west European hedgehog. No residual significant adverse effects are anticipated as a result of the proposed development. The scheme will create various new habitats comprising grassland/wildflower meadow (approximately 0.22ha), broadleaved woodland (approximately 0.6ha), and new tree planting (192 new trees of largely native provenance). Habitat improvements include the enhancement of grassland areas (approximately 1.86ha) to grassland/wildflower meadow. The Environmental Statement concludes there is a residual beneficial effect significant at the local level is anticipated in relation to habitats, bats, birds, reptiles and west European hedgehog.

The application submission demonstrates the proposal secures a net gain in biodiversity of 10.95% for habitat units and 145.54% for hedgerow units which exceeds the emerging national target for 10% gain.

The proposed development is considered acceptable and to meet the requirements of Core Strategy Policy CS7, Development Management DPD Policy DM01 and Draft Local Plan Policy ECC06.

### **Urban Greening**

London Plan Policy G5 requires new developments to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and sets a target of 0.4 for residential development.

The proposal achieves a score of 0.89 which vastly exceeds with the policy target.

### **Flood risk, Drainage and SUDs**

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".

The application is accompanied by a Flood Risk Assessment and Surface Water Drainage Strategy. This has been assessed by the Council's appointed drainage specialists who have raised no objection to the development.

### **Other matters**

#### **Ground conditions and Contamination**

Paragraph 2.1.8 of the London Plan states in order to make the best use of land, enable the



development of brownfield sites, and contribute to creating a healthy city it is important that development proposals appropriately deal with contamination so land can be safely used.

Development Management DPD Policy DM04 states that Proposals on land which may be contaminated should be accompanied by an investigation to establish the level of contamination in the soil and/or groundwater/surface waters and identify appropriate mitigation. Development which could adversely affect the quality of groundwater will not be permitted.

A Phase I Preliminary Assessment, submitted as part of the application concludes the Site is considered to generally present a very low to low risk of harm/damage to construction workers, building and services, plants and vegetation, off-site residents, and controlled waters. The report makes recommendations for further intrusive investigations to be carried out to investigate the ground and groundwater conditions which has been secured by condition.

## **Scheme Benefits**

The proposed development delivers a number of benefits as follows:

- Increasing the supply of homes by 184 homes within the Borough in supporting the objectives of NPPF, London Plan, Barnet Local Plan and Barnet emerging Local Plan;
- The provision of Specialist Older Persons Housing supporting the objectives of NPPF para. 62, PPG, London Plan Policy H13, Local Plan Policy DM09, draft Local Plan Policy HOU04 and Barnet's Housing Strategy. The proposed Specialist Older Persons Housing accommodation is intended to prolong independence and improve the wellbeing of older persons, particularly in respect to reducing loneliness and social isolation;
- Enhancing the beneficial use of the Green Belt through the opening up and enhancement of the field south of Kingdom Hall as public green space (circa 3ha), with public access secured in perpetuity, and the delivery of the policy objectives of the All London Green Grid (ALGG) (NPPF para 145, London Plan Policy G1, ALGG SPG and Area Framework, Core Strategy Policy CS7, and draft Local Plan Policies GSS13 and ECC04);
- The provision of 9 conventional (affordable) housing units on-site and a financial contribution of £1.5m to enable off-site delivery of further affordable homes contributes to the Borough's affordable housing targets as sought by NPPF para 62, London Plan Policy H4/5, Local Plan Policies CS4/DM10, draft Local Plan policy HOU04. The financial contribution is estimated to enable the delivery of an additional 14 affordable homes (a mix of London Affordable Rent and Shared Ownership) in addition to the 9 on-site;
- Provision of publicly accessible 392 sq.m Community Hub, comprising flexible space for use by the local community. The Hub building will sit at the entrance to the 3ha of newly accessible public open space, providing views over the open space and London skyline, whilst also providing natural surveillance for the open space. The Hub includes the provision of toilets to serve the users of the building;
- Improvements to the existing Public Right of Way which runs alongside the open space, to widen the route to create a more usable space and replacing the existing poor quality 1.8m high chain link fence with 1.2 m high timber post and rail fence to create an attractive pedestrian route. Tree planting is proposed adjacent to the PROW to strengthen visual

screening between the field and the proposed buildings;

- Tree retention and new planting delivered across the Site, with all Category A trees retained and an overall uplift in the number of trees across the Site. Attainment of UGF score of 0.89 and biodiversity net gain of 10.95% for habitats and 145.54% for hedgerows;

#### **4. 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; and
- 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 site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

A minimum of 10% of units will be wheelchair adaptable.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

#### **5. PLANNING BALANCE AND CONCLUSION**

The proposed development comprises the reuse/redevelopment of previously developed

vacant redundant site. Officers have concluded that the proposed development would have a slightly greater impact on the openness of the Green Belt compared to the existing which would equate to less than substantial harm in policy terms. The provision of the maximum reasonable amount of affordable housing ensures that the proposed development accords with NPPF Para 149(g)(ii) and is acceptable in Green Belt policy terms.

The proposed development provides 175 Specialist Older Persons Housing units (Use Class C2) which will comprise a significant contribution to meeting the identified need for such housing within the Borough. The overarching purpose of providing this type of specialist housing is to prolong independence and improve the wellbeing of older persons, particularly in respect to reducing loneliness and social isolation.

The proposed development also provides 9no. conventional (affordable) units (Use Class C3) on-site, plus an additional financial contribution of £1.5 million. The affordable housing offer has been scrutinised in great detail by the Council's independent advisor who have confirmed it comprises the maximum reasonable amount of affordable housing. Officers recommend the imposition of review mechanisms to ensure that any future improvement to the viability position can be captured through additional contributions.

Currently the field located south of the Kingdom Hall building is private space. As part of the proposed development this space will be enhanced, and long-term maintenance of the field secured. Public access will be secured in perpetuity (364 days per year) to create 3ha of public green space. In addition, significant improvements will be made to the Public Right of Way which runs alongside the open space, to widen the route and create an attractive pedestrian route. Tree planting is proposed adjacent to the Public Right of Way to strengthen visual screening between the field and the proposed buildings. The enhancement of the field and the securing public access is a significant public benefit of the proposed development.

At the entrance to the 3ha of newly accessible public open space will be a Community Hub, providing views over the open space and London skyline, whilst also providing natural surveillance for the open space. It will comprise 392 sq.m. (GIA) of flexible space for use by the local community.

An ES has been submitted which robustly assesses the proposed development against a full range of topics and identifies appropriate mitigation such that there are no significant adverse impacts posed by the scheme.

The proposed detailed design is considered to be high quality with appropriate levels of amenity space, open space and residential standards achieved for future occupiers.

The amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposals.

The potential transport impacts of the scheme have been considered and appropriate mitigation proposed in the form of provision of a detailed travel plan as well as improvements to public access to open space within the Site.

The scheme deals with its waste and recycling requirements and in terms of energy and sustainability, a range of measures are proposed including a carbon offset payment to achieve mayoral standards for a reduction in CO2 emissions.

A suitable approach is taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity values within the site.

To conclude, Officers fully support this planning application. This has required a balanced judgment having regard to the key planning considerations, considered against the significant public benefits expected to arise from the scheme, in the context of relevant national, regional and local planning policies and guidance.

In applying paragraph 202 of the NPPF, it is considered that the package of public benefits is of considerable importance and it would outweigh the harm that would arise through the impact of redeveloping the site in the Mill Hill Conservation Area,

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to referral to the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.

