

Location

Temple Fortune Health Centre; 23 Temple Fortune Lane;
London; NW11 7TE

Reference:

22/5485/FUL

Ward: Golders Green

Received: 16.11.2022

Accepted: 16.11.2022

Expiry 15.02.2023

Applicant:

Leora Harverd and Karen Myers.
Temple Fortune Medical Centre

Proposal:

Demolition of the existing Temple Fortune Health Centre and erection of a four-storey building comprising of a replacement health centre (Class E) on the ground floor; 11 x no self-contained flats on the upper floors (comprising of 5 x 2 bed & 6 x 3 bed units); 17 x car parking spaces at basement level; refuse stores, plant, cycle parking; private amenity space and landscaping.

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

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation by Unilateral Undertaking and any other legislation which is considered necessary for the purposes of 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. £10,000 towards monitoring of the Travel Plan

4. A carbon offset payment of £16,600 for the residential element and £8,486 for the non residential element- , totalling £25,086 towards off site carbon savings
5. A financial contribution to mitigate against the loss of trees onsite. The financial contribution would be the balance of the value of the existing trees minus the cost of the proposed 17 x no trees which are proposed onsite on the upper floors of the proposed development.
6. Affordable housing review mechanism (early stage if progress has not been made onsite within 3 years from date of planning consent, and late-stage review upon disposal of 75% of the units onsite).
7. Controlled Parking Zone restrictions- Prohibit future occupiers from applying for on street car parking permits.
8. Section 287- off site highway improvement works.

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, 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.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.

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

Existing Site Plan: 756-PL-010 P2;
 Landscaping ground floor plan: 100L Rev A
 Landscaping first floor plan: 101L Rev A
 Landscaping third floor plan: 104L Rev A
 Landscaping floor plan: 102L Rev A
 Landscaping roof plan: 103L Rev A

Proposed basement plan: 756-10-099-P6
 Proposed ground floor: 756-10-100—P6
 Proposed first floor: 756-10-101-P7
 Proposed second floor: 756-10-102 P6
 Proposed third floor 756-10-103 P7
 Proposed fourth floor 756-10-104 P7
 Proposed south west: 756-30-302-P8
 Proposed north east 756-30-300-P5
 Proposed south east 756-30-301-P7
 Section AA 756-20-200 P5
 Section BB 756-20-201 P5
 Separation distances plans/sections: 756-10-200 P4
 Contextual ground flood drawings 756-10-107 P4
 Contextual first floor drawings: 756-10-106 P5
 Materials reference sheet no: 501 Rev A

- Proposed area schedule table by General Practice Architecture and Design dated 12.09.2023
- Cover letter by MJP Planning dated 13th September 2023
- Planning Statement by MJP Planning dated June 2023
- Transport Statement by EAS Transport Planning Ltd dated June 2023
- Travel Plan by EAS Transport Planning Ltd dated June 2023
- BREEAM Pre Assessment by MWL dated September 2022 (updated)
- Energy and Sustainability Report by MWL dated June 2023
- Addendum Viability Strategy by Turner Morum LLP dated June 2023
- Design and Access Statement by CPAD dated June 2023
- Urban Greening Factor calculation report dated 15 June 2023 Rev A by John Davies Landscape
- Flood Risk Assessment and Sustainable Urban Drainage (ref no: FRA20124.2) by MJ Planning
- Air Quality Assessment by Redmore Environmental Limited dated 30th September 2022
- Phase 1 Desk Study (report ref G79966) BY Ensaf Consultants dated September 2022
- Daylight and Sunlight Assessment dated June 2023 by Herrington Consulting Limited
- Preliminary Ecological Assessment by Green Shoot Ecology rev 1-2 November 2022
- Fire Strategy by Fire Engineering dated 20 October 2022
- Heritage Statement by HCUK Group dated October 2022
- Material Reference sheet
- Noise Impact Assessment by ALN Acoustic Design dated October 2022
- Statement of Community Engagement by Local Dialogue dated October 2022
- Arboricultural Impact Plan (DS13112101.03)
- Tree Protection Plan: DS13112101.04
- Tree Survey report by Patrick Stileman Ltd Arboricultural Consultancy dated 9 September 2021
- Utility Statement report by MWL dated October 2022

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).

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

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

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

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

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

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

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

6. Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with policy D14 of the London Plan (2021); policy DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

7. The level of noise emitted from the specify machinery 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 policy D14 of the London Plan (2021); policies DM04 of the Development Management Policies DPD (adopted September 2012) (adopted September 2012), the Sustainable Design and Construction SPD (2016).

8. The details hereby approved within the Noise Impact Assessment by ALN Acoustic Design dated October 2022 and all noise mitigation measures proposed, shall be full implemented and retained thereafter.

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

9. The approved air pollution mitigation scheme as approved within the Air Quality Assessment by Redmore Environmental Limited dated 30th September 2022 shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers, including the rooftop communal amenity and child play area are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy SI1 of the London Plan 2021.

10. (a) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) for the development has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

(b) Any piling must be undertaken in accordance with the terms of the approved Piling Method Statement.

Reason: To prevent any damage to nearby underground utility infrastructure in accordance with policies SI 13 of the London Plan (2021); CS13 of the adopted Core Strategy (2012) and DM04 of the Managing Development Document (2012).

11. The development shall be implemented in accordance with the Energy and Sustainability Report by MWL dated June 2023 prior to first occupation and prior to commencement of any uses on site and retained as such thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM024 of the Barnet Development Management Policies document (2012), policies D6 & SI2: SI 4 of the London Plan (2021).

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

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted September 2012) and Policy D14 of the London Plan 2021.

13. Within 3 months of completion of the development, the applicant shall be awarded Secure by Design Accreditation, in consultation with the Metropolitan Police.

Reason: To ensure that the development is safe and secure for future occupiers in accordance with policies 7.3 of the London Plan (2016); CS5 of the Core Strategy (2012) and DM02 of the Development Management Document (2012).

14. a) Prior to occupation and commencement of use of the development, full details of an Operational Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

b) The development thereafter shall only be operated in accordance with the approved Operational Parking Management 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.

15. a) Before the permitted development is occupied, full details of Servicing Management Plan, including refuse storage and collection arrangements, shall be submitted to and approved in writing by the Local Planning Authority.

b) The development thereafter shall only be operated in accordance with the approved Servicing Management Plan.

Reason: In the interest of highway safety in accordance with policy T4 of the London Plan (2021); policy CS9 of Core Strategy (2012) September 2012 and policy DM17 of Development Management Document (2012).

16. a) Prior to the commencement of the development; a revised ground floor layout plan showing details of the proposed access points (Pedestrian and Vehicular) shall be submitted to and approved by the Local Planning Authority. The revised plan shall include dimensions of existing and proposed crossovers and any redundant

crossovers to be reinstated to footway. The minimum gap between crossovers should be 2.4m.

b) The detailing hereby approved as part of this application shall be implemented in accordance with the details approved under part a of this condition.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with policy T3; T4 and T6 of the London Plan (2021); policy CS9 of Barnet Core Strategy (2012) and policy DM17 of the Development Management Document (2012).

17. Prior to commencement of the superstructure works onsite, full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority.

These details shall include the provision of 4 active and 13 passive electric vehicle charging points. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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.

18. 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 contractor's 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.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

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.

19. Prior to occupation of the development the vehicular access shall allow for 2.4 metre by 2.4 metre pedestrian visibility splays to the left and to the right of the access from 2m setback from the back of footway and shall thereafter be maintained free of any visibility obstructions including Fencing of planting of shrubs to provide clear visibility between heights of 0.6 metre and 1 metre above the level of the adjoining highway.

Reason: In the interests of highway and 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.

20. No structure including fences or planting exceeding 0.6 metres in height shall be erected to the left or right of the access within the visibility splay at the junction of private access and the public highway.

Reason: To preserve site line and in the interests of highway and pedestrian safety in accordance with policies T2 & T4 of the London Plan (2021); and policy CS9 of the Core Strategy (September 2012) and Policy DM17 of the Barnet's Development Management Document (2012).

21. a) Within 3 months of occupation a Framework Travel Plan that meets and complies with the requirements of the Transport for London document 'Travel planning' for new development in London' shall be submitted and approved in writing by the Local Planning Authority. This shall include the appointment of a Travel Plan Champion.

b) The Travel plan should be reviewed in accordance with Transport for London's 'standardised approach to monitoring'.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policy T4 of the London Plan (2021); policy CS9 of Core Strategy (Adopted) September 2012 and policy DM17 of Development Management Policies (Adopted) September 2012.

22. Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of

harm, development shall not commence until approved in writing by the Local Planning Authority.

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

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

23. a) Before the development (residential and non-residential) hereby permitted is first occupied, details of cycle parking including the type of stands, gaps between stands, provision for a minimum of 22 long term cycle spaces for future occupiers of the residential development; location and type of cycle store proposed shall be submitted to and approved in writing by the Local Planning Authority in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles in the interests of pedestrian and highway safety and the free flow of traffic

in accordance with T5 of the London Plan (2021); and policy CS9 of the Core Strategy September 2012.

24. a) The applicant shall enter a Section 278 legal Agreement to deliver the following off site highway improvement works:

1. Installation of tactile paving at the site access
2. Reinstatement of the redundant crossover serving the two existing car spaces to footway
3. Renewal of the footway along the site frontage.

b) All off-site highways works shall be completed to the satisfaction of the local highway authority prior to first occupation of the building.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with policy T4 of the London Plan (2021); policy CS9 of Core Strategy September 2012 and policy DM17 of Development Management Policies (Adopted) September 2012.

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

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

Reason: To ensure that the development provides appropriate drainage infrastructure in accordance with policy SI 13 Sustainable Drainage of the London Plan (2021) and policy CS13 of the Local Plan Core Strategy (adopted September 2012), policy DM04 of the Development Management Document (2012); Sustainable Design and Construction SPD (adopted October 2016).

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

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

27. 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 rainwater

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).

28. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy D7 of the London Plan (2021).

29. a) Prior to the occupation of development onsite, full details of the 1.8m obscured and acoustic glazed privacy screen at first floor level on the southwest elevation (as shown on drawing no: 756-30-302 P8) shall be submitted to and approved by the Local Planning Authority in writing.

b) The obscured and acoustic glazed privacy screen as approved under part a, shall be implemented, and retained thereafter.

Reason: To protect the amenities to neighbouring residential occupiers in accordance with policy D14 of the London Plan (2021); and policies DM02 and DM04 of the Councils Development Management Document (2012).

30. a) The development shall be carried out in accordance with the landscaping details approved as shown on drawing numbers 100I Rev A; 101L Rev A; 104L; 102L Rev A; and 103L Rev A; and the document titled "Urban Greening Factor Calculation Report" dated 15th June 2023 by John Davies Landscape Consultants

b) Prior to the occupation of the hereby approved development, details of a Landscape and Ecology Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure a satisfactory appearance to the development and promote urban greening in accordance with policies G5 and G6 of the London Plan (2021); policies

DM01 and DM16 of the Development Management Document (2012), and policies CS5 and CS7 of the Core Strategy (2012).

31. The new Health Centre hereby approved shall be fully constructed and in use prior to the first occupation of any of the self-contained residential uses (C3) onsite.

Reason: To ensure that a health centre is re-provided onsite in accordance with policies S1; S2 & S3 of the London Plan (2021); policy CS3 of the Core Strategy (2012); and policy DM13 of the Local Plan (2012) which seeks to protect existing community uses which includes health centres.

32. (a) 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.

(b) 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.

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

Reasons: In the interest of good air quality in accordance with policies SI 1 of the London Plan (2021) and DM04 of the Development Management Document (2012).

33. The development at ground level (as shown on drawing number 756-10-100—P6) shall be used as a medical centre only, and for no other uses within Class E of The Town and Country Planning (Use Class)(Amendment) (England) Regulations 2020.

Reason: To ensure that a health centre is re-provided onsite in accordance with policies S1; S2 & S3 of the London Plan (2021); policy CS3 of the Core Strategy (2012); and policy DM13 of the Local Plan (2012) which seeks to protect existing community uses which includes health centres.

34. a) Prior to occupation of the medical centre, Medical Centre Operational and Management plan, shall be submitted to, and approved by the Local Planning Authority.

b) The Medical Centre Operational Plan approved under part a, shall be fully implemented and retained thereafter.

Reason: To ensure the medical centre is designed fit for purpose and can accommodate for the increase rise in patient registration and attendance in accordance with policies S1; S2 & S3 of the London Plan (2021); policy CS3 of the Core Strategy (2012); and policy DM13 of the Local Plan (2012) which seeks to protect existing community uses which includes health centres.

35. The proposed layout of the medical centre shall be constructed in accordance with drawing number 756-10-100-P6 and retained thereafter.

Reason: To ensure that a health centre continues to be provided for registered patients at 23 Temple Fortune Lane during the demolition and construction phases of the development in accordance with policies S1; S2 & S3 of the London Plan (2021); policy CS3 of the Core Strategy (2012); and policy DM13 of the Local Plan (2012) which seeks to protect existing community uses which includes health centres.

36. a) Prior to the commencement of the development and in consultation with North Central London Integrated Care Board Primary Care (NCL ICB Primary Care), the location of a temporary medical centre at decant stage to continue to provide a health service during the demolition and construction phase of the development, shall be submitted to, and approved in writing by the Local Planning Authority.
- b) The temporary medical centre as approved under part a above, must be endorsed by NCL ICB Primary Care and shall be in use prior to the closure and demolition of the existing health centre onsite.
- c) The temporary health centre as approved under part a above, shall not close until such time as the new health centre hereby approved is fully operational and available to existing and future patients.

Reason: To ensure that a temporary health centre is provided for registered patients at 23 Temple Fortune Lane during the demolition and construction phases of the development in accordance with policies S1; S2 & S3 of the London Plan (2021); policy CS3 of the Core Strategy (2012); and policy DM13 of the Local Plan (2012) which seeks to protect existing community uses which includes health centres.

Informatives

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.

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 is 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.

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 or by telephoning 0208 359 4500.

5. Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.

6. The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

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

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

8. If a concrete lorry is operated from the public highway, then the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

9. The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 26 October 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 to mitigate against the impact of the development. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

OFFICERS ASSESSMENT

Site Description

The existing building onsite is used as a medical centre with GP practices occupying the ground floor and ancillary services/storage in the room above at first floor level.

The Temple Fortune Health Centre at 23 Temple Fortune Lane is located within the Garden Suburb Ward of the London Borough of Barnet, adjacent to the Hampstead Garden Suburb Conservation area which also has an article 4 Direction. The site does not fall within a Conservation Area and the existing building onsite is not locally or statutory listed. Temple Fortune Lane is predominantly characterised by residential development.

The site has a Public Transport Accessibility Level (PTAL) rating of 2, which means it has poor to moderate access to public transport.

Although the site does not contain any listed buildings or fall within a Conservation Area, Hampstead Garden Suburb Conservation Area is located directly opposite the site.

Site History

Ref no: 17/6556/FUL

Description of development: Construction of single storey rear storage unit

Decision: Approved subject to conditions

Decision date: 19.11.2017

Ref no: 15/05895/FUL

Description of development: First floor rear extension to facilitate 3 no. clinical rooms and new lift.

Decision: Approved subject to conditions

Decision date: 27/10/2015

Ref no: C01380H/05

Description of development: New window to front elevation for new office.

Decision: Approved subject to conditions

Decision Date: 3 January 2006

Reference no: C01380G/02

Description of development: Alterations to front elevation including new access ramp.

Decision: Approved subject to conditions

Decision Date: 10 September 2002

Ref no: 01380D

Description of development: Erection of four storey block of twelve flats

Decision: Refused
Decision date: 2 May 1969

Ref no: C01380B
Description of development: Erection of Medical Centre
Decision: Outline application approved subject to conditions
Decision date: 11.06.1968

`21 Temple Fortune Lane, London, NW11 7TS (Neighbouring Property)

Ref no: 15/05603/FUL
Description of development: Demolition of existing residential dwelling house and erection of 4 storey building with car parking, refuse and cycle storage in the basement
Decision: Appeal allowed by the Planning Inspectorate on 20th November 2017.

Proposal

The proposal is for the demolition of the existing Temple Fortune Health Centre and the erection of a four-storey building, plus basement to provide the following:

Basement level

- 17 x no car parking spaces of which 7 x no car parking spaces are allocated for the medical centre, including 1 x no accessible space; and 10 x car parking spaces for the residential development, including 2 x no accessible car parking spaces.
- 4 x no bathrooms proposed, ancillary for the medical centre use,
- 2 x tank rooms;
- 1 x plant room
- Cycle storage room for residential use (no of cycle spaces not provided)

Ground floor level

The proposal makes provision for a new medical centre (716 sqm of floor area excluding plant space) to provide the following:

- Meeting/seminar/staff/restaurant
- 15 x consultation rooms
- 2 x treatment rooms
- 2 x office rooms
- Pharmacy
- 7 x wc's, including 1 accessible w/c
- 52 x seats in a waiting room
- Multi use room
- Entrance lobby
- Area for buggies
- Utility room

- External cycle storage – 10 x no short stay cycle parking for medical centre; and 2 x short stay cycle parking for visitors to the residential element of the development, located at ground/street level.
- Internal Refuse and Recycling Storage Area, which provides 4 x 1100L bins for the residential development; and a separate internal refuse and recycling storage area which provides 3 x 1100L bins for the medical centre use.

First to third floor levels

- 11 x no self-contained residential units are proposed comprising 5 x 2 bed (4 person) and 6 x 3 bed (6 person) units.

The proposal provides private amenity to all residential units, and approximately 291sqm of communal landscaped amenity space at roof level.

Public Consultation

Consultation letters were sent to 511 neighbouring properties on 23 December 2022 and advertised onsite on 24 November 2022, and in the Barnet Times on 22 November 2022

The Local Planning Authority received 2 letters in support, and 41 letters of objection to the proposed development.

All planning matters raised have been considered and addressed as part of the assessment and decision-making process for this planning application.

The objection and supporting comments received by the LPA have been considered within the evaluation above, and all representations received from residents were fully considered in the assessment of the application and are available to view online at the Councils website.

Summary of comment in support of the proposed development

- The existing Medical Centre building is not fit for purpose and does not provide local residents and patients with the level and quality of service unless a better facility is constructed.
- The surplus income from the sale of these flats would provide a contemporary medical centre for the benefit of all. The proposed medical centre would help meet the growing demand for new patient registration for a GP medical centre in the area.
- The proposed development would increase capacity and improve accessibility.
- The development would bring benefits to patients and enhance the wellbeing for the for an entire community.
- The new health centre would meet the needs and with an enlarged ground floor Health Centre and improved accessibility that the current centre lacks.
- The proposed development would revitalise the local community.
- It would create a vibrant the local community and create a vibrant hub that fosters wellbeing and togetherness.

Summary of comments in objection to the proposed development

- The existing health centre is an attractive building and of design merit. The existing health centre provides a valuable benefit to the local community and should be retained in situ.
- Loss of daylight; sunlight; and privacy to existing neighbouring properties, particularly to the rear facing flats at Finchley Road.
- The proposal scale; bulk; height; and massing would have an overbearing impact on surrounding neighbouring properties and would create a sense of enclosure.
- The surrounding area is predominantly characterised by two storey residential buildings. As such, the scale, bulk, massing is overly large and not in keeping with the surrounding built context.
- The proposed ground floor plan does not provide details of the internal layout of the medical centres.
- The proposal would result in an over intensification and overdevelopment of the site.
- The proposed car parking would result in more vehicular movement in the local area which would compromise pedestrian and vehicular safety; general highway safety; exacerbate problems associated with congestion in the area and would increase pressure on existing on street parking spaces, increase demand on parking permits which should be allocated to existing residents on Temple Fortune Lane.
- The proposed residential development would not provide a public benefit to the Community.
- There is no provision for affordable housing proposed to address the need and demand for this tenure of housing within the Borough. The proposal does not make provision for affordable housing onsite. It should be pertinent to provide affordable housing, particularly for key workers staff who work in the new health as key worker NHS staff are facing a cost-of-living crisis and unaffordable rents in London.
- The proposal would result in the disruption to the free flow of traffic during construction phase, compromise the safety of local residents; pupils at school (Henrietta Barnet School) in Aylith Gardens and nearby Synagogue; is an existing Controlled Parking Zone in place in the locality indicating parking stress is already present and required improvement. Increased pressure on onsite parking spaces and demand for parking permits resulting from this development.
- The proposal would result in the loss of important trees to the front of the site, which helps soften the visual landscape and enhance the streetscene.

Specific Hampstead Garden Suburb Trust

- The site is located on the boundary of the Hampstead Garden Suburb Conservation Area. The design and proposed size of the development is overly large and dominant in an area of low-level housing. The proposed scale of development is not in keeping with the character of the area; and would have a detrimental impact the streetscape and the setting of the HGS Conservation Area.

- Temple Fortune Lane is a historic road from Hampstead to Hendon. The existing Health Centre is not a building that is architecturally sympathetic to the setting. However, it is well set back from the street frontage, two storey in height, with a recessed upper floors, and to some degree softened by mature trees. The space in front contributes to openness and informality of the lane. The proposed building has been brought forward on the site so its impact would be considered in views along the lane, creating a high built-up edge to the Lane.
- The proposed building would occupy almost the entire site and would dominate this end of the street.
- The proposal fails to respect the streetscene and the setting of nearby housing assets, namely the Conservation Area and the listed building in Farm Walk. The proposed height of the building is greater than the four-storey development at no 21 Temple Fortune Lane.
- The proposed materials are not in keeping with the general character of the street. Heavy brown/red brick reconstituted stone/render with density spaced steel railings to the balconies give it a heavy urban character.
- The proposal would result in overshadowing to Finchley Road; Temple Fortune Lane and Farm Walk.
- The removal of trees which provide visual context with the rest of the area facing the historic Hampstead Garden Suburb would be detrimental in particular to houses facing the proposed development. The trees currently add to the green edge of the historic lane and contribute to the setting of the Conservation Area. The replacement trees are no substitute or compensation.

In response to Officers comments, particularly the proposed impact the development would have on the amenities to neighbouring properties, the applicant issued revised drawings and updated supporting documents, including an updated Daylight and Sunlight assessment to consider the revised proposals impact on neighbouring properties.

- Adjustment to landscaping details so that the landscaping matches the revised proposal (numbers of trees and layout of the roof to achieve the UGF);
- New section drawings that did not form part of the original drawing pack;
- The basement has been updated to show the correct number of parking spaces for residential/medical centre use;
- On the ground floor, the number of bins has been reduced to match the number of flats; and
- Revised detailing to the 1.8m opaque privacy screen along with an updated annotation.

Re-consultation letters were sent on 07.06.2023 and 22.06.2023.

The following additional comments in support and opposition to the proposal were received by the Local Planning Authority

- 24 letters of support were received by the Local Community.
- 25 letters in objection were received, of which 8 new objections. (17 of which had previously made representation as a result of the initial consultation).

Summary of comment in support of the proposed development

- There is an opportunity to revitalise the community, creating a vibrant hub that creates a vibrant hub that fosters wellbeing and togetherness. It's more than just a health centre, it's a symbol of progress and a testament to our collective commitment to nurturing a thriving community.
- The proposed development of the site would provide needed improvements to space and facilities at this very popular and thriving practice.
- The proposed planting would soften and add to the overall high design quality and appearance of the building.
- The delivery of the proposed new health care centre is vital to ensure the continued provision of a health care facility in the area to meet the ever-increasing demand.

Summary of comment in objection to the proposed development

- The proposed revisions do not address the overarching concerns residents previous made on the original submission.
- The re-visioning of removing the one-bedroom flats to increase green space on the first floor may be adding to the lack of amenities of noise, and night light pollution.
- The dimensions and facilities of the health centre have not kept pace with the needs of the community it serves.
- The proposed amended, particular to those the southeast between the proposed development and Finchley Rd buildings, do not address the concerns relating to changes to the plans.
- There would be no public benefit arising from the development.
- The appearance of the proposed building is unattractive and out of keeping with the surrounding environment.
- The proposal builds upon a much larger footprint than is currently occupied. It is hard to imagine a more ill-conceived plan in a residential setting than this proposal.
- The current 1960s building is an iconic landmark design and should actually be listed and protected. The medical facilities it offers are suitable for the community it serves.
- The proposal builds upon a much larger footprint than is currently occupied. In a residential neighbourhood which it would dominate adjacent to the famous Hampstead Garden Suburb which is protected from exactly this kind of development.
- The facilities it offers are suitable for the community it serves. It should remain functioning as it has for so long.
- The general massing and scale of the development would be overly large and consequently out of keeping with the surrounding built context. It would sit as a very dominant structure within a predominantly low-level residential area.
- The replacement health centre use is smaller than the one it is replacing with little justification for the significant loss of floor space.

- The building would be taller than the new building adjacent to the site. This demonstrates that the proposal is too high for this suburban location and would dominate the street scene.
- The new building is not sufficiently set back from the edge boundary, unlike the existing residential properties opposite which are set further back from the edge of the pavement.
- The proposed height and scale of the development has little regard for the lower-level properties that would be situated close by. There is little visual relief in the design of the development which exacerbates the harm. There is further concern that the roof garden which occupies the entire site would have direct views into neighbouring residential properties.
- At the rear, it is proposed that a tank/plant room would be situated adjacent to a residential property.
- The proposed would result in undue noise and air pollution.
- The proposal would result in the loss of important trees to the front of the site, including a rare mature arbutus, which help soften the visual landscape and enhance the current street scene for the wider community.
- The planters at the front of the building and a residents-only roof garden are not sufficient to claim that there is additional green space.
- The application site is located on the boundary of Hampstead Garden Suburb Conservation Area. The proposed development by virtue of its size, scale, bulk, design, and massing would undoubtedly have a detrimental impact on, and fail to preserve or enhance, the character and appearance of this designated heritage asset.
- It is impractical to operate the proposed health centre without such adequate internal parking. There is insufficient number of car parking spaces proposed to serve the health centre.
- The proposed development clearly fails to sufficiently demonstrate that the benefits of demolition "would clearly outweigh" the benefits of retaining the existing building as per the Mayor of London's guidelines.
- The current scheme appears to be solely driven by commercial interests and is a development led scheme. This is not about "saving" the health centre.
- The original plans indicate the first floor is used as "commercial use." This space is effectively "lost" to more flats in the new plans.
- The replacement health centre use is smaller than the one it is replacing with little justification for the significant loss of floor space. The proposed development lacks sufficient detail regarding how the new GP healthcare space would be utilized and whether it would adequately accommodate the future needs and growing number of patients. It is crucial that these details are submitted and approved to ensure transparency throughout the process.
- There are clear concerns regarding the over massing of the development and its design, which significantly deviates from the character of Temple Fortune Lane and the surrounding area. Furthermore, it faces a Conservation Area, posing a threat to its integrity and classic charm of the suburb, a world-famous neighbourhood.

- There appears to be a breach of lighting and noise regulations at the back of the building, as the development still overlooks and disturbs the current residents located in that area. The amenities at the back are going to disturb and disrupt the lives of these residents.
- With the ongoing digitization of medical records, the current health centre may have the potential to accommodate future patient numbers. As physical patient records assume less space, it is important to consider this factor and explore alternatives that allow the retention of the existing health centre.
- The current parking would be allocated to the new apartments making it more difficult for the doctors, healthcare professionals and patients (many of which are elderly) to park near to the site;
- The proposed additional green space would only be for the residents of the new development. The planters at the front of the building and a residents-only roof garden are not sufficient to claim that there is additional green space.
- NHS North Central London Integrated Care Board Primary Care (NCL ICB Primary Care) were not consulted upon for their comments on the proposed re-provision of the health centre.

Further re-consultation with local residents on 14th September 2023

The planning application was due to be considered at Members at Planning Committee B on 26 July 2023. However, it was removed from the agenda to afford Officers and the applicant an opportunity to consult and engage with NCL ICB Primary Care. Following discussions with NCL Primary Care board, the applicant submitted a revised basement and ground floor plans; a floor area plan; and a cover letter to the Local Planning Authority on 13th September.

571 x no re consultation letters were issued by local residents on 14th September. Residents were invited to comment on the revised basement and ground floor plans, which provides full details of the internal layouts for the proposed medical centre. There are no proposed external changes to alterations proposed to the development.

The applicants cover letter, dated 13th September provided details of the proposed amendments. The residents' gym has been removed for the original provision in favour of increased surgery space. The surgery has increased in size from 568 sqm to 716 sqm (excluding plant space). The proposed internal floor layout provides details of the facilities to be provided of the medical centre, which include the following:

- Consulting rooms
- Treatment rooms
- Reception area with pods for reception team
- Waiting room for patients
- Staff toilets/ showers
- Patient toilets
- Staff room / kitchen
- Seminar room for education
- Managers' rooms
- Pharmacist rooms

- Physiotherapy room

In response to the public consultation, 26 representations were received by the Local Planning Authority in objection to the proposal.

Many grounds for objections received relate to planning matters which were previously raised by residents in response to the initial public consultation (24 November 2022) and further re-consultations (07.06.2023 & 22.06.2023). These concerns are already listed above under previous public consultation, and these objections are discussed within the report. These matters include the proposed height, scale, bulk, overall design, impacts on local heritage assets; impacts on local residential amenity; loss of trees and impacts on the local highway,

The new grounds of objections raised are summarised as follows:

Medical Centre

- The applicant has not confirmed whether the new medical practice would remain an NHS practice, nor have advised as to whether the 2 surgeries currently onsite would be reinstated on completion. There is no guarantee that the proposed medical centre would remain in perpetuity.
- Lack of analysis undertaken by the applicant on the current, proposed or future demand and provision of health services on this site or locally, to substantiate that the proposed provision is, and will be, adequate to accommodate for 25,000 patients.
- Lack of comprehensive details submitted to demonstrate that the proposed health centre would provide an improved and superior health facility, above and beyond what is currently provided onsite.
- The applicant has not provided details for a temporary medical practice arrangement elsewhere offsite during the construction of the new medical centre if granted planning permission.

Parking

- Loss of dedicated parking for current surgery staff at the proposed Health Centre
- Inadequate re-provision of car parking spaces provided for staff at the proposed Medical Centre.
- Inadequate provision for car parking for the residential development
- The proposal does not make car parking provision for patients visiting for the medical centre, notwithstanding the likely demand for additional car parking spaces for patients, as a consequence of increased patient registration.
- Should planning permission be granted, a condition should be attached for CPZ hours to increase from 9:00am to 5:00pm, Monday to Friday.

Noise distance

- The proposed tank room at basement level and ventilation from the proposed health centre would cause undue noise distance to adjacent residential properties.

All of the above objections received have been fully considered during the assessment of this planning application and addressed further within this Committee report.

Statutory consultees response

Transport for London

Car parking

On balance, the number of car parking proposed for both medical centre and residential element of the proposal are acceptable, subject to the following condition:

1. Provide active electric vehicle charging facility to at least 20% of the spaces and passive provision for the remainder. This would be secured by way of a condition.
2. Operational Car Parking and Design Management plan .

Cycle parking

The proposed provision for 2 cycle spaces per unit with 2 visitor spaces meeting the London Plan Cycle Parking standards. The health centre would also be provided with 4 long stay spaces and eight visitor spaces. The submission and approval of final cycle parking details shall be secured by condition so that the provision, design, and quality of the cycle parking facility would be in line with the London Cycle Design standards (LCDS), including the provision at least 5% of wider spaces and ease of access to the facility.

Restrict Parking permit applications for future occupiers onsite.

A legal restriction should be imposed to exempt future residents.

Metropolitan Police

Metropolitan Police do not object to the planning application subject to the following conditions:

- Secure by Design accreditation, prior to occupation, in consultation with Metropolitan Police.
- A clear Car Park Management plan (as residents, and staff of the medical centre have access to it) and access control strategy for this area of the site that is deemed acceptable by the local planning and highways authorities.
- CCTV cameras to be installed inside and outside medical centre; to the internal areas and entry/exit points of the site, to the car park and residential communal lobbies. This would help act as an overt deterrent to any potential perpetrator, can reassure medical centre staff and patients, and also reassure residents.

(Officers comment: The above would be secured by way of planning conditions).

Thames Water

Waste Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water do not object to the surface water drainage, water network and water treatment infrastructure capacity subject to the following condition and informative:

Condition

- No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. This is to ensure the proposal does not have a harmful to the local underground sewerage utility infrastructure.

Informative

- Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water.

LBB Environment Health

LBB Environmental Health do not object to the planning application, subject to the following conditions:

1. The development shall be implemented in accordance with the Air Quality Mitigation measures proposed and set out in combined Air Quality Assessment and Air Quality Neutral Assessment report.
2. The development shall be implemented in accordance with the measures/mitigation measures set out in the Noise Impact Assessment
3. Contamination land assessment

Local Lead Flooding Authority (Drainage/SUDS)

The LLFA do not object to the full planning application subject to completion of a detailed Drainage Strategy prior to commencement of works onsite. This is 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.

LBB Highways

The site lies in a CPZ that operates Mon-Fri, 1pm-2pm and it is in an area with a PTAL score of 2 (low). However, several bus routes (460, 102, H2, 82) can be accessed from stops within 2-5 minutes walking distance of the site on Finchley Road. There are short stay and disabled parking bays in front of the site on Temple Fortune Lane.

The number of off-street spaces (17 spaces) leaves a shortfall of 6 spaces. The applicant has carried out a parking survey which suggests that there were several spaces available on-street including 15 spaces within 100m of the site. An overall parking stress of 68% during the day and 55% at night was recorded.

Future occupiers of the residential units onsite should be restricted from purchasing CPZ permits by way of a s106 agreement. 2 disabled spaces are provided for the residential and 1 disabled space for the health Centre, which is acceptable.

The proposed provision for 32 long and 2 short stay cycle parking for the residential element; and provision for 4 long stay and 8 short stay spaces for the health centre are acceptable. All short stay parking should be provided within easy access of the building and in a covered and secure environment. Sheffield cycle stands should be provided at basement level for the long stay cycle parking stands in an enclosed compound. This would be secured by way of a planning condition.

Electric vehicle charging points are to be provided in accordance with minimum London Plan standards at 20% active and 80% passive. For the 17 spaces this equates to 4 active points and 13 passive points. This can be secured by way of a planning condition.

Highways would raise no objection to the proposals subject to a s106 contribution of 10K towards travel plan monitoring, CPZ permit restrictions, the off-site highway works listed above as well as the following conditions:

- A ground floor layout plan showing details of the proposed access points (Pedestrian and Vehicular). The plan shall include dimensions of existing and proposed crossovers and any redundant crossovers to be reinstated to footway.
- The applicant must apply for a s184 licence for the Council for works on the public highway including reinstatement of any redundant crossovers to footway.
- Further Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed for a minimum of 34 (long stay) and 10 (short stay) cycle parking spaces.
- Demolition and Construction Management Plan.
- Further details of refuse and recycling facilities and Strategy, including collection arrangements.
- A Car Park Management Plan.
- Full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of 4 active and 13 passive electric vehicle charging points.

- All off-site highways work shall be completed to the satisfaction of the local highway authority prior to first occupation of the building.
- Pedestrian Visibility Splays- 2.4 pedestrian visibility splays to the left and to the right of the access from 2 metre setback from the back of footway and shall thereafter be maintained free of any visibility obstructions including fencing or planting of shrubs to provide clear visibility between heights of 0.6 metre and 1 metre above the level of the adjoining highway.
- No structure including fences or planting exceeding 0.6 metres in height shall be erected to the [left or right of the access] within the visibility splay at the junction of private access and the public highway.
- Within 3 months of occupation a Framework Travel Plan that meets the requirements of the Transport for London document 'Travel planning' for new development in London'.

LBB Energy and Sustainability

LBB Energy and Sustainability Officer does not raise any formal objections subject to compliance of details set out within the applicant's Energy and Sustainability Strategy and Planning obligations to be secured in a Section 106 Agreement:

1. A carbon offset of £16,600 for the residential element of the development
2. A carbon offset of £8,486 for the non-residential element of the development
3. Total carbon offset contribution = ££25,086

This contribution would be secured in a legal agreement.

LBB Tree Officer

The site is located just outside the Hampstead Garden Suburb Conservation Area, its boundary just to the north on the other side of the Temple Fortune Lane. There are five trees within the site boundary that are established and provide a considerable amount of publicly visible amenity, adding to the verdant character of this area of Hampstead.

The proposal requires the removal of all trees within the site boundary. These trees therefore must be valued in accordance with G7 of the London Plan (2021) and an equivalent value re-provided within the scheme or on land nearby, the public highway as an example. LBB Tree Officer does not consider these trees to merit special Protection by way of a Tree Preservation Order. Notwithstanding, in order to mitigate the loss of these trees, a financial contribution would be secured in a legal agreement. The financial contribution would be the balance of the value of the existing trees minus the cost of the proposed 17 x no trees which are proposed onsite on the upper floors of the proposed development.

The landscape scheme which includes, ground floor and upper-level terracing provides the scheme with a policy compliant Urban Greening Factor of 0.41. There is an extensive tree planting scheme at all levels of the development, which is acceptable.

The landscape strategy is considered acceptable. These must be implemented and retained thereafter. This would be secured by a Landscape Management Plan.

LBB Ecology

The proposal is acceptable subject to a condition which requires that before the development hereby permitted commences, the applicant shall submit for approval details of measures to improve biodiversity on the site in accordance with guidance set out within BS42040:2013: Biodiversity - Code of practice for planning and development, and guidance documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval. The development shall be implemented in full accordance with these details. This would be secured by way of a planning condition.

Non statutory Consultee response

North Central London Integrated Care Board Primary Care (NCL ICB Primary Care)

- NCL ICB Primary Care support the proposed revised internal layouts of the medical centre, noting that the *“new medical centre facility can deliver a high quality and sustainable health centre”*.
- The location and operational details of a temporary medical centre at decant stage to provide a replacement health service during the demolition and construction phase of the development must be endorsed by NCL ICB Primary Care prior to the submission of a full planning application for the Temporary Health Centre to the Local Planning Authority. This would be secured by way of a planning condition.

Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2021

The London Plan 2021 was adopted on 02 March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.

The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Borough's Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way and reflects the overall strategy for how London can develop sustainably, which the London Plan sets out.

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development.

The London Plan 2021 was adopted on 02 March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.

The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Borough's Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way and reflects the overall strategy for how London can develop sustainably, which the London Plan sets out.

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The relevant London Plan (2021) policies are as follows:

- 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 and standards
- D7 Accessible housing
- D8 Public realm
- D10 Basement Development
- D11 Safety, security and resilience to emergency
- D12 Fire Safety
- D13 Agent of change
- D14 Noise
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- H1 Increase Housing Supply

H4 Delivering affordable housing
H6 Affordable housing tenure
H7 Monitoring of Affordable Housing
H10 Housing size mix
S1 Developing London's social infrastructure
S2 Health and social care facilities
SI 1 Improving air quality
S1 2 Minimising greenhouse gas emissions
S1 3 Energy Infrastructure
S1 4 Managing Heat Risk
S1 5 Water Infrastructure
S1 8 Waste capacity and net waste self sufficiency
SI 12 Flood Risk Management
T1 Strategic approach to transport
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impact
T5 Cycling
T6 Car parking

Barnet's Local Plan (2012)

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

Core Strategy (2012)

Policy CS NPPF National Planning Policy Framework
CS4 Providing quality homes and Housing choice in Barnet
CS5 Protecting and enhancing Barnet's character to create high quality places
CS9 Providing safe, efficient, and effective travel
CS10 Enhancing inclusive integrated Community facilities and uses
CS11 Improving health and well-being in Barnet.

Development Management Document (2012)

DM01 Protecting Barnet's Character and amenity
DM04 Environmental considerations for development
DM02 Development standards
DM03 Accessibility and inclusive design
DM07 Protecting housing in Barnet
DM08 Ensuring a variety of sizes of homes to meet housing need
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 Documents

- Residential Design Guidance (2016)
- Sustainable Design and Construction (2016)

Main issues for consideration

The main issues for consideration in this case are:

- The principle of the proposed land uses onsite;
- Whether harm would be caused to the character and appearance of the site; the streetscene and the local area; and setting of Hampstead Suburb Conservation Area;
- The impact on the amenity of neighbouring properties;
- Quality of accommodation;
- Impacts on the local highway;
- Energy and Sustainability
- Trees and landscaping

The principle of the proposed land use onsite

Re-provision of the medical centre

Policy S1; S2 & S3 of the London Plan (2021); Policy CS3 of the Core Strategy (2012); and policy DM13 of the Local Plan (2012) seeks to protect existing community uses which includes health centres. The proposal would re provide a new GP surgery (which would be slightly larger than the existing GP practice), which is welcomed by the Local Planning Authority.

Health centres are defined as 'community uses' within Barnet's adopted and emerging Local Plan. Policy DM13 of the adopted Local Plan and Policy CHWO1 of the emerging Local Plan stipulates that development proposals which involves the loss or replacement of such uses will only be permitted if the replacement facility is equivalent to or better quality and meets the needs currently met by the existing facility, or if it has been demonstrated that the facility is no longer required.

The applicant has extensively engaged with the Local Planning Authority at pre application stage and provided details on the existing quality of the health centre to demonstrate the shortcomings of the existing health centre, and the benefits of the proposed health centre. More recently, NCL ICB Primary Care have been actively engaged with both the applicant and Officers on the proposed new medical centre. The submission documents accompany the full planning application supports their position on the current, proposed and future demand and provision of health services on this site or locally will be, including their projection on patient numbers.

Whilst the existing building provides a functioning health care facility at this present time, this may not be the case in 10-15 years' time, as operational requirements and facilities for health centre continue are ever changing to successfully provide for the rapidly growing population in the area. The health centre was constructed in the 1970's approximately 50 years ago, and therefore lacks many of the hallmarks of a modern medical facility and needs to be replaced if it is to appropriately serve the community into the next generation. The building layout is efficient operating with an oversized

lobby and two stair cores that give access to the upper floor. There is no lift access to the first floor meaning it is unable to provide consultation space for many patients and therefore this part of the building is significantly underutilised.

Moreover, the heating system in the existing Medical Centre is inefficient, expensive to run as a consequence and the building fabric suffers from an extremely poor environmental performance. Conversely the proposed medical centre would be significant more energy efficient and sustainable as evidenced by the applicants submitted Energy and Sustainability documents, which have been reviewed and supported by both the Councils Energy and Sustainability Officer, and NCL ICB Primary Care.

The floor area of the new medical centre is approximately 716sqm (excluding plant) which would replace the existing 744 sqm medical centre facility. Despite the slight reduction in overall area, all of the new floorspace would be usable and fit for purpose and fully accessible to all patients which is not the case with the current facility with 272 sqm of the existing floorspace underused at lower ground and first floor levels. Officers are satisfied that the proposed medical centre can accommodate for a greater number of patient registration, when comparison to the existing health centre onsite

The proposed new health centre provides a unique and timely opportunity to deliver a contemporary health centre facility which can provide for a wider range of health care needs. For example, the existing health care facility includes 12 x no consultation rooms, 9 of which are located at ground level, and 3 at first floor level (which are not accessible to wheelchair users), 1 treatment room, . Conversely, the proposed medical centre provides 16 x no consultation rooms accessible to all, and 2 treatment rooms, which can facilitate physiotherapy, 1 x no multi use room. The proposal waiting/reception area is larger providing 60 x no seats for patients.

The NCL ICB Primary Care have reviewed and are supportive of the internal layouts of proposed medical, noting that the “*new centre facility can deliver a high quality and sustainable health centre*”. The proposed enhanced public health care facility would be a significant benefit to the local community. Moreover, the proposal would “future proof” the continued presence of a health centre onsite, to meet and cater for a broader range of health care needs for existing and future generations.

The applicant would be required to submit a Medical Centre Operational and Management plan for approval to the Planning Authority, details of which must be implemented and retained thereafter. This would be secured by way of a planning condition to ensure the medical centre is designed fit for purpose and can accommodate for the increase rise in patient registration and attendance.

The new Health Centre must be fully constructed and available for use prior to the first occupation of any of the self-contained residential uses (C3) onsite. Further, the development at ground level (567sqm) must be used as a medical centre only, and for no other uses within Class E of The Town and Country Planning (Use Class)(Amendment) (England) Regulations 2020. This would be secured by way of a planning condition to ensure that a health centre is re-provided onsite.

A temporary medical centre must be provided at decant stage to provide a replacement health service during the demolition and construction phase of the development. The applicant must agree the location and details of an Operational and Management Plan with NCL ICB Primary Care prior to the submission of the full planning application to the Local Planning Authority. The temporary health centre must continue to provide a service for existing registered patients until such time as the proposed new health centre is fully operational and available to existing and future patients. This would be secured by way of a planning condition to ensure that a temporary health centre is provided for registered patients at 23 Temple Fortune Lane during the demolition and construction phases of the development.

Subject to the abovementioned conditions (full wording of these details are set out at the beginning of this Committee report), the proposed NHS health centre would provide a valuable and much needed health care facility particularly given the growing population in the area and would be fully accessible to wheelchair users. It would accommodate for a significantly greater number of patient registration, when compared to the existing health centre onsite. The proposed enhanced public health care facility would be a significant benefit to the local community, in accordance with the abovementioned London Plan and Local Plan policies.

Principle of residential use onsite

Paragraph 11 of the NPPF outlines the presumption in favour of Sustainable development where for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay. The use of developed (or previously developed land) to provide new high-quality homes is supported by adopted and local and national policies.

The London Plan (2021) identifies a need for 23,640 new homes in LBB between 2019/20 and 2028/29. To help achieve this the target net completions on small sites is 4,340 in the same time period.

Policy CS 1 of the Barnet Core Strategy (2012) outlines the strategic approach required to provide the required number of new homes over the plan period. The target at the time of adoption of the Core Strategy was circa 28,000 homes between 2011/12 and 2025/26.

The surrounding area is predominately characterised by residential development. As such, the principle of an element of residential development, subject to material planning considerations. The proposal would assist in the delivery of much needed housing within the Borough and assist in meeting the Councils housing targets as set out in the CS4 and DM08 of the Local Plan (2012) and H01 & H10 of the London Plan (2021).

Housing matters, including dwelling mix; affordable housing; and quality of accommodation are discussed in further section within this report.

The proposed design and its impact on site; streetscene; character, and appearance of the area

High quality design underpins the sustainable development imperative of the NPPF and policies D1, D5, D6, D7 and D8 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.

The Councils adopted Supplementary Planning Documents Residential Design Guidance SPD (2016) specifically sets out requirements for roof top extensions and dormer windows and information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority sets out.

With specific reference to basement extensions, the Councils adopted Residential Design Guidelines SPD on notes that the Council seeks to ensure that basement development does not harm the established architectural character of buildings and surrounding areas, including gardens, and nearby trees, and that no adverse impact is caused to the amenity of neighbouring properties.

Principle of demolition of the existing building

The existing Health Centre is not a building that is architecturally sympathetic to the setting of the area. It is not considered to be of any significant merit that is worth retaining. Its demolition is not objected to.

Siting and footprint

The proposal siting along the western boundary is acceptable. It has an acceptable relationships to the narrow street/slip road and the existing residential development at no 21 Temple Fortune Lane. The residential development is sufficiently setback on the upper floors along the western boundary and proposed angled windows to ensure the proposal would not compromise outlook and privacy to the relevant habitable rooms at no 21 Temple Fortune Lane; and also improved the proposed quality of accommodation. Further, Officers also supported the setback to the upper floors away from the western boundary as it had a better and less imposing relationship with no 21 Temple Fortune Lane and the streetscene more generally.

The second, third and fourth floor would have a "zigzag" front building line and a stepped rear elevation. The overall footprint of the development is considered acceptable.

The proposed ground floor level would appear as a podium and would have a different footprint and articulation to upper floors. The ground floor level would follow the building line of the neighbouring property at 21 Temple Fortune Lane and would be considered acceptable. The glazed entrance to the health Centre would be located at the front building line and would face onto the street. This feature would be quite prominent and visible while the residential entrance would be at the eastern corner of the building resulting in a welcoming and active ground level.

Height

Although the Hampstead Garden Suburb has predominantly 2 storey houses, the character of Temple Fortune Lane is different with higher buildings in the southwest side of the street. To the north and southeast of the site there are two four -storey apartment blocks, Temple Fortune Court and Charlton Lodge (which includes a 5th floor penthouse). The eastern boundary of the site is shared with a residential property, the southern with the residential car park for Charlton Lodge and the south-west boundary with a mixed-use block of commercial at ground floor and residential above and associated outbuildings to the rear.

The proposed building is 4 storeys in height which is a suitable and acceptable approach for the site. The design principle of siting the development to align with the neighbouring front building line is supported.

The development at no 21 Temple Fortune Lane is also a four-storey building. The proposed building onsite would complement the established buildings to the east without overwhelming the more modestly scaled historic housing within the conservation area to the north.

Overall, the proposed height sits comfortably within its local context. The building comprises a four-storey building within the local streetscene. Furthermore, in relation to the new four storey development at No. 21, the east façade is more recessive having been reshaped to avoid overlooking, windows reduced and angled. Following pre application meetings, the applicant amended the top floor by reducing its footprint and positioning to make it more subordinate and minimise the visibility from the immediate street scene. The building is sited in a sufficiently large plot and has a front building line well set back from Temple Fortune Lane with sufficient space around it. It is considered that its height relates well to its plot.

Bulk and massing

The treatment of bulk and massing of the proposal is supported by Officers. The depth of the balconies remains subordinate features within the front and rear elevations, would soften the relationship with the main building and would allow for a softer integration within the façade. Moreover, the proposed variation in materials and layouts of bricks in various parts of the building, would further serve to break up the massing as it would create different elements of the proposal. The upper floors recessed from the front building line would appear more subordinate to the main development, whilst reducing the footprint of the top floors with lightweight materials.

With regards to the design, the curved elements create interesting features, and the use of the red brick is contextual and contemporary, in keeping with the street scene. The darker banding across the ground floor and the staggered building form also helps to break the massing up and reduce the visual impact of the building. The "set-in" elements along the ground floor create a buffer zone from the pavement and help the building have a more active and welcoming frontage.

The proposed variety; colours; and material palettes (brick materials and textured GRC panels) use on the elevation treatment assist in reducing the perception of bulk

and massing. The materials to the medical centre on the ground floor expresses itself differently to the materiality on the upper floors.

Whilst the proposal extends to four storeys in height, it is not articulated solely as such. The design approach ensures that the bulk and massing is treated appropriately; with 3 storey elements in height; including a mix of projecting and non-projecting balconies; landscaping on ground floor; first floors and roof levels, which assist in not only reducing the bulk and massing but add to the overall visual interest.

In massing terms, the majority of the building is well recessed from Temple Fortune Lane and would list buildings to the north (14, 15, and 21). The design has a strong horizontal emphasis with rounded corners and a series of bow shaped bays to the east side.

In terms of the proposed massing, articulation has been introduced along the side and rear elevation as per our advice. The rear elevation has been improved significantly and architectural detailing has been introduced to soften this elevation and reduce the excessive brickwork previously proposed. The south-east façade has been redesigned and would feature additional articulation and a reduced footprint which allows for a better relationship with the neighbouring building.

Appearance

The architectural language and the proposed detailing for the building is welcomed and is considered appropriate for the character of this area.

The material palette and architectural details in the local context are rich and varied and have been catalogued in order to form a toolkit the proposal can borrow from. The predominant material of the local vernacular is brick, which is often used in playful ways to add interest and decoration to the façades. Fenestration and openings are often marked with brick detailing or arched openings. The fenestration strategy would have a nice rhythm and repetition, and the curved corners would help soften the appearance and scale of the building.

The proposed materials to the building are permeable and durable- include pale red bricks in and brickwork in rear elevation; balustrade and fenestration powder coated in dark red matching ground floor façade; variety of planting and trees; fluted GRC panels in a darker red tone that complements the brick; concrete and timber planters/benches; and ceramic tiles and timber effect composite decking.

The applicant would be required to submit a full specifications of materials to the Local Planning Authority, prior to the commencement of works onsite. This would be secured by way of a condition.

Overall, the design and architectural details are of a high quality, have been appropriately designed to fit with the local context and adjacent conservation area.

Impact on heritage assists, including the impact on a group of Grade II listed buildings at no 1-6 Farm Walk and Temple Fortune Court and the Hampstead Garden Suburb Conservation Area.

Impact on the listed building group - 1-6 Farm Walk and Temple Fortune Court (all grade II)

The proposed development would effect a minor change within the wider setting of this closely related group of listed buildings, introducing a taller but well detailed building that will contribute positively to the local townscape. The building would reinforce sight lines along Temple Fortune Lane. Its strong horizontal emphasis and rounded profile to the corners to the east flank are distinctive elements of the design, (including its articulation and materials) and well suited to the location, whilst not detracting from the visual interest of the listed buildings to the north.

The proposed development, while taller than the existing building, is sufficiently recessive to ensure that it would not appear overbearing or prominent in views in which the site is co-visible with these heritage assets. It would not adversely affect any views to, of or from the listed buildings. Other views of the listed buildings from close range from Farm Walk, Temple Fortune Lane, Finchley Road or Hampstead Way would not be unduly affected.

Overall, the proposals are not considered to have an adverse effect on the setting that would result in harm to these listed buildings. The building would set well within this stretch of Temple Fortune Lane that is undergoing redevelopment and would complement the established buildings to the east without overwhelming the more modestly scaled historic housing within the conservation area to the north, including the listed buildings. Consequently, the proposed development would not result in any harm to the significance of these listed buildings and would preserve their respective settings.

The proposed design and its impact on the setting; character and appearance of adjacent Hampstead Garden Suburb

Policy CS5 requires proposals within or affecting the setting of heritage assets to provide a site assessment which demonstrates how the proposal will respect and enhance the asset. Policy DM06 Development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet no set timer for guidance for undertaking heritage assessments.

The site is located adjacent to Hampstead Garden Suburb Conservation Area. Temple Fortune Lane forms the southern boundary of the Garden Suburb. The applicant has submitted a Comprehensive Heritage Report which assesses the proposals impact on the setting of the Hampstead Garden Suburb Conservation Area, and three statutorily listed Buildings (all grade II) situated to the north (1 and 2 Farm Walk, 3-6 Farm Walk and Temple Fortune Court,) which has been reviewed by Officers and considered to be acceptable.

The existing building fails to reinforce the special character and appearance of the conservation area in any way, and in close range views forms a negative element of the setting of the conservation area and 1-2 Farm Walk in particular. The proposal provides an opportunity to improve and enhance the setting of the Heritage Assets and better reveal their significance and would preserve the setting with potential to better reveal their significance of Hampstead Suburb Conservation Area.

The proposal would not adversely affect any views to, of or from the listed buildings and that while taller than the existing building, is sufficiently recessive to ensure that it would not appear overbearing or prominent in views in which the site is co-visible with these heritage assets. Conversely, the proposed development would be of high-quality design which would be complimentary to the established buildings to the east without overwhelming the more modestly scaled historic housing within the Conservation Area to the north and would be respectful to the setting of the Hampstead Garden Suburb Conservation Area. It would provide a visually interesting backdrop to views from the north and southeast along Temple Fortune Lane, when for much of the year it would be glimpsed through the mature tree cover, but not overwhelming the setting of the Conservation Area or these key listed buildings within. As such, the proposed development responds appropriately to the existing context, in terms of its height, scale, massing, detailing and materiality. The proposed development, by comparison to the existing health care building would have a beneficial contribution to the Hampstead Conservation Area.

The historic interest of Hampstead Garden Suburb would be protected, and the development would not detract from or in any way undermine an ability to appreciate the historical or evidential values of the Conservation Area. The artistic and archaeological interest would also be retained. This aspect of the Conservation Area's significance would not be affected as the Site lies entirely without the heritage asset.

Conclusion

The proposed development would contribute positively to local character and distinctiveness. The scheme would overall preserve the settings of the grade II listed buildings and with some enhancement of the setting of the Hampstead Garden Suburb conservation area in which they are all situated. The design of the development be a visual improvement to the site and would contribute more positively to local character and distinctiveness than the existing building.

The public benefits arising from a new health centre and 11 new flats are considered to outweigh any harm that may be identified caused by the visual impacts of the proposal to the setting of nearby heritage assets, in compliance with Section 197 of the NPPF; the London Plan and the Local Plan, as the proposed development would sustain the significance of the identified listed buildings and would sustain and enhance the significance of the Hampstead Garden Suburb Conservation Area.

Impact on amenity of neighbouring occupiers and properties

Amenities of Neighbouring and Future Residents Part of the 'Sustainable development' imperative of the NPPF 2019 is pursuing improvements to amenity through the design of the built environment. Policies CS5, DM01, DM02 and DM04 of the Barnet Development Management Policies DPD seeks to manage the impact of new developments to ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

The Residential Design Guidance SPD advises that in new residential development privacy can be safeguarded by achieving minimum window to window or window to balcony distances between buildings of 18-21m between facing habitable room

windows, and 10.5 m to a neighbouring garden. These distances relate particularly to typical two-storey development, where first floor windows can overlook neighbouring properties.

Policy D6 of the London Plan "Housing Quality and Standards" states that "d". The design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding heating minimising, overshadowing and maximising the usability of outside amenity space.

The London Plan- Supplementary Planning Guidance on Housing (2016) requires new development to avoid causing unacceptable harm to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing.

The applicant has submitted a Daylight and Sunlight Assessment, to assess the impacts the proposal would have on the following properties:

- 6-25 Charton Lodge
- 86 Temple Fortune Lane
- 748-764 Finchley Road (even numbers only)
- 750C Finchley road - (ground floor property)
- Flat 2 752b Finchley road- (ground floor property)
- Flat 3 752b Finchley road (first floor property)
- 1 Farm Walk
- 2 Farm Walk
- Flat at no 21 Temple Fortune Lane

Daylight Assessment

The BRE Guidance's state that the main rooms should be tested, this would include living rooms, dining rooms, kitchens and bedrooms.

Vertical Sky Component (VSC)

The VSC calculation is the ratio of the direct sky illuminance falling on the outside of a window, to the simultaneous horizontal illuminance under an unobstructed sky. The standard CIE Overcast Sky is used, and the ratio is expressed as a percentage. For a window to be considered as having a reasonable amount of skylight reaching it, the BRE Guidance suggests that a minimum VSC value of 27% should be achieved. When assessing the impact of a new development on an existing building the BRE Guidelines sets out the following requirements:

If the VSC with the new development in place is both less than 27% and less than 0.8 times its former value, then the reduction in light to the window is likely to be noticeable. This means that a reduction in the VSC value of up to 20% its former value would be acceptable and thus the impact would be considered negligible.

No Sky Line

The NSL, or sometimes referred to as No Sky View method, describes the distribution of daylight within rooms by calculating the area of the "working plane", which can receive a direct view of the sky. When assessing the potential impacts in the daylight available to the neighbouring properties, the BRE Guidance states that if the area

within a room receiving direct skylight is reduced by less than 0.8 following the construction of a new development, the impact will be noticeable to the occupants. This is also true if the NSL encroaches onto key areas like kitchen sinks and workshops.

The proposed development at no 23 Temple Fortune Lane, has been evaluated against the criteria set out by the BRE Guidelines for the assessment of the potential impacts on the daylight of the neighbouring properties. Seventeen properties have been identified as sensitive receptors for this study. 8-25 Charlton Lodge, 21 and 88 Temple Fortune Lane, 748-764 (evens only) Finchley Road, 750c and flats 2 and 3 of 752b Finchley Road, and 1 and 2 Farm Walk. Therefore, the habitable rooms and the windows serving the rooms within these properties have been tested.

When the magnitude of reduction for the existing neighbouring properties is considered, it is evident that in the majority of cases this will be within the acceptable limits set out with BRE Guidelines. Although there are a small number of windows/rooms in existing neighbouring properties that are experiencing a potentially noticeable reduction, in the majority of these cases, the overall impact to the room is calculated to either to be in the "minor" adverse category, experiencing a loss of between 20-30% in sky view (VSC) or daylight distribution (NSL) or compliant with industry and BRE acceptable alternative targets.

For the property 750C Finchley Road, there would be no noticeable reduction in NSL to the main living room. Whilst the weighted average VSC result for this room is compliant, the two rear windows would experience a VSC reduction in the "minor transgression category".

For the bedroom within flat 2 of 752b Finchley Road, the weighted average reduction to the windows servicing the bedroom is compliant with BRE Guidance whilst the room itself is fully compliant with the NSL test.

Flat no 3, 752b Finchley Road which has obscured high level windows would exceed a loss the "minor impact" category. However, it has been shown that the windows would retain an "acceptable" VSC value of above 20% in accordance with GLA guidance, under the proposed development conditions.

There are two single aspect bedrooms at no 21 Temple Fortune Lane that would experience a reduction in daylight using the VSC And NSL tests. After applying alternative targets using BRE recommended mirror image methodology, Daylight illuminance and Average Daylight Factor analysis, it has been shown that all of the affected windows and rooms are fully compliant with these additional BRE tests.

In line with the assessment criteria prescribed by the BRE Guidelines, it has been shown that the reduction in daylighting to the windows and rooms to the majority of the existing neighbouring buildings would be within the acceptable limits set out within the BRE Guidelines. Although there are a small number of windows and rooms shown to experience a potential "reduction", the mitigating circumstances have been explored in each case. Given the site constraints and the urban context of the site, a reason for refusal based on the loss of daylight and sunlight to small number of neighbouring properties could not be sustained.

Sunlight and Overshadowing analysis

The Annual Probable Sunlight Hours Assessment (APSH)

The assessment of the impact of the proposed development on the sunlight levels to neighbours' buildings reveals some reductions in the number of probable sunlight hours experienced by these windows. However, these reductions are within the limits prescribed by the BRE Guidelines as being acceptable. Furthermore, the assessment of the sunlight available to the neighbouring amenity areas indicates that all of the amenity areas will experience little to no change to the sunlight levels they currently experience. The proposed development would continue to ensure neighbouring residents achieved acceptable sunlight levels.

Privacy and overlooking

The proposed windows to habitable room are angled on the western elevation to prevent direct overlooking to self-contained units at no 21 Temple Fortune Lane. . The eastern elevation would ensure no direct intervisibility of habitable rooms occurs. This is achieved by obscured windows to bathrooms and obscured secondary windows to some of the habitable rooms. As such, the proposal would not result in undue overlooking or loss of privacy to the proposed residential units. Moreover, the majority of the units would have dual aspect to habitable rooms.

The proposal includes a 1.8 m privacy screen on 1st floor level, as shown on the proposed southwest elevation to protect the privacy of flats to the rear of the site on Finchley Road, namely flats 750c and flats 2 and 3 of 752b Finchley Road. Prior to the occupation of development onsite, full details of the 1.8m obscured and acoustic glazed privacy screen at first floor level on the southwest elevation (as shown on drawing no: 756-30-302 P8) shall be submitted to, and approved by the Local Planning Authority in writing, and implemented and retained thereafter. This would be secured by way of a planning condition.

Noise

Policy D14 Noise of the London Plan (2021) and DM04 of the Local Plan (2012) seek to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by: 1) avoiding significant adverse noise impacts on health and quality of life and mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses.

The Councils Environmental Health team have reviewed the proposed plans and applicants Noise Assessment, confirming that the noise mitigation measures detailed within their report are acceptable and in accordance with policy. The proposed mitigation measures as detailed with the submitted Noise Assessment must be fully incorporated into the design and retained thereafter. The proposed air source heat pump at roof level would be enclosed by an acoustic louvre at roof level. The purpose of the acoustic louvre is to reduce airborne noise. The proposed 1.8m high obscured and acoustic glazed privacy screen proposed to the southwest elevation protects the

amenity of flats to the rear of the site on Finchley Road, namely flats 750c and flats 2 and 3 of 752b Finchley Road from undue noise disturbance.

Notwithstanding the above, Officers recommend further conditions be attached to a planning consent to ensure existing neighbouring occupiers do not suffer for undue noise disturbance. The applicant would be required to ensure that All Non-Road Mobile Machinery used during the course of the demolition, site preparation and construction phases complies with the adopted emission standards. Moreover, full details of the proposed ventilation measures; must be submitted prior to commencement of development and implemented thereafter.

Standard and quality of residential accommodation.

Dwelling mix

Policy H10 of the London Plan (2021) requires new residential development to provide a suitable and varied dwelling mix which meets local needs. Moreover, policy DM08 of the Local Plan (2012) relates to dwelling mix and requires all new residential development to provide a mix of dwelling sizes and types to cater for a range of housing needs in the area. LBB set a dwelling size mix requirement for new development in the borough with homes of 3 bedroom or more the priority.

Policy H10 of the London Plan (2021) and policy DM08 relates to dwelling mix and requires all new residential development to provide a mix of dwelling sizes and types to cater for a range of housing needs in the area. In particular, LBB set a dwelling size mix requirement for new development in the borough with homes of 3 bedroom or more the priority, as there is growing a need and demand for 3 bed plus residential units within the Borough,

The proposal would make provision for 5 x 2 (4 person) bed units; & 6 x 3 bed (6 person) units; which are all suitable for family accommodation. 2 bed (4 person) units are considered suitable for smaller families. Officers also support the principle of a large quantum of 3-bedroom units as they would help to address the need and demand for family sized accommodation.

Affordable Housing

Policies H4 and H6 of the London Plan (2021); policy DM10 (Affordable Housing Contributions) outlines that sites providing 10 or more units should have regard to the borough-wide target that 40% of housing provision should be affordable. Policy CS4 (Providing Quality Homes and Housing Choice in Barnet) supplements this through seeking an appropriate mix of affordable housing. It underlines that 60% of affordable housing should be social rented and 40% should be intermediate rent.

A Financial Viability Assessment (FVA) has been prepared by Turner Morum and is included within the planning application submission. The viability has been assessed using an industry standard methodology which compares the residual land value against the Site value benchmark. The FVA demonstrates the scheme cannot currently support affordable housing on site.

Although it is regrettable that the development is unable to provide any affordable housing, the capital receipts generated by the sale of private residential units is necessary to cross fund the capital cost of the new health centre. There is no NHS grant funding that is being secured to contribute towards the new health centre, which is solely being funded by the applicants. All profit is being recycled back into the new facility as demonstrated by the FVA findings. Given the overriding community benefit of the new healthcare provision and the findings of the FVA, it is considered that the provision of no affordable housing on a scheme of 11 residential units is outweighed by the new and improved health centre provision. Without the new homes, this would not be possible, and it is likely that the site would just need to be sold on the open market.

The applicant's Affordable Housing Viability Assessment has been independently reviewed by a consultant adopted by the LPA, and also the LPA's internal Viability Officer has reviewed the Viability Report and confirm that the scheme cannot deliver affordable housing onsite, as a result of the build costs associated with the new contemporary medical centre and basement car park.

The surplus income from the sale of these flats would provide a contemporary medical centre for the benefit of all. The proposed medical centre would help meet the growing demand for new patient registration for a GP medical centre in the area.

Room size standards and layouts

The Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. The proposal habitable rooms all meet minimum room size standards. Further, the proposal rooms would receive good outlook and generous daylight and sunlight provision to the habitable rooms.

Housing standards are set out in the Nationally Described Space Standards (NDSS), the London Plan and London Housing SPG and Barnet's Sustainable Design and Construction SPD. Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal.

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

All of the proposed residential units would meet or exceed the minimum size standards as set out below:

First floor

1 x 3 bed (6 person)	Policy Requirement 95sqm	Proposed 101 sqm
1 x 2 bed (4 person)	Policy Requirement 70sqm	Proposed 79sqm
1 x 2 bed (4 person)	Policy Requirement 70sqm	Proposed 93sqm

1 X 3 bed (6 person) Policy Requirement 95sqm Proposed 125sqm

Second floor

1 x 3 bed (6 person) Policy Requirement 95sqm Proposed 100 sqm
1 x 2 bed (4 person) Policy Requirement 70 sqm Proposed 71 sqm
1 x 2 bed (4 person) Policy Requirement 70sqm Proposed 72 sqm
1 x 3 bed (6 person) Policy Requirement 95sqm Proposed 121 sqm

Third floor

1 x 3 bed (6 person) Policy Requirement 95sqm Proposed 101sqm
1 x 3 bed (6 [person) Policy Requirement 95sqm Proposed 97sqm
1 x 2 bed (4 person) Policy Requirement 70sqm Proposed 97 sqm

As demonstrated above, all of the proposed residential units meet the minimum internal room size standards, and the proposed units would receive acceptable outlook and good daylight and sunlight levels.

Private amenity space

The Council's adopted Supplementary Planning Document entitled Residential Design Guidance requires the provision of 5 sqm of amenity space for each habitable room for flats. Where rooms are over 20sqm, they would be considered as two habitable rooms. This applies to one, two, and three bed flats.

The Council's adopted Supplementary Planning Document entitled Residential Design Guidance requires the provision of a 5 sqm (minimum) of amenity space for each habitable room for flats.

The adopted policy and proposed provision for private amenity space is as follows:

First floor:

1 x 3 bed (6 person) Policy Requirement: 20sqm Proposed 20sqm
1 x 2 bed (4 person) Policy Requirement 15sqm Proposed 14sqm
1 x 2 bed (4 person) Policy Requirement 15sqm Proposed 82sqm
1 x 3 bed (6 person) Policy Requirement 20sqm Proposed 93sqm

Second floor

1 x 3 bed (6 person) Policy Requirement 20sqm Proposed 20sqm
1 x 2 bed (4 person) Policy Requirement 20sqm Proposed 25sqm
1 x 2 bed (4 person) Policy Requirement: 20sqm; Proposed 20sqm
1 x 3 bed (6 person) Policy Requirement 20sqm Proposed 24sqm

Third floor

1 x 3 bed (6 person) Policy Requirement: 20sqm Proposed 20 sqm
1 x 3 bed (6 [person) Policy Requirement 20sqm Proposed 60 sqm
1 x 2 bed (4 person) Policy Requirement 20sqm Proposed 43 sqm

10 out of the 11 residential units comply with minimum private amenity space provision required. There is only 1 unit which marginally falls below the minimum standards. The overall policy requirement for private amenity space onsite would be 210sqm, the overall proposed private amenity space would amount to 421sqm, which meets and exceeds the minimum policy requirement.

The proposal also provides 291sqm of communal landscaped amenity space at roof level and the overall provision for open space is supported by Officers.

The applicant would be required to submit a Detailed Landscape Management Plan to the Local Planning Authority to be approved and retained thereafter. The applicant would also be required to submit details of an acoustic glazing within the rooftop amenity area which would not be visible from the streetscene. This would be secured by way of a planning condition.

Impact on the local highway

The site lies in a CPZ that operates Mon-Fri, 1pm-2pm and it is in an area with a PTAL score of 2 (low). However, a number of bus routes (460, 102, H2, 82) can be accessed from stops within 2-5 minutes walking distance of the site on Finchley Road. There are short stay and disabled parking bays in front of the site on Temple Fortune Lane.

Car parking

Car parking (Medical Centre)

There are no prescribed policy car parking standards for medical centre. Notwithstanding, the London Plan stipulates that 10% of non-residential car parking spaces should be disabled parking (of which 6% is designated bays and 4% are enlarged bays). The proposal makes provision for 1 disabled car parking spaces out of the 7 car parking spaces allocated to the medical centre, which is considered acceptable.

London Plan (car parking standards) (Residential standards)

Policy T6.1 of the London Plan (2021) sets out the following car parking provision requirement for residential units:

- Outer London PTAL 2 - 3 "Up to 0.75 spaces per unit" (1 - 2 bed units) and "up to 1 car parking spaces" for 3 bed plus.

Policy DM17 of the Local Plan (2012) states that the council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms);
- i. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
- iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

The site has a Public Transport Accessibility Level of 2 meaning it has moderate access to public transport (PTAL 1 being very poor and 6b being excellent access to public transport). The number of off-street spaces (17 spaces) leaves a shortfall of 6 spaces. The applicant has carried out a parking survey which suggests that there were several spaces available on-street including 15 spaces within 100m of the site. An overall parking stress of 68% during the day and 55% at night was recorded.

The current London Plan policy prescribed that residential parking for location with PTAL 2 In Outer London is 0.75 space per unit, therefore the proposed provision for 10 x no residential car parking spaces, of which two are wheelchair accessible is acceptable. The provision for 7 staff parking space, of which one is wheelchair accessible for the medical facility is acceptable.

LBB Highways team have recommend planning conditions, as set out earlier within the report to ensure highway (vehicular and pedestrian) safety would not be compromised from the proposed development. Prior to occupation and commencement of use of the development, full details of an Operational Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority, and subsequently operated in accordance with the Operational Car Park Management Plan. This would be secured by way of a planning condition in interest of highway safety.

Prior to occupation of the development, the applicant must submit full details for a 2.4 metre by 2.4 metre pedestrian visibility splays to the left and to the right of the access from 2 metre setback from the back of footway and shall thereafter be maintained free of any visibility obstructions including fencing or planting of shrubs to provide clear visibility between heights of 0.6 metre and 1 metre above the level of the adjoining highway. Further, the development should be operated in accordance with the approved Servicing Management Plan, including refuse storage and collection arrangements. This is in the interest of highway safety.

On street car parking restriction

LBB Highways would also recommend that residents of the developments are restricted from purchasing CPZ permits by way of a s106 agreement. 2 disabled spaces are provided for the residential and 1 disabled space for the health Centre, which is acceptable.

Electric Charging Points

Electric vehicle charging points are to be provided in accordance with minimum London Plan standards at 20% active and 80% passive. For the 17 spaces this equates to 4 active points and 13 passive points. This can be secured by way of a planning condition.

The applicant would be required to submit full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20 % of the car proposed parking spaces to be provided with active Electric

Vehicle Charging facilities and a passive provision for the remainder of the car parking spaces onsite, prior to the first occupation of the use of the development onsite. This would be secured by way of a planning condition.

Cycling Parking

Policy T5 Cycling of the London Plan (2021) requires that "cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people".

Table 10.2 of the London Plan (2021) sets out the Minimum cycle parking standards for residential uses. the following cycle storage provision would be required:

- 1 space per studio or 1 person 1 bedroom dwelling
- 1.5 spaces per 2-person 1 bedroom dwelling
- 2 spaces per all other dwellings

Short stay (e.g., for visitors or customers)

- 5 to 40 dwellings: 2 spaces

Based on London Plan standards, a minimum of 22 long stay and 2 short stay cycle parking spaces are required for this development.

There is a designated proposed cycle storage room proposed at basement level.

Notwithstanding, the applicant would be required to submit details of the types of stands used to enable both the wheels and the frame of the bicycle to be locked. The applicant would be required to submit full detail of cycle parking including the type of stands, gaps between stands, provision for a minimum of 22 long term cycle spaces for future occupiers of the residential development, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Planning Authority. This would be secured by way of a planning condition.

There proposed makes provision for 2 x short stay cycle parking for visitors for the proposed residential use. 10 x no short stay cycle parking spaces are allocated for the health centre, located close to the entrance of the medical site, which is acceptable to both Transport for London (Transport for London) and Local Highway Authority.

Refuse and Recycling

Policies S1 8 of the London Plan (2021) and CS 14 of the Core Strategy (2012) seek to ensure that adequate waste and recycling provision is made for all developments in secure; and accessible locations for days of collection.

At ground floor level, the proposal makes provision for an internal refuse and recycling storage area, which provides 2 x 1000L refuse and 2 x 1100L recycling bins, which would be accessed via Temple Fortune Lane for future occupiers of the residential development. A separate internal refuse and recycling storage area which provides 3

x 1100L bins, accessed via narrow street shared with no 21 Temple Fortune Lane (3 x 1100L) is provided for the medical centre.

The Local Highways Authority and the Councils Street Scene team do not object to the proposed refuse and recycling storage provision. Notwithstanding, prior to occupation of the development, full details of the refuse storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery service plan. This is in the interest of highway safety.

Energy and Sustainability

Policies SI 16 of the London Plan (2021) and policy CS13 of the Barnet Core Strategy (2012) requires residential developments with water saving and other measures to encourage the efficient use of water. Policies SI 1 and SI 2 of the London Plan (2021); policies DM01 & DM02 of the Development Management Document (2012) seeks to achieve specific levels of improvement in carbon dioxide emissions when compared the minimum Target Emission Rate requirements of the 2010 Building Regulations.

In terms of water consumption, it is proposed that all residential units will obtain 100% of their water supply through water metres. Notwithstanding, a condition would be attached to a planning permission to require each unit to receive water through a water meter and be constructed with water saving and efficiency measures to encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy SI 16 of the London Plan (2021).

The Energy and Sustainability Report by MWL, November 2022 outlines the approach to energy efficiency and carbon emissions reduction for the proposed development. The design approach has incorporated requirements of Building Regulations Part L1A (2013 edition with 2016 amendments) and the Mayor of London's Energy Hierarchy, prioritising passive design measures such as insulation, low air permeability, high-performance glazing and low thermal bridging. Active design measures such as energy efficient building services and lighting have then additionally been incorporated.

Residential units will be serviced by individual efficient heat pump systems for heating and hot water. Non-domestic spaces will be serviced by a VRF Air Source Heat Pump (ASHP) system that provides an appropriate and efficient way to heat and cool areas such as this.

With reference to energy consumption and carbon emissions of the proposed development, the applicants Energy Assessment show that the proposed development would achieve a 58% improvement over Part L of Building Regulations including 12% from passive measures. This therefore meets the requirement of The London Plan (2021) Policy SI2: Minimising greenhouse gas emissions and Barnet's Local Plan: Development Management Policies Policy DM02: Development standards and Policy DM04: Environmental considerations for development.

The remaining site-wide carbon emissions have been calculated as 5.8 tonnes CO₂ per annum for the residential aspect, and 3.0 tonnes CO₂ per annum for non-residential. Using the Mayor's carbon price of £95 per tonne over 30 years, the developer proposes to pay a carbon offset of £16,600 and £8,486 respectively,

Trees and Ecology

The importance of trees, ecology and landscape is recognised at every policy level, Nationally NPPF chapter 15; regionally London Plan policy G5, G6 & G7 of the London Plan (2021) and locally within Barnet Council's adopted policies DM01, DM04, DM15 & DM16 all require developers to consider, trees, ecology and landscape which builds biodiversity. In addition, the following references are also considered; Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System, ODPM, 2005, London Biodiversity Action Plan, London Plan, 2016, London Regional Landscape Framework, Natural England, 2010.

Policy DM01 of the adopted Barnet Development Management advises that 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. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size, and condition of trees. Trees should be retained wherever possible, and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

Trees

The submitted Tree report and Tree Protection Plan has been reviewed by the LPA Arboricultural Officer. The site is located just outside the Hampstead Garden Suburb Conservation Area, its boundary just to the north on the other side of the Temple Fortune Lane. There are five trees within the site boundary that are established and provide a considerable amount of publicly visible amenity, adding to the verdant character of this area of Hampstead.

The applicant has submitted an Arboricultural Impact Assessment (AIA) and Tree Protection Plan to the Local Planning Authority, which was reviewed by the Council's Arboricultural Officer. This identifies that three street trees (one being a group of silver birch) along the site frontage would need to be removed to facilitate the development. One of these is a category B strawberry tree and the other two are category C (Blue Atlas Cedar and the group of Silver Birch). On balance, the removal of the identified trees is justified to facilitate good design. Off-site trees that are affected can be protected although they are of poor quality and would need some pruning back to the boundary. It is considered that replacement tree planting across the site (14 new trees in total) is appropriate mitigation for lots of trees and are of similar value. The submitted landscaping details demonstrates that the scheme or meet the London Plan Urban Greening Factor target of 0.4.

The proposal requires the removal of all trees within the site boundary. Whilst these trees are of visual merit to the streetscene, they are not considered to be of high value and are not protected by Tree Preservation Orders. Moreover, the trees are not located within Conservation Area, and therefore the applicant does not require planning permission to remove these trees. As such, a reason for refusal based on the loss of these trees could not be sustained. Notwithstanding, in order to mitigate against the loss of the trees, a financial contribution would be secured within a Section 106 Agreement. The financial contribution would be the balance of the value of the existing trees minus the cost of the proposed 17 trees which are proposed onsite on the upper floors.

Landscaping and urban Greening

Urban Greening Factor is used to evaluate the quality and quantity of urban greening included in new built environment. It helps to demonstrate urban greening as a fundamental element of the construction industry. UGF encourages gains in both surface permeability and biodiversity in all projects regardless of their purpose. The London Plan sets out UGF scores as minimum 0.4 for residential and 0.3 for commercial developments where a score is not set out in Local Plans.

The applicant has submitted an Urban Greening Factor Calculation Report. The proposal is considered to maximise urban greening to its limits. The proposal achieves this via the extensive use of intensive green roofs, 17 new trees and permeable paving used on the ground floor landscaping. The newly created habitats will form a rich and immersive environment, promote sustainable drainage, and enhance ecological diversity.

Further, there extensive planting of trees at all levels of the development and the proposed landscaping scheme which includes, ground floor and upper-level terracing provides the scheme with a policy compliant Urban Greening Factor of 0.41 would be offset against that which has been lost.

The landscape plans are broadly acceptable and should be fully implemented. No plant schedule has been submitted to support the application this information is required and can be a condition of any approval granted.

The landscape designs and roof terraces would require on-going maintenance and renovations and as such a Landscape & Ecological Management Plan would be required to be submitted to and approved by the Local Planning Authority. The Landscape and Ecology Management Plan shall include details of long-term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme. This would be secured by way of a planning condition to ensure a satisfactory appearance to the development and provide urban greening and opportunities for biodiversity onsite.

Response to Public Consultation

All planning matters raised have been considered and addressed as part of the assessment and decision-making process for this planning application.

The objections and concerns raised from residents have been considered within the evaluation above, and all representations received from residents were fully considered in the assessment of the application and are available to view online at the Councils website.

It is considered that concerns related to traffic disturbance, noise and air pollution would be sufficiently mitigated against by way of planning conditions as set out within the report.

- **Insufficient information to confirm whether the new medical practice would remain an NHS practice and; whether the 2 surgeries currently onsite would be reinstated on completion.**

(Officer comment: The proposed health centre would remain an NHS practice. The 2 surgeries currently onsite would not be reinstated as per the existing arrangement. The applicant has provided a detailed layout of the medical centre as discussed within this report. NCL ICB Primary Care have advised that the layout is acceptable, stating that the “proposed plans deliver a high quality and sustainable health centre facility”.

- **The proposed medical centre could be converted into an alternative land use within the same Use Class E**
- **There is guarantee that the medical centre would be provided and remain in perpetuity.**

(Officers comment: The following two planning condition has been attached which requires the proposed ground floor must be used as a medical centre only, and for no other uses within Class E of The Town and Country Planning (Use Class)(Amendment) (England) Regulations 2020, and the new Health Centre must fully constructed and in use prior to the first occupation of any of the self-contained residential uses (C3) onsite. Both conditions are attached to ensure a medical centre is re provided onsite.

A full planning application would be required to be submitted to the Local Planning Authority for determination should the applicant propose to change the use of the health centre to an alternative land use in the future, which would be assessed on its own merits).

- **Lack of analysis undertaken of current, proposed or future demand and provision of health services on this site or locally, to substantiate that the proposed provision is, and will be, adequate to accommodate for 25,000 patients.**
- **Lack of comprehensive details submitted to demonstrate that the proposed health centre would provide an improved and superior health facility, above and beyond what is currently provided onsite.**

(Officer comment: The applicant has extensively engaged with the Local Planning Authority at pre application stage and provided details on the existing quality of the health centre to demonstrate the shortcomings of the existing health centre, and the

benefits of the proposed health centre. More recently, NCL ICB Primary Care have been actively engaged with both the applicant and Officers on the proposed new medical centre. The submission documents accompany the full planning application supports their position on the current, proposed and future demand and provision of health services on this site or locally will be, including their projection on patient numbers.

The health centre was constructed in the 1970's approximately 50 years ago, and therefore lacks many of the hallmarks of a modern medical facility and needs to be replaced if it is to appropriately serve the community into the next generation. The building layout is efficient operating with an oversized lobby and two stair cores that give access to the upper floor. There is no lift access to the first floor meaning it is unable to provide consultation space for patients unable to use stairs, and therefore this part of the building is significantly underutilised.

Moreover, the heating system in the existing Medical Centre is inefficient, expensive to run as a consequence and the building fabric suffers from an extremely poor environmental performance. Conversely the proposed medical centre would be significant more energy efficient and sustainable as evidenced by the applicants submitted Energy and Sustainability documents, which have been reviewed and supported by both the Councils Energy and Sustainability Officer, and NCL ICB Primary Care.

The new health centre is of a superior design standard, with a modern layout that can accommodate more patients whilst being fully accessible to wheelchair users. The proposed floor area of the medical centre is approximately 716sqm (excluding plant) which would replacing the existing 744 sqm medical centre facility. Despite the slight reduction in overall area, all of the new floorspace would be usable and fit for purpose and fully accessible to all patients which is not the case with the current facility with 272 sqm of the existing floorspace underused at lower ground and first floor levels. Officers are satisfied that the proposed medical centre can accommodate for a greater number of patient registration, when comparison to the existing health centre onsite. As such, the proposed enhanced public health care facility would be a significant benefit to the local community).

- **No details for a temporary medical practice arrangement provided to serve for existing patients during the construction of the new medical centre if granted planning permission.**

(Officers comment: Full details of the location of a temporary medical centre at decant stage to provide a replacement health service during the demolition and construction phase of the development must be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of development onsite. Details of a temporary medical centre must be endorsed by NCL ICB Primary Care prior to the submission of the aforementioned planning application to the Local Planning Authority. Moreover, the temporary health must continue to provide a health service for existing registered patients until such time as the new health centre hereby approved is fully operational and available to existing and future patients. This would be secured by way of a planning condition to ensure that a temporary health centre is provided for

registered patients at 23 Temple Fortune Lane during the demolition and construction phases of the development).

- The applicant has not submitted details of the operational management of the health centre.

(Officer comment: Prior to occupation, full details of a Medical Centre Operational and Management plan, shall be submitted to, and approved by the Local Planning Authority, and implemented thereafter. This would be secured by way of a planning condition to ensure the medical centre is designed fit for purpose and can accommodate for the increase rise in patient registration and attendance).

- The proposal would result in the loss of daylight; sunlight and privacy; and result in overshadowing to neighbouring properties.

(Officer comment: The applicant has undertaken a Daylight and Sunlight Report to assess the impacts the proposal surrounding residential properties as discussed within the report. In line with the assessment criteria prescribed by the BRE Guidelines, it has been shown that the reduction in daylighting to the windows and rooms to the majority of the existing neighbouring buildings would be within the acceptable limits set out within the BRE Guidelines. Although a small number of windows to habitable would experience a potential "reduction", the mitigating circumstances have been explored in each case. Given the site constraints and the urban context of the site, a reason for refusal based on the loss of daylight and sunlight to neighbouring properties could not be sustained).

- The scale of development is excessive.

(Officer comment: Although the Hampstead Garden Suburb is predominantly characterised with 2 storey houses, the character of Temple Fortune Lane is different, and higher buildings in the southwest side of the street.

The proposed building is 4 storeys in height which is a suitable and acceptable approach for the site. The design principle of siting the development to align with the neighbouring front building line is supported.

The proposal includes long street views as well as high resolution architectural visualisations. The development at no 21 Temple Fortune Lane is also a four-storey building to the east at 21 Temple Fortune Lane. The proposed building onsite would complement the established buildings to the east without overwhelming the more modestly scaled historic housing within the conservation area to the north. Overall, the proposed height sits comfortably within its local context.

The building comprises a four-storey building within the local streetscene. Furthermore, in relation to the new four storey development at No. 21, the east façade is more recessive having been reshaped to avoid overlooking, windows reduced and angled.

The proposal is not considered to have an adverse effect on the setting that would result in harm to the Grade II listed buildings at no 1-6 Farm Walk and Temple Fortune Court and the Hampstead Garden Suburb Conservation Area. The building would set well within this stretch of Temple Fortune Lane that is undergoing redevelopment and would complement the established buildings to the east without overwhelming the more modestly scaled historic housing within the conservation area to the north, including the listed buildings.

Consequently, the proposed development would not result in any harm to the significance of these listed buildings and would preserve their respective settings. The historic interest of Hampstead Garden Suburb would be protected, and the development would not detract from or in any way undermine an ability to appreciate the historical or evidential values of the Conservation Area.

Whilst an objector noted that the prevailing heights of buildings generally within the area ranging from between 2-4 storeys in height, the proposed height of this development and the proposed scale, height and footprint is broadly in keeping with the nearby development at no 21 Temple Fortune Lane, and is also in keeping with the existing and emerging character of both Temple Fortune Court; listed buildings at no's 1-6 Farm Walk and Temple Fortune Court and the Hampstead Garden Suburb Conservation Area.

The proposal would result in the overall enhancement to the appearance of the site, improving the street frontage and setting of the Hampstead Garden Suburb Conservation Area).

- Overdevelopment and over intensification of the site.

(Officer comment: It is considered that the proposed density is suitable for this site, and the overall design ensures that the proposal would not present any symptoms associated with overdevelopment of the site, such as sub-standard accommodation, inadequate daylight, sunlight levels, poor outlook and privacy to future occupiers and/or loss of amenity to existing residential properties).

- The siting of the proposed building is not set back sufficiently from the boundary edge.

(Officer comment: The proposed ground floor level would appear as a podium and would have a different footprint and articulation to upper floors. The ground floor level would follow the building line of the neighbouring property at 21 Temple Fortune Lane and would be considered acceptable. The glazed entrance to the health Centre would be located at the front building line and would face onto the street. This feature would be quite prominent and visible while the residential entrance would be at the eastern corner of the building resulting in a welcoming and active ground level.

The proposal involves the replacement of an old medical building for the delivery of a new building of high-quality architecture for the Borough, with the creation of an active, interesting, and accessible frontage and provision of high-quality landscaping).

- Loss of dedicated parking for current surgery staff at the proposed Heath Centre
- Inadequate re-provision of car parking spaces provided for staff at the proposed Medical Centre.
- Inadequate provision for car parking for the residential development
- The proposal does not make car parking provision for patients visiting for the medical centre, notwithstanding the likely demand for additional car parking spaces for patients, as a consequence of increased patient registration.
- Should planning permission be granted, a condition should be attached for CPZ hours to increase from 9:00am to 5:00pm, Monday to Friday.

(Officers comment: It is accepted that there are currently 16 x no car parking spaces allocated to the existing staff and patients at the medical centre. The proposed allocates 7 x no car parking spaces for the new medical centre, As such, there would be a reduction of 10 x no car parking spaces allocated for medical staff and patients resulting from the development.

There are no prescribed policy car parking standards for medical centre. Notwithstanding, the London Plan stipulates that 10% of non-residential car parking spaces should be disabled parking (of which 6% is designated bays and 4% are enlarged bays). The proposal makes provision for 1x no accessible car parking space out of the 7 car parking spaces allocated to the medical centre, which is considered acceptable.

The proposed provision for car parking spaces for the residential development is in accordance with London Plan standards as discussed within the report. The applicant has carried out a parking survey which suggests that there were several car parking spaces available on-street including 15 spaces within 100m of the site. An overall parking stress of 68% during the day and 55% at night was recorded. Future occupiers of the residential units onsite would be restricted from purchasing CPZ permits by way of a s106 agreement. 2 accessible car parking spaces are provided for the residential which is acceptable.

There is no planning policy requirement to make provision for car parking spaces for patients visiting the health centre.

Prior to occupation and commencement of use of the development, full details of an Operational Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved Operational Parking Management Plan. This would be secured by way of a planning condition in the interest of highway safety.

On balance, LBB Highways team and Transport for have assessed the proposed car parking spaces proposed for the both the medical centre and the residential development and confirm the provision is acceptable, subject to conditions and planning obligations, detailed within this report).

- Increase car parking- put pressure on the local highway safety; exacerbate problems associated with congestion.

(Officer comment: LBB Highways team do not consider that the proposal, would unduly exacerbate the existing problems associated with congestion on the roads of East Barnet/New Barnet/Cockfosters and neighbouring areas. LBB Highways have recommended a list of planning conditions to mitigate against the impact on highway safety as set out with the recommendation section of this report.

LBB Highways raise no objection to the proposals subject to a Section 106 contribution of £10,000 towards travel plan monitoring, Controlled Parking Zones (CPZ) permit restrictions, an off-site highway works).

- The proposal makes provision for no affordable housing onsite, including key accommodation for workers onsite.

(Officer comment: The applicant's Viability Assessment has been independently reviewed by a consultant adopted by the LPA, and also the LPA's internal Viability Officer has reviewed the Viability Report and confirm that the scheme cannot deliver affordable housing onsite, as a result of the build costs associated with the new contemporary medical centre and basement car park.

The surplus income from the sale of these flats would provide a contemporary new medical centre for the benefit of all. The proposed medical centre would help meet the growing demand for new patient registration for a GP medical centre in the area).

- The proposal results in the loss of trees on Temple Fortune Lane

(Officer comment: The proposal requires the removal of all trees within the site boundary. Whilst these trees are of visual merit to the streetscene, they are not considered to be of high value and are not protected by Tree Preservation Orders. Moreover, the trees are not located within A Conservation Area, and therefore the applicant does not require planning permission to remove these trees. As such, a reason for refusal based on the loss of these trees could not be sustained. Notwithstanding, in order to mitigate against the loss of the trees, a financial contribution would be secured in a legal agreement. The financial contribution would be the balance of the value of the existing trees minus the cost of the proposed 17 trees which are proposed onsite on the upper floors.

The applicant has submitted an Urban Greening Factor Calculation Report. The proposal is considered to maximise urban greening to its limits. The proposal achieves this via the extensive use of intensive green roofs, 17 new trees and permeable paving used on the ground floor landscaping. The newly created habitats will form a rich and immersive environment, promote sustainable drainage, and enhance ecological diversity.

Further, there extensive planting of trees at all levels of the development and the proposed landscaping scheme which includes, ground floor and upper-level terracing provides the scheme with a policy compliant Urban Greening Factor of 0.41 would be offset against that which has been lost.

The landscape plans are broadly acceptable and should be fully implemented. No plant schedule has been submitted to support the application this information is required and can be a condition of any approval granted).

- The proposed development, which includes car parking, tanks and plant equipment at basement level, would result in undue noise disturbance to existing neighbouring properties.

(Officer comment: With reference to concerns relating to noise disturbance specifically relating to the structure of the building, sound insulation is a matter adequately addressed by the Building Regulations.

LBB Environmental Health do not object to the proposed development, subject to a conditions which requires the development to be implemented in accordance with the measures/mitigation measures set out in the Noise Impact Assessment.

Prior to the occupation of development onsite, full details of the 1.8m obscured and acoustic glazed privacy screen at first floor level on the southwest elevation (as shown on drawing no: 756-30-302 P8) shall be submitted to and approved by the Local Planning Authority in writing. Details of all extraction and ventilation equipment to be installed as part of the development would be secured by way of a planning condition to protect neighbouring residential properties against undue noise disturbance).

The proposal would not result in undue noise distance to occupiers at adjacent and nearby existing residential properties, subject to compliance with conditions set out within this report).

- Increased pressure on local social infrastructure.

(Officer comment: The applicant would be required to make appropriate Levy payments towards local social infrastructure such as schools and doctors' surgeries to mitigate against the impact it would have an existing facilities, in accordance with Community Infrastructure Levy (CIL) requirements and regulations. The CIL is a planning charge that Local Authorities and the Mayor of London set on new development to help pay for community infrastructure.

All representations received during the initial consultation, and subsequent re-consultation on the respective amendments were fully considered and assessed during the decision-making process, prior to reaching Officers recommendation to approve this planning application, subject to conditions and planning contributions secured in a legal agreement to mitigate against the development.

Equality and Diversity Issues

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

Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an

acceptable impact on the character and appearance of the application site, the street scene, and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval, subject to conditions and legal agreement.

Site Location Plan

