

LOCATION: Phase 3, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ
REFERENCE: H/03860/13 **Received:** 28 August 2013
 Accepted: 28 August 2013
WARD(S): Mill Hill **Expiry:** 27 November 2013

**Final
Revisions
:**

APPLICANT: Linden Homes

PROPOSAL: Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3 of Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 138 units 7 x 5 bedroom houses, 41 x 4 bedroom houses, 47 x 3 bedroom houses, 26 x 2 bedroom apartments and 17 x 1 bedroom apartments together with details to discharge the requirements of:
Conditions 5 (Reserved matter details), 8 (Affordable housing), 26(Access points), 29(Internal access roads), 35 (Petrol/oil inceptor), 48(Open space), 52 (Children's playing space), 57 (Boundary treatment/buffer), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) ,85 (Green/brown roofs).

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

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:

Location Plan (S101)
Existing Site Plan (S102)
Site Plan showing building footprints (P101A)
Site Plan showing roofscape (P102A)
Site Plan showing materials (P103)
Site Sections/ Elevations Sheet 1 (P104)
Site Sections/ Elevations Sheet 2 (P105)
Site Plan (showing refuse strategy) (P106A)
Plot Schedule (P107)
Site Plan (showing fire engine access) (P108A)

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Appendix C Rainwater recycling response to Condition 82 & 83 by Carbon Plan dated August 2013

Acoustic Report by Clement Acoustics dated August 2013.

Drainage Strategy by Glanville dated August 2013

Construction Management Strategy by Linden Homes dated October 2013

Demolition and Site Waste Management Plan by Linden Homes dated August 2013

Daylight and Sunlight Report by CHP Surveyors Ltd dated 27th September 2013.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

3. Before development hereby permitted is occupied a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:
 - Monitoring and enforcement of any unauthorised parking;
 - Details of the management and enforcement of the use of visitors spaces;
 - Controls for servicing and deliveries.

The strategy must demonstrate to the satisfaction of the Local Planning Authority that monitoring and enforcement measures will be sufficient to prevent obstruction to the free flow of both vehicular and pedestrian traffic on site.

The Parking Management Strategy shall be implemented in accordance with the details submitted and shall be applied thereafter.

Reason:

To safeguard the amenity of the resulting development the free flow of traffic within the estate and the safety of vulnerable road users in accordance with CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

4. Before development hereby permitted is occupied, details of secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved and thereafter maintained for the life of the development.

Reason:

To ensure the cycle storage is secure and to encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and

DM17 of the Development Management Policies (2012).

5. 10 No. visitor cycle parking stands shall be provided for visitors within the street in black steel vandal resistant stands in accordance with the submitted details and shall be thereafter maintained for the life of the development.

Reason:

To ensure the cycle storage is secure and to encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

6. Notwithstanding the details shown on plans otherwise hereby approved and prior to development commencing details, including samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

7. Electric charging points of 20% active and 20% passive shall be provided in accordance with the submitted details and shall be thereafter maintained for the life of the development.

Reason:

To encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

8. All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of each phase of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which, within a period of 5 years from the completion of the development, dies, is removed or in the opinion of the Local Planning

Authority becomes seriously damaged or diseased, shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to, any variation.

Reason:

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

9. The development shall be carried out in strict accordance with the provisions and tree protection methods outlined in the submitted Arboricultural Method Statement by Landmark Trees dated 20th June 2013.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

10. Prior to development commencing a construction management plan showing the route of construction and delivery vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard residential amenity in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

11. A scheme of proposed noise mitigation measures that meets the design criteria in Report 8121-NEA-01 by Clement Acoustics dated 8 August 2013 shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied

In order to ensure satisfactory internal noise levels glazing / trickle vent selections must be constructed to the *design criteria in Report 8121-NEA-01 by Clement Acoustics dated 8 August 2013 before any of the units are occupied.*

Reason:

To ensure that the amenities of occupiers are not prejudiced by noise from traffic and industry in the immediate surroundings in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

12. Privacy panels shall be provided to all balconies and roof terraces in accordance with the agreed details and shall thereafter be maintained for the Life of the Development.

Reason:

In the interest of residential amenity in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

13. A scheme for acoustic fencing along the boundary of the development with IBSA House shall be submitted in writing and approved by the LPA prior to development. This scheme shall be fully implemented before the development hereby permitted is brought into use.

Reason:

To ensure that the amenities of occupiers are not prejudiced by industrial/commercial noise in the immediate surroundings in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

14. The development shall be carried out in accordance with the approved Landscape Management and Maintenance Plan and the management and maintenance regimes shall be reviewed on an annual basis for a minimum period of 5 years as set out in the approved document.

Reason:

To secure opportunities for the enhancement of nature conservation value of the site in accordance with policy CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

15. Details of proposed bat and bird boxes shall be submitted and approved by the Local Planning Authority. The bat and bird boxes shall be installed in accordance with the agreed details prior to the occupation of the development and thereafter maintained.

Reason:

In the interest of nature conservation and in accordance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

16. This permission does not extend to destroy, fell, lop or top the existing trees which are inside or outside the application site and which are shown on the approved plans to be retained. These trees shall be protected during the implementation of the development in accordance with recommendations set out in BS 5837 (2012) and any supplementary protection requested by the Local Planning Authority. Before excavation can commence, drawings shall be submitted to the Local Planning Authority giving details of the method of excavation, type of foundation proposed for the buildings and

indicating how the roots of these trees shall be protected. In addition, drawings shall be submitted showing the layout of underground services. No construction works shall commence until such drawings have been approved in writing by the Local Planning Authority.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

17. In this condition “retained tree” means an existing tree which is to be retained in accordance with approved plan and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

(b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and the tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority;

(c) the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the recommendations set out in BS 5837 (2012) and the approved plans and particulars before demolition or any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

18. An arboricultural consultant shall be employed to supervise tree protection during the course of development including demolition and construction phases.

Reason:

To protect existing trees during the construction works in order to ensure that the character and amenity of the area are not impaired. To comply with Policy 74 of the St. Albans District Local Plan Review 1994.

19. A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

INFORMATIVE(S):

- 1 In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010, this informative summarises the local planning authority's reasons for granting planning permission for this development and the relevant development plan policies taken into account in this decision.

In summary, the Local Planning Authority considers that the proposed development should be permitted for the following reasons:

The reserved matters details submitted would result in a residential development with a high quality appearance and would create a residential environment that meets the amenity requirements of future occupants of the family homes proposed. The proposals are broadly in accordance with approved Parameter Plans of application ref HH/04017/09 and are considered to generally follow the principles established within the Design Code approved under application ref H/04565/11 whilst complying with the development plan including the specific policies of the Mill Hill Area Action Plan 2009. The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The submission is therefore considered to satisfactorily address reserved matters of: Layout, Scale, Landscaping and Appearance for Phase 2 of Outline permission H/04017/09. It satisfies Conditions 8, 12 (partially), 26, 27, 29, 48, 52, 57 (partially) and 70, 80, 83 and 91 in relation to Phase 2 of the outline permission.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant and agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case formal pre-application advice was sought prior to submission of the application.

A summary of the development plan (London Plan 2011), Barnet Core Strategy 2012, Development Management Policies DPD 2012 and Mill Hill East Area Action Plan (2009) policies relevant to this decision is set below:

Core Strategy (Adopted) 2012

CS NPPF (National Planning Policy Framework – presumption in favour of sustainable development)

CS1 (Barnet's place shaping strategy – the three strands approach)

CS4 (Providing quality homes and housing choice in Barnet)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS7 (Enhancing and Protecting Barnet's Open Spaces)

CS9 (Providing safe, efficient and effective travel)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the Efficient Use of Natural Resources)

Development Management Policies (Adopted) 2012

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations)

DM06 (Barnet's Heritage and Conservation)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Mill Hill East Area Action Plan (AAP) 2009

MHE 2 (Housing)

MHE3 (Employment)

MHE6 (Community Facilities, Shops and Services: Officers' Mess)

MHE7 (Parks and Public Open Space)

MHE8 (Children's Play Space)

MHE9 (Protection of Green Belt and Biodiversity)

MHE10 (Making the Right Connections)

MHE12 (Sustainable Transport)

MHE13 (Parking)

MHE14 (Creating a Sustainable Development)

MHE15 (Design)

MHE16 (Delivering Design Quality)

MHE17 (Conserving Built Heritage)

MHE18 (Delivering the AAP)

London Plan Policies 2011

1.1 (Delivering the strategic vision and objectives for London)

2.13 (Opportunity Areas and Intensification Areas)

3.3 (Increasing housing supply)

3.4 (Optimising housing potential)

- 3.5 (Quality and design of housing developments)
- 3.6 (Children and young people's play and informal recreation facilities)
- 3.7 (Large Residential Development)
- 3.8 (Housing choice)
- 3.9 (Mixed and balanced communities)
- 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)
- 5.1 (Climate Change Mitigation);
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable design and construction)
- 5.7 (Renewable energy)
- 5.11 (Green roofs and development site environs)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.14 (Water quality and wastewater infrastructure)
- 5.21 (Contaminated land)
- 6.3 (Assessing effects of development on transport capacity)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.13 (Parking)
- 7.1 (Building London's neighbourhoods and communities)
- 7.2 (An inclusive environment)
- 7.3 (Designing out crime)
- 7.4 (Local character)
- 7.5 (Public Realm)
- 7.6 (Architecture)
- 7.8 (Heritage Assets and Archaeology)
- 7.15 (Reducing noise and enhancing soundscapes)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and woodlands)

2. The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.
3. The costs of any associated works to the public highway, including temporary traffic order making and related implementation works and reinstatement works will be borne by the applicants and carried out either under rechargeable works Agreement or may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Traffic & Development Section – Environment, Planning and Regeneration Directorate.

1. BACKGROUND TO THE CURRENT APPLICATION

1.1 The Mill Hill East Area Action Plan

Mill Hill East is designated as an Area of Intensification in the London Plan (2011) and as a key growth area in the Barnet Core Strategy (2012). The area covered by this designation includes the former Inglis Barracks; Mill Hill East station; International Bible Students Association (IBSA House); the Council Depot and recycling centre; Bittacy Court; the Scout Camp and former Mill Hill Gas Works (the area now centred around Lidbury Square).

The area was first highlighted as an area which could be redeveloped in the London Plan in 2004. This is primarily as a result of Project MoDEL (Ministry of Defence Estates London) which involves the consolidation and sale of surplus MoD properties around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008 thereby providing an opportunity for redevelopment. The Council recognised that Mill Hill East was an area where more detailed policies were required to guide future development and in 2009 adopted an Area Action Plan (AAP) which covered an area of 48 hectares focused primarily on the former Inglis Barracks site. The aim of the AAP is to seek to ensure that development takes place in a balanced and coordinated manner by setting out a comprehensive framework to guide the delivery of housing, employment, leisure and associated community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

A partnership comprising of a number of the key landowners and developers (the Inglis Consortium) prepared and submitted the outline application in 2009 for the comprehensive redevelopment of most of the area covered by the AAP.

1.2 The outline planning permission

In September 2011 outline planning permission was granted for the redevelopment of Mill Hill East regeneration site (now also known as Millbrook Park). This site covers an area of approximately 33.6 hectares (83 acres) and is located within the Mill Hill ward. The site is bounded to the east by Frith Lane, to the north by Partingdale Lane and to the west by Bittacy Hill (B552). Bittacy Business Park is immediately to the south of the site and Mill Hill East Underground station (Northern Line) lies to the south west.

The site is divided into a number of Development Land Parcels (DLP) or otherwise known as phases. Following approval of the site wide pre-commencement requirements, reserved matters applications will be brought forward for all detailed elements of the development, which would deal with all matters not fully addressed within the outline consent – the ‘reserved matters’ (layout, design, appearance and landscaping). This is controlled by Condition 5 of the outline permission (ref H/04017/09, dated 22nd September 2011).

In addition to the plan drawings submitted, the following information was also submitted in support of the application and forms the supporting information:

- Location Plan (S101)
- Existing Site Plan (S102)
- Site Plan showing building footprints (P101A)
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Acoustic Report by Clement Acoustics dated August 2013.

Drainage Strategy by Glanville dated August 2013

Construction Management Plan by Linden Homes dated October 2013

Demolition and Site Waste Management Strategy by Linden Homes dated August 2013

Daylight and Sunlight Report by CHP Surveyors Ltd dated 27th September 2013.

2. MATERIAL CONSIDERATIONS

2.1 Key Relevant Planning Policy

National Planning Policy Guidance / Statements: The National Planning Policy Framework (NPPF)

On March 27th 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF replaces 44 planning documents, primarily Planning Policy Statements (PPS's) and Planning Policy Guidance (PPG's), which previously formed Government policy towards planning.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

The Mayor's London Plan: July 2011 2.13 (Opportunity Areas and Intensification Areas), 3.3 (Increasing Housing Supply), 3.4 (Optimising housing potential), 3.5 (Quality and design of housing developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.7 (Large Residential Development), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities), 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.11 (Green roofs and development site environs), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 2012

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources), CS14 (Dealing with Waste).

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Relevant Development Management DPD Policies: DM01 (Protecting Barnet's Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet's Heritage and Conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing Need), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

Mill Hill East Area Action Plan (AAP) 2009

The Mill Hill East Area Action Plan (AAP) was adopted by the Council in 2009 and forms part of Barnet's Local Plan containing policies relevant to the determination of planning applications in the area. The AAP forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE2 (Housing), MHE6 (Community Facilities, Shops and Services: Officers' Mess), MHE7 (Parks and Public Open Space), MHE8 (Children's Play Space), MHE9 (Protection of Green Belt and Biodiversity), MHE10 (Making the Right Connections), MHE12 (Sustainable Transport), MHE13 (Parking), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE17 (Conserving Built Heritage), MHE18 (Delivering the AAP).

Approved Design Code

The approved Design Code pursuant to Condition 4 of the outline consent (ref H/04565/11, 21st Dec 2011) also sets out the guidelines for how the site, its neighbourhoods, open spaces and key amenities could be designed and built. It informs the formulation of individual reserved matter applications related to specific phases of development. Site-wide or phase related reserved matters must be in compliance with the agreed Design Code unless satisfactorily justified and this will be assessed in detail below.

2.2 Relevant Planning History

Application Reference:	H/04017/09
Case Officer:	Jo Dowling
Proposal:	Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.
Stat Start Date	30/10/2009
Application Type	EIAO
Decision	APL
Decision Date	22/09/2011

Application Reference:	H/00642/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 2 of Millbrook Park (Mill Hill East), pursuant to outline planning permission H/04017/09 dated 22/09/2011
Stat Start Date	20/02/2012
Application Type	APD
Decision	APC
Decision Date	20/04/2012

Application Reference:	H/01101/12
Case Officer:	Jo Dowling
Proposal:	Environmental impact assessment screening opinion.
Stat Start Date	16/03/2012
Application Type	ESR
Decision	ESN
Decision Date	16/04/2012

Application Reference:	H/04338/11
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Case Officer:	Colin Leadbeatter
Proposal:	Submission of details for condition 6 (Overarching Phasing Plan) pursuant to planning permission H/04017/09 dated 22/09/11.
Stat Start Date	24/10/2011
Application Type	APD
Decision	Approve
Decision Date	15/12/2011

Application Reference:	H/04337/11
Case Officer:	Colin Leadbeatter
Proposal:	Submission of details for Condition 9 (Open Space Strategy) pursuant to planning permission H/04017/09 dated 22/09/11
Stat Start Date	24/10/2011
Application Type	APD
Decision	Approve with conditions
Decision Date	03/01/2012

Application Reference:	H/04655/11
Case Officer:	Colin Leadbeatter
Proposal:	Demolition of existing buildings within the curtilage of the Millbrook Park development (formerly Inglis Barracks) as approved under outline application reference H/04017/09 (Approved September 2011)
Stat Start Date	12/11/2011
Application Type	Prior Notification (Demolition)
Decision	PAG
Decision Date	20/12/2011

Application Reference:	H/03057/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for landscaping works to Officers' Mess Gardens (including associated infrastructure works) for Phase 2 (public open space OSI) of Mill Hill East development, pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space)
Stat Start Date	13/08/2012
Application Type	Reserved Matters

Decision	APC
Decision Date	23/10/2012

Application Reference:	H/03904/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 2 of Mill Hill East development pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 103 dwellings comprising 3 x one bed flats, 20 x two bed flats, 45 x 3 bed houses, 25 x four bed houses and 10 x five bed houses. Approval of layout and landscaping works to Phase 2 public open space (OS2), together with details to discharge the requirements of: Conditions 12 (relating to Plot L only); 57 (relating to plots within Phase 2 only); and 8,26, 27, 29, 48, 52, 70, 80, 83, 85 and 91 all in relation to Phase 2 only.
Stat Start Date	08/10/2012
Application Type	Reserved Matters
Decision	APC
Decision Date	28/03/2013

Application Reference:	H/00807/13
Case Officer:	Wing Lau
Proposal:	Environmental impact assessment screening opinion for residential development for Phase 2 of Mill Hill East development.
Stat Start Date	08/10/2012
Application Type	ESR
Decision	Screening not required
Decision Date	12/03/2013

Application Reference:	H/00668/13
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for construction of associated advanced infrastructure works and landscaping associated with Phase 3 (public open space OS4) of Mill Hill East development to create 'Panoramic Park' and advance infrastructure works in relation to Phases 3, 4a, 4b and 5, pursuant to Conditions 5 and 5b of Outline planning permission

	reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space). Ground re-profiling works to Phases 10, 11 and part of Phase 7.
Stat Start Date	12/02/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	22/04/2013

Application Reference:	H/03858/13
Case Officer:	Andrew Dillon
Proposal:	Non-material minor amendment to planning permission H/04017/09 dated 22/09/11 for "Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses". Amendments to "Schedule of Accommodation" Table A6157.1v4 (approved development schedule) to enable a better quality of design of Phase 3 of the Millbrook Park development.
Stat Start Date	28/08/2013
Application Type	S96A Non Material Amendment
Decision	Granted
Decision Date	19/09/2013

Application Reference:	H/03919/13
Case Officer:	Andrew Dillon
Proposal:	Environmental impact assessment screening opinion for residential development for Phase 3 of Mill Hill East development.
Stat Start Date	28/08/2013
Application Type	ESR
Decision	Screening not required
Decision Date	10/09/2013

Application	H/04096/13
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Reference:	
Case Officer:	Andrew Dillon
Proposal:	Installation of pedestrian access with stairs and handrail point between Partingdale Lane and Phase 3 Millbrook Park.
Stat Start Date	11/09/2013
Application Type	APF
Decision	
Decision Date	

2.3 Consultations and Views Expressed

Public Consultation

Neighbours Consulted: 509

Replies: 5

Neighbours Wishing 1

To Speak

Additional information in relation to Daylight and Sunlight along with minor changes to internal room configuration for Plot 52 was submitted by the applicant. A second 21 day period of re-consultation was carried out commencing on the 15th October. At the time of writing no further comments had been received, but should any comments be submitted they will be reported in an addendum to this committee report.

At the time of writing four letters from neighbouring residents raising the following (in summary):

- Proposed Houses will because of their elevated position, scale, position and proximity:
- Result in a loss of light to properties located in Partingdale Lane;
- Result in a loss of privacy to properties located in Partingdale Lane;
- Would be detrimental to the visual character of Partingdale Lane;
- Would be detrimental to the setting of the Grade II Listed Building at Partingdale Manor;
- Proposed pedestrian access to Partingdale Lane would encourage cars to park in Partingdale Lane to the detriment of highway safety;
- Daylight Report Submitted following submission and does not take account of existing and proposed trees on boundary with Partingdale Lane.

Officer's response:

The principle of developing 2,174 homes (plus commercial space) and the density is already established under the outline consent. The proposed houses are located over 20m from the relevant residential properties in Partingdale Lane. The applicant has submitted a daylight and sunlight report which demonstrates that the proposal would not result in any significant reduction in daylight or sunlight. Officers are satisfied that given the distance involved and having reviewed the daylight and sunlight report, that the proposal would not cause a detrimental impact on the amenities of occupiers of properties on the north side of Partingdale Lane.

Amendments have also been made to the design of Plot 52 to minimise overlooking of the garden of Mews Cottage. Any overlooking from rear windows of the proposed properties would be over a public highway, which itself forms part of the public realm and views are restricted by the mature trees which are proposed to be maintained along the Partingdale Lane. As such it is considered that the proposal would not result in any significant loss of privacy due to the distances involved.

The application properties proposed along the rear boundary with Partingdale Lane are low density two storey traditional properties with pitched roofs and it is also

proposed to retain existing trees along the rear boundary with Partingdale Lane, as such it is considered that the proposal would be in keeping with its greenbelt edge location and would not adversely affect the visual character of Partingdale Lane or be detrimental to the setting of the neighbouring listed building. The proposal accords with the design principles set out in the Mill Hill East Design Code for the wider development site.

The proposal incorporates dedicated car parking spaces within the development, it is not considered that vehicles are likely to park in Partingdale Lane due to this and the layout of the development.

Reconsultation

Properties in Partingdale Lane have been reconsulted for 21 days (15/10/2013 – 05/11/2013) following the amendments to the plan and the submission of a Daylight/Sunlight report. No additional comments have been received at the time of writing this report. Any further comments will be reported in the addendum to the committee report.

Elected Representatives.

One Letter received from Cllr Sury Khatri advising that he has no comments to make on the application.

Residents Associations and Amenity Groups.

1 Letter received from the Mill Hill Preservation Society making the following comments:

'The Society has examined this submission following various meetings with the applicant to discuss the design development of this phase of the Millbrook Park scheme. Generally we have no objections to the proposals but would make the following observation.

The Landscaping of the site – especially to IBSA House and alongside the frontage to Partingdale Lane - is most important and it is to be hoped that the developer undertakes to reinstate hedgerows and disturbed planting to the highest standard in order to reinforce the existing landscaping retained. Where possible hedgerows should be replanted with native plants.

Otherwise we feel the scheme will make a good contribution to the overall development.'

Internal /external and Other Consultations:

Highways

The Council's Highway Officer requested clarification regarding the widths of roads and entrances to courtyards, the provision of a detailed construction management

plan and lack of annotation on submitted plans regarding electrical charging points, refuse collection, motorcycle and visitor cycle parking.

The applicant has provided up dated plans showing the position for refuse collection, electrical vehicle charging points, motorcycle and visitor cycle parking spaces. An updated construction management plan has also been submitted.

The Council's Highway Officer has confirmed no objection to the amended proposal subject to the attachment of the following conditions:

Conditions

- Parking Management
- (2) Visitor Cycle Parking
- (3) Secure Cycle Parking
- (4) Electric Charging.

Environmental Health

The Council's Environmental Health Team have confirmed no objection to the proposal subject to the following conditions:

Conditions:

1. Noise Mitigation Specifications.
2. Acoustic Fencing A

Officer Comment

Appropriate Conditions are attached to accord with the comments received from Environmental Health which would satisfactorily safeguard residential amenity and avoid future conflict with IBSA house.

Trees and Landscape

No in principle objection subject to appropriate safeguarding conditions.

Transport for London

'Having reviewed the detailed submitted, TfL has no objection to the proposal.

However, in terms of cycle parking provision, the applicant shall also take into account of the proposed cycle parking standards in the draft Minor alterations to London Plan, which also require visitor cycle parking be provided at a ratio of 1 space per 40 unit.'

Officer Comments

Comments noted. Further drawings have been submitted showing position of proposed visitor cycle parking facilities for the proposed flats. The number of spaces proposed is in accordance with TFL policy.

London Fire Brigade

The Brigade is not satisfied with the proposals. Please refer to the comments below for the Brigade's comments.

Other comments:

It appears that some of the dwellings do not comply with the guidance given in Approved Document B5 – Fire Brigade Access, in as much that there should be vehicle access for a pump appliance to within 45m of all points within the dwelling house.

Response by Applicant

The applicant has provided additional drawings showing routes to which fire engineers can reach which are within 45m of all dwellinghouses.

Officer Comment

Any updated comments received from the London Fire Brigade will be reported verbally at Committee.

Metropolitan Police

'Barnet Police have no objections in principal to the development proposals.

As with other planning applications within the London Borough of Barnet, I would welcome compliance with the Association of Chief Police Officers (ACPO) 'Secured By Design' (SBD) Scheme. SBD supports the Barnet Local Plan: Development Plan Document 2.6 Security in Design and 3.9 Secured by Design (adopted September 2012).'

Officer Comments

A condition is attached requiring the development to submit details regarding how they intend to achieve secured by design accreditation.

Natural England

'Natural England has previously commented on this proposal and made comments to the authority in our letter dated 07 March 2013.

The advice provided in our previous response applies equally to this reserved matters application although we made no objection to the original proposal.

The proposed amendments to the original application relate largely to design and landscaping, and are unlikely to have significantly different impacts on the natural environment than the original proposal.

*Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.'*

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings

Site in relation to the outline consent:

This application site submitted for assessment falls within Phase 3 of the outline consent, which is in the northern part of the Mill Hill East regeneration area (also known as Millbrook Park) and covers an irregular shaped area approximately 3.06 hectares (Ha) in size. The site is bounded by Partingdale Lane to the north, IBSA House to the west and the approved Phase 2 Site to the South west (Ref: H/03904/12). The remaining areas that surround the site is the existing cleared site associated with the future Millbrook Park phases.

The site falls predominantly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height. Development within the central slopes east character zone allows a higher density of development although predominately limited to 3 storeys with some 4 storey elements.

Physical features:

The site is bounded by Partingdale Lane to the north and IBSA to the west. Partingdale Lane has a semi rural character containing a Grade II Listed property at Partingdale Manor facing the north western portion of the development and a line of cottages (Frith Manor Cottage Mews Cottage) to the north roughly in the middle of the proposed development.

IBSA House which forms the western boundary is the administrative headquarters of IBSA and the location of their publishing facility. It includes offices, a large print works and delivery yard.

To the south west of the site is the north eastern corner of the approved Phase 2 development. To the south and east of the site is the existing cleared site associated with the future Millbrook Park phases.

The site has a predominately flat topography with limited changes in level from south to north however with a steep bank dropping down between the site and Partingdale Lane. The landscape is characterised by mature trees along Partingdale Lane and the flank wall of the IBSA building.

The site is accessed in the south west of the site from Bittacy Hill through the approved Phase 2 development and via internal estate roads to the south of the development. The site has a public transport accessibility level (PTAL) of 2. Mill Hill East underground station is approximately 790m to the south of the site. The 221 and 240 bus routes run along Bittacy Hill with stops located between 320 and 340 metres from the application site

3.2 Description of Proposal

The proposal is to seek approval of matters reserved under outline planning consent ref H/04017/09 (layout, scale, appearance and landscaping) to redevelop the site for residential purposes. An Environmental Impact Assessment Screening Opinion for this phase has been submitted separately and it was considered that an Environment Statement was not required (application ref H/03919/13).

Housing:

The proposals would be for a mix of 1, 2, 3, 4 and 5 bedroom units) providing a total of 138 dwellings as follows:

- 17 x one bed flats
- 26 x two bed flats
- 47 x three bed houses
- 41 x four bed houses
- 7 x five bed houses

The proposed houses consist of five four storey apartment blocks along the western and south western corner of the plot. The rest of the development consists a mixture of short terraces, semi-detached and detached houses all of which are three storeys in height including habitable roof space, with the houses towards the higher density houses predominately located to the south of the plot and lower density houses along the northern boundary with Partingdale Lane. Internal access roads and footpaths to the properties are proposed. A number of garages, parking courts and parking barns are also proposed around the site.

Landscaping:

Parameter Plan 2 (Landscape) of the outline consent, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase.

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space to be provided across the whole Millbrook Park site. It stipulates that not less than 5.95 Hectares of open space shall be provided in the development which will consist of a target provision in a number of areas across the development site. In relation to Phase 3 it is considered that this will be in the form of pocket parks located throughout this phase providing an anticipated total of 0.35 hectares

including both phases 3 and 4. This has subsequently increased to 0.42 hectares as a result of a shortfall in an earlier phase. It is understood that open space provision is likely to vary within individual phases following the submission of subsequent reserved matters applications. Variations are permitted providing that they do not prejudice the overall target provision (5.95 hectares).

The Planning Statement submitted in support of the application advises that a total of 0.28 hectares, with the balance of 0.14 hectares provided within the future Phase 4. The open space will incorporate the retained areas of trees along Partingdale Lane and internal to the development and will incorporate 'door step' play facilities.

The application also proposes associated hard and soft landscaping works across the site. The landscape included along the Partingdale Lane frontage will include the introduction of new tree and hedgerow planting to reinforce the Green Edge.

Discharging of conditions

This application also involves the partial discharging of a number of planning conditions attached to the outline consent that require information to be submitted for each phase of the development. Those conditions that are to be approved in relation to Phase 3 are as follows:

- 5 – Reserved Matters Details

Sets out the submission requirements for submission accompanying each reserved matters application.

- 8 – Housing Mix and Location of Affordable Housing Units

This requires prior to commencement of the development details of the proposed amount and mix of relevant residential development within that Phase and the proposed Affordable Housing Scheme to be submitted and approved.

- Condition 12 – Noise Survey along Boundary with IBSA House

This requires the submission of an Acoustic Design report to be submitted to show how internal noise standards will be achieved and how the design of the properties would be designed to minimise the impact of noise from IBSA House.

- Condition 26 – Pedestrian and Vehicular Access Points

This requires details of access points, estate roads and footways to be submitted and approved.

- Condition 27 – Details of Estate Roads

This requires details of lighting, pedestrian facilities, crossing points, cycle facilities, signing, bus stops/shelters, bus standing/layover facility, bus driver facilities, highway improvements and estate road layout and gradient.

- Condition 29 – Internal Access Roads

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 48 – Design of Open Space

This requires details on the construction of any communal open space and should be in accordance with the principles and parameters contained within Parameter Plan 2, Landscape (A6157/2.1/04) and the Revised Public Realm and Open Space Strategy (MHE/OPA/5.1).

- Condition 52 – Children’s Play Space

This requires details of children’s play areas to be submitted and approved and shall be provided within 12 months of the first occupation of any dwelling located within that phase.

- Condition 57 – IBSA House Boundary Treatment and Landscape Buffer

This condition requires details of boundary treatment and landscape buffer with IBSA House to be submitted and approved.

- Condition 70 – Design to Lifetime Homes Standards & Wheelchair Standards

This condition requires all residential units to be built in accordance with Lifetime Homes Standards. Furthermore 10% of the units shall be designed to be fully wheelchair accessible.

- Condition 80 – Code for Sustainable Homes

A statement to be submitted to demonstrate measures incorporated to achieve a minimum standard of Code for Sustainable Homes Level 4 (with a minimum level of Code Level 6) by 2016.

- Condition 83 – Greywater/Rainwater Recycling Provision

This requires details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings to be submitted and approved.

- Condition 85 – Green/Brown Roofs Provision

This requires details to demonstrate the provision of Green or Brown roofs into each of the buildings to be submitted. Details shall also include a reconciliation plan or table showing how the proposed provision complies with the 10% target fixed by condition 84.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of constructing 103 residential dwellings and provision of public open space is established by the outline planning consent. Condition 5 (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The reserved matters currently under consideration are:

Scale – the height, width and length of each building proposed in relation to its surroundings.

Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

Appearance – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

Landscaping – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

Access – The internal road layout and the proposed pedestrian link to Partingdale Lane was established at outline stage. This current application shows the internal estate roads in the same location in compliance with the outline parameters for access. A separate planning application for the proposed pedestrian access to Partingdale Lane has been submitted regarding this as part of the proposed access is located outside the redline boundary (H/04096/13). Whilst, the application does not formally seek the approval for access, the internal access points, circulation and routes for pedestrians and vehicles are still considered as part of the overall scheme and for the discharge of conditions 26, 27 and 29.

The outline planning permission consists of a series of parameter plans which establish a series of parameters and principles to create a clear framework of planning control and fix the quantum of development, land uses, levels and access arrangements.

The key parameter plans of relevance to the consideration of this application are:

- **Parameter Plan 1: Access and Movement**
Establishes the main vehicular and pedestrian access points and vehicular movement hierarchy.
- **Parameter Plan 2: Landscape**
Establishes the location and extent of areas of public open space.
- **Parameter Plan 3: Land use**
Establishes the location and distribution of land uses and open spaces.
- **Parameter Plan 4: Scale**
Establishes the maximum height permissible across the whole Millbrook Park site.
- **Parameter Plan 5: Character Areas**
Establishes the extent and disposition of the strategic character areas.
- **Parameter Plan 6: Levels Strategy**
Establishes the proposed spot levels at street junctions and maximum permissible gradients along each of the streets.

In order to support the detail contained within the parameter plans the outline consent has a number of additional documents that form a 'strategic development framework' in accordance with the requirements of Policy MHE18 of the AAP. The 'framework' establishes a series of development principles that will be used to guide detailed elements and the preparation of reserved matter applications. Of relevance to the consideration of this application are the following documents:

- Design Principles Document;
- Phasing and Delivery Strategy
- Technical/Infrastructure Strategy
- Revised Public Realm and Open Space Strategy (MHE/OPA/5.1)
- Technical and Infrastructure Strategy (MHE/OPA/6)
- Revised Phasing and Delivery Strategy (MHE/OPA/10.2) which includes phasing plan ref Figure 4.1

Design Code

In addition to the above a site wide design code has been approved in the clearance of condition 4 of the outline application and forms the guide to the assessment of reserved matters applications. This reserved matters application for Phase 3 is therefore considered within the framework of established broad development principles, Parameter Plans, and a detailed design code.

The applicant has submitted a statement of compliance with this application to describe the proposed development and demonstrates general compliance with the outline planning permission. There are some small areas where the application does not strictly conform and the applicant has provided justification for any deviations. These are explained in the sections below.

Deviation from outline

Each phase within the Millbrook Park site is made up of smaller plots as identified in Parameter Plan 4 (Scale) and in the approved Development Schedule (DS) at outline stage. This schedule provides a plot by plot breakdown of the accommodation and in this instance Plots A1, A2, B, C, D, G1 and G2 falls within Phase 3.

The number and mix of units for the Phase 3 reserved matters application is as per the outline s.106 accommodation schedule. The proposed total number (138) and mix of units is as per the approved DS when plots A1, A2, B, C, D, G1 and G2 are added together. However, the application would deviate from the schedule at a plot-by-plot level as a response to detailed design work. It is the distribution of the units across Phase 3 that is different to the approved schedule. The applicant has submitted a separate s.96a application to amend the DS and is approved under ref H/03858/13.

Approved Development Schedule (Table A6157.1 v3)*

Plot	1 Bed Flat	2 Bed Flat	3 Bed House	4 Bed House	5 Bed House	Total
A1	2	4	4	1	2	13
A2	3	10	4	0	0	17
B	0	0	7	6	2	15
C	0	0	7	7	3	17
D	0	0	6	5	0	11
G1	6	6	11	11	0	34
G2	6	6	8	11	0	31
Total	17	26	47	41	7	138

Proposed amended Development Schedule for Phase 3 (Table A6157.1 v5)

Plot	1 Bed Flat	2 Bed Flat	3 Bed House	4 Bed House	5 Bed House	Total
A1	12	0	5	2	0	19
A2	5	18	0	0	0	23
B	0	0	6	7	2	15
C	0	0	0	11	4	15
D	0	0	1	8	1	10
G1	0	8	19	5	0	32
G2	0	0	16	8	0	24
Total	17	26	47	41	7	138

* Version 3 was the last version to include the site wide breakdown including Phase 3.

As seen above, it is the location of the dwelling types within Phase 3 that is changed and does not alter the number, the mix of apartment and house types or size of the units. 33 units are to be affordable dwellings (both rented and intermediate) and the rest to be private sale properties. The mix of housing on other plots outside of Phase 3 is not affected by this application. Due to the detailed design work, the larger apartment blocks on the western side of Phase 3 comprising Plots A1 and A2 have an increased number of units with corresponding reductions in other plots in particular Plot G2 to the south east of Phase 3.

One of the rationales for the DS is to ensure that units are not squeezed into certain plots as the scale of the building are already set under Parameter Plan 4. Any deviation from the DS would be acceptable provided all other matters such as the size, scale and layout of the development would not cause adverse harm and the standard of accommodation for residents are not compromised. As discussed below

in this report, when all the other detailed matters are considered the departure from the DS is acceptable.

4.2 Amount of Development

Housing

The amount and mix of development for 138 dwellings in Phase 3 is in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. 33 units are to be affordable dwellings (both rented and intermediate) and the rest to be private sale properties. Condition 8 (Housing Mix and Location of Affordable Housing Units) of the outline consent requires the submission of details of affordable housing, and the proposed submission is considered to accord with this requirement.

Public Open Space

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space for Phases 3 and 4 to be: Northern Pocket Parks 0.35 hectares. As a result of a shortfall from an earlier phase, this has increased to 0.42 hectares. The Planning Statement submitted in support of the application advises that a total of 0.28 hectares, with the balance of 0.14 hectares provided within the future Phase 4. The proposal is therefore considered in accordance with Condition 15.

4.3 Scale

Parameter Plan 4 (Scale) indicates a 3 storey maximum permissible height for the majority of the phase 3 area with the exception to the south western portion of the Phase concerning the majority of Plot A2 which can rise to 4 storeys. The proposed houses are all of traditional design with pitched roofs measuring 3 storeys in height. The two apartment blocks located within Plot A1 facing IBSA house are 4 storeys, with the other apartment block behind these blocks to the east is reduced to three storeys in common with the rest of the development. The ridge heights throughout Phase 3 are also within the maximum heights as set out in the parameter plan. The proposal also predominately falls within the required width and length parameters (minimum and maximum) stipulated within Parameter Plan 4 with the exception of the proposed building located to the south of Plot A2 which extends beyond the maximum parameters measuring 41m in length as opposed to 25m in the Design Code. This is a result of detailed design discussions between the Council and the applicant to ensure the satisfactory appearance of the development in particular the role of the relevant building in A2 in marking the transition into the new development and as such is considered an appropriate and acceptable minor alteration.

As highlighted above, Millbrook Park outline planning consent is split into 4 character areas (as shown on Parameter Plan 5) as follows:

Green Belt Edge – low density houses, green character

Central Slopes - medium density, mix of houses and apartments up to 4 storeys in height

Southern Hub – highest density, predominantly apartments up to 6 storeys in height.

Mixed Use/retail/community – mixed uses around public square and new primary school.

The approved Design Code for the scheme further splits the Central Slopes Character Zone into East (CZE) and West (CZW) character zones.

The site falls predominantly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height of a 'garden housing layout' comprising of smaller blocks composed of detached, semi-detached and terraced houses and the occasional small apartment buildings. Development within the central slopes east character zone can accommodate a mixture of 'garden housing' and higher density 'garden court' style housing involving medium density development providing a block perimeter layout including the use of communal parking courts.

The design and layout of the scheme predominately follows the above parameters with lower density suburban houses to the rear along Partingdale Lane and higher density garden court layout housing with lines of short terraces forming blocks along the southern edge of the site.

The existing vegetated bank and mature trees partially screen the proposed houses, from Partingdale Lane to the north.. The existing houses on the opposite side of Partingdale Lane include a short terrace and pair of semi detached properties at Frith Manor Cottage a detached cottage (Mews Cottage) and a Grade II Listed detached property further to the west (Partingdale Manor). The proposed houses facing these properties are three storeys in height consisting of detached and semi detached properties which are considered broadly in keeping with the character of these properties and surrounding area.

Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established, with the development as a whole providing 138 dwellings at 45.1 dwellings per hectare (dph) with the portion of the development within the CSE character zone providing 79 dwellings at 59.8 dph and the portion located within the GBE character zone providing 59 dwellings at 34.3 dph.

Phase 2 has a Public Transport Accessibility Level (PTAL) of 2 and is considered suburban in character. The London Plan recommends a density range of 150-250 Habitable rooms per hectare for sites with a PTAL between 2-3. At 203 habitable rooms per hectare the proposal would accord with the upper end of acceptable density levels established by London Plan Policy.

4.4 Layout

Policies CS5 and DM01 require development to be of a high quality design and should ensure attractive, safe and vibrant streets which provide visual interest. Proposal should also create safe and secure environments, reduce opportunities for crime and minimise fear of crime. The proposals demonstrate an internal road and building layout in broad accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan 1.

The primary distributor roads are named secondary general which runs along the southern perimeter of the phase and northern street which provides access to the rear portions of the site and also links through to future phases 4a and 5. Other small branch roads form short cul de sacs with no through access. These roads link through to the access through the earlier Phase 2 scheme to Bittacy Hill to the West and through other future internal distributor roads to the south of the site.

The proposed layout is broadly in compliance with the parameter plans and the Illustrative Masterplan while there are minor difference in the layout this is inevitable as a result of design progression through the process of drawing up and submitting reserved matters applications for the individual phases.

Site Boundaries

Within Phase 3 there are two key primary site boundaries , the first being the relationship with Partingdale Lane to the North and the second towards IBSA house to the west.

The relationship with Partingdale Lane is considered to be of paramount importance to the overall acceptability of the scheme, marking the transition from the development to the rural green belt edge to the north. The proposed houses along the northern boundary are predominately low density detached properties set back from the edge of the site. The properties are designed to either face onto Partingdale Lane or to provide active return frontages except where necessary to preserve residential amenity. Existing trees and other landscaping is proposed to be retained and augmented where necessary with additional low level planting and new black powdered coated railings measuring a maximum of 1.3m in height, this would replace an existing 2m chain and razor wire fence and is considered to represent a visual improvement.

In relation to the IBSA boundary, this is currently separated by a 2m high chain and razor wire fence, with sporadic planting. It is proposed to replaces this with a 2.5m high timber acoustic fence along with additional tree and hedgerow planting adjacent to the new car parking area. This would improve the visual amenities of the area over and above the existing situation.

Parking

A number of parking courts are proposed across the site and are well overlooked. The roads within the development are designed to accommodate a variety of vehicles including refuse and emergency vehicles with turning circles provided at the heads of proposed cul-de sacs.. On the primary roads separate pedestrian footpaths are provided, while the short cul de sacs and entrance to shared parking courts are shared surfaces, which conforms to the Design Code. The approach to vehicular parking differs throughout the development, with those houses fronting the 'secondary general' road to the south having front drives accessed directly from the road, with houses from the middle to the rear of the site generally having parking in the form of central parking courts including garages and car barns. Parking for the apartment blocks is in the form of communal car parking courts also contain separate secure cycle storage facilities. The allocated parking courts are gated and

located behind houses have been designed to allow direct access into the rear gardens to reduce the walking distance and is an acceptable solution. All car parking areas are overlooked in accordance with secured by design principles.

The level of parking is discussed in the highways section of this report.

Access

The Design Code has been approved to enable the delivery of a permeable and legible new neighbourhood. The approved parameter plan includes new roads and the provision of a pedestrian crossing between the application site and Partingdale Lane. This is located partly outside of the red line boundary and as such is subject to a separate application ref H/04096/13. The proposal would provide for access from Partingdale lane through the proposed Community Square into the wider development.

The proposed layout follows the proposed layout indicated on the approved parameter drawings. And is considered to provide for a legible and permeable development. The scheme also provides a pedestrian footpath running along the northern boundary of the site between the rear gardens of the proposed houses and further increasing the accessibility of the site.

Open space

The approved 'Revised Public Realm and Open Space Strategy' and the Design Code establishes the design principles for the landscape works.

The proposal incorporates 0.28 hectares throughout the phase in the form of a proposed 'community square' and 'pocket parks'

The proposed 'community square' extends from the northern street facing the proposed affordable houses to the west and private housing to the east. The design and access statement submitted in support of the proposal advises that this area will act as a transition zone between the more urban character of the Central Slopes East area and the less formal Green Belt edge with Partingdale Lane. The area will be predominately hard surfaced containing residents and visitor car parking spaces and informal play space with soft landscaping in the form of formal box hedgerows and trees. A planted archway will provide access to a more secluded portion of the space to the north incorporating benches and additional planting.

The proposed pocket parks are located throughout the phase although principally around retained trees along the northern street and the rear boundary with Partingdale Lane. The spaces will include soft bulb planting, benches and door step play elements such as boulders.

Crime

The proposed layout predominately follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages. The Metropolitan Police have not raised any objections to the

scheme subject to the scheme achieving Secured by Design accreditation. A suitable condition to this effect is recommended.

Levels

In contrast with the wider Millbrook Park site, Phase 3 is relatively level with minor areas of terracing associated with the previous terraced layout of the barracks buildings and with localised level changes around mature trees and along the site boundaries with IBSA house and Partingdale Lane. The application has sought to maintain existing levels where possible while also proposing safe level access to dwellings in accordance with the Equality Act 2010 with all dwellings achieving lifetime house standards. The proposal is also in accordance with the approved levels parameter plan and the Design Code and is therefore considered acceptable.

Deviation from Development Schedule

As previously mentioned the overall number and mix of units across Phase 3 is in accordance with the DS. However, the distribution of the units across the phase deviates on a plot by plot level, with the larger apartment blocks on the western side of Phase 3 comprising Plots A1 and A2 have an increased number of units with corresponding reductions in other plots in particular Plot G2 to the south east of Phase 3. Given the layout is considered acceptable in terms of density, overlooking and scale there are no objections to the deviation and the deviation is not considered to cause any adverse harm in terms of character or other assessments.

4.5 Appearance

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

As discussed, Phase 3 is within located within both the GBE and CSE character zones and as such it is necessary for the scheme to provide for a subtle transition between the more dense form of the 'Garden Court' housing in the southern part of the development and the lower density 'Garden Housing' on the northern part of the site.

The development consists of 6 separate development parcels separated by estate roads incorporating 3 differing block typologies, Garden Housing, Garden Court and Internal Street. The apartment buildings facing IBSA house can also be considered to form a fourth type.

Apartment Blocks fronting IBSA House

The illustrative masterplan indicates a line of small blocks with gaps terminating in an L Shaped block to the south and interfacing with a line of houses to the north fronting Partingdale Lane. The approved parameter plans limit the majority of this to three storeys in height with the exception of a portion to the south which is identified as four storeys. Maximum eaves and ridge lines are also set out.

The reserved matters application keeps the general form of the outline approval encompassing four blocks, with the southern two blocks measuring four storeys in height with predominately hipped roofs with inserted chimney breasts and projecting balconies and bays.

A central car park splits the two southern apartment blocks extending to the IBSA house boundary. The rest of the rear of these blocks is taken up with soft landscaping wrapping around the L Shaped form of the block to the south and extending rearwards in relation to the block to the north.

As previously mentioned the block at the southern end of the development has been extended beyond the maximum parameters measuring 41m in length as opposed to 25m in the Design Code. This is a result of detailed design discussions between the Council and the applicant to ensure the satisfactory appearance of the development in particular the role of the relevant building in A2 in marking the transition into the new development and as such is considered an appropriate and acceptable minor alteration.

In relation to the central portion of the IBSA house boundary two small apartment blocks are proposed measuring 3 storeys in height with inset Lucarn Balconies and flat roof porches and gabled roof forms. The design of these properties is a lot simpler in appearance than the blocks to the south although of similar traditional form.

Garden Court Housing

Two permitted Garden Court Blocks are proposed on the southern portion of Phase 3 from the northern street down to the secondary general street interspaced with a connecting community street. Along the southern boundary the scheme extends from a three storey apartment block facing the IBSA house blocks with projecting balconies overhanging roofs and high hipped roof interspersed with chimney breasts to a line of 3 and 4 house terraces with projecting gable features at either end and inset gable dormers to the front and rooflights to the rear. This development is then split by the connecting community street followed by two short terraces of 4 properties and a terrace of 3 in the middle. Again the development is framed by projecting gables at either end and inset dormers and rooflights. A line of parallel car parking spaces are proposed in front of the houses along this road interspersed with landscaping.

The design of the houses to the north, while following a similar pattern of short terraces along with a single detached house on the north eastern corner, differ significantly in design and appearance with larger gaps due to the proposed entrances to the parking courts and the provision of various differing house types and design incorporating areas of crown roof as well as projecting gables and inset balconies. Along with traditional features such as chimney breasts. Car parking for these properties is provided in either in the form of attached garages or in the central car parking courts.

Overall the design of the Garden Court Housing is considered to represent an appropriate standard of design in keeping with the character and appearance of its

location within the Central Zone East character area. The housing is of a traditional albeit medium density design providing a transition to the Green Belt Edge character zone to the north. The housing contains architectural features which maintain visual interest and help to break up the façade of the frontage maintain gaps which provide views through from the north. The areas of crown roof would not be visible from ground level and are considered acceptable due to the need to maintain ridgelines within the parameters of the outline consent.

Green Belt Edge

The blocks on the northern portions of the site follow a similar perimeter block layout to the garden housing blocks to the south. The properties proposed are generally of larger 4 or 5 bedroom houses predominately semi detached with short terraces to the east and the west and predominately detached towards the rear fronting Partingdale Lane. Similar to the rest of the development the design of the buildings is of a traditional type with heavy use of projecting gable elements and inset dormers along with areas of crown roof and traditional features such as chimneys. The individual design changes from house to house reflecting the lower density nature of this portion of the development. Design features are also introduced to break up the frontages to provide for a lower density feel, i.e. through the use of staggered building lines and landscaped frontages and interspersed pocked parks.

The design and appearance of the properties within this character area accord with the general principles of the design code which specifies lower density 'garden housing' layout along the northern sections. The traditional design of the properties is considered in keeping with the character and appearance of its environs including the interspersed semi rural frontage on Partingdale Lane.

Internal Streets

The Design Code defines an internal street type as a means by which a larger block can be subdivided to form smaller blocks i.e. the interface sections between blocks along the proposed community streets.

There are several sections which this occur with short terraces of up to 3 houses proposed in the centre of the proposed blocks backing onto the proposed car parking courts to the rear. The design of the relevant properties is similar to surrounding built forms although with simpler roof forms lacking projecting gables and in the case of the interface blocks in the southern sections incorporating half hipped elements to limit the resultant mass. The blocks facing the internal streets are also set back from the frontages to a varying degrees allowing for landscaping, planting and the provision of entrance paths.

The design of these sections is considered to provide an appropriate transition between the properties at either end. The properties are of satisfactory design maintaining an appropriate degree of visual separation while also providing increased security in enabling development to be enclosed and overlooked on all sides. The design also accords with the principles outlined in the Design Code.

Garages and parking barns

The proposed parking courts contain a mixture of garages and car parking barns. The garages are timber faced with timber doors and clay tile roofs to match the surrounding buildings, while the parking barns are similarly constructed out of timber with clay roofs. In addition to this covered cycle and refuse stores are provided for the apartment blocks to the west of a similar design. The design of these structures is similar to those approved in the earlier Phase 2 approval. The structures are single storey only and will therefore be of limited visual prominence while also maintaining a traditional appearance and is considered acceptable.

Conclusion for External Appearance

Overall, the traditional fenestration patterns, scale brick detailing, chimney stacks and materials are also considered acceptable in principle and it is considered that the traditional architectural approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

Materials

The Design Code stipulates that a warm red brick GBE character area while either warm red or buff coloured bricks may be used in the CSE character area. The Design code also specifies that the material palette along the Partingdale Lane frontage should include clay plain tile or natural slate roofs, high performance timber windows and black coated aluminium rainwater goods.

The scheme proposes four different material patterns for the development.

1. North western apartment blocks facing IBSA House

The materials proposed in this phase are Weinerberger Nutcombe Multi Brick and Marley Hawkins Staffordshire Blue Clay Tiles, moulded stone chimneys, stone surrounds to windows and overhanging verges with overhanging eaves with exposed ends to rafters.

2. Northern Boundary with Partingdale Lane

Weinerberger Mardale Antique Brick, Marley Ashdowne Aylesham Mix Clay Tile, brick detailing and clay pots to chimneys, soldier course below clay tile to window surrounds and clipped brick verge with overhanging eaves with exposed ends to rafters.

3. Southern boundary extending through to north east boundary

Weinerberger Olde Henfield Multi, Marley Acme Double camber smooth, brick detailing and clay pots to chimneys, soldier course below clay tile to window surrounds and overhanging verges with overhanging eaves with exposed ends to rafters.

4. South western apartment buildings and proposed houses in central and north eastern portions of the site.

Weinerberger Chartham Multi Brick –Marley Acme Double Camber Dark Brindle Tiles, brick detailing and clay pots to chimneys, soldier course below clay tile to window surrounds and some stone surrounds and clipped brick verge overhanging eaves with exposed ends to rafters.

Throughout all phases black powder coated aluminium rainwater goods, hardwood doors, white painted timber windows, grey membranes to crown roofs and cedar cladding to bin, bike stores and car ports.

The proposed materials are considered broadly acceptable according with the principles of the design code. Conditions are attached requiring physical samples to be provided prior to the commencement of the development.

4.6 Landscaping

The ‘Revised Public Realm and Open Space Strategy’ approved at outline stage sets out the principles for a landscape and open space strategy for Millbrook Park and provides detailed design guidance for reserved matters applications. The approved Design Code adds another layer of detail and requires a number of landscaping features in Phase 3.

Partingdale Lane frontage

The Design Code advises that the existing boundary vegetation should be reinforced to maintain and strengthen the positive vegetated edge and that additional boundary treatment such as metal railings should be installed ensuring no disturbance to trees and hedgerows.

The proposal advises that an existing 2m high chainlink/ razor wire fence will be removed and replaced with a 1.3m high black railing to new footpath. Additional infill planting involving native trees (native hornbeam, whitebeam, birch, beech and scots pine and thorny plants (including holly, hawthorn, blackthorn and buckthorn). This is considered to accord with the principles outlined in the Design Code and is considered acceptable.

IBSA House boundary

The Design Code specifies an appropriate visually attractive fencing, existing trees to be retained and wherever possible a new hedge and tree planting to provide a landscape buffer along the IBSA boundary.

The IBSA boundary is currently defined by a steel post and wire mesh fence with razor wire (2.5m high) in front of a low vegetated bank and timber close boarded fence. The application proposal is for the erection of a 2.5m high Acoustic fence with additional landscape buffer strip along the entire length of the shared boundary. Proposed trees will include a mix of evergreen, semi evergreen and deciduous semi mature stock. Native hedgerows and climbers will also be introduced to base of acoustic fence.

It is considered that the landscaping proposals would help to screen the acoustic fence and provide a visually attractive boundary between the print works and the residential site and would represent a significant visual improvement over the current situation.

Green Spaces

As discussed above, Condition 15 (Level of Open Space) of the outline consent set out the level/target of open space for Phase 3. Parameter Plan 2, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase.

The proposal incorporates 0.28 hectares throughout the phase in the form of a proposed 'community square' and 'pocket parks'

The proposed 'community square' extends from the northern street facing the proposed affordable houses to the west and private housing to the east. The design and access statement submitted in support of the proposal advises that this area will act as a transition zone between the more urban character of the Central Slopes East area and the less formal Green Belt edge with Partingdale Lane. The area will be predominately hard surfaced containing residents and visitor car parking spaces and informal play space with soft landscaping in the form of formal box hedgerows and trees. A planted archway will provide access to a more secluded portion of the space to the north incorporating benches and additional planting.

The proposed pocket parks are located throughout the phase although principally around retained trees along the northern street and the rear boundary with Partingdale Lane. The spaces will include soft bulb planting, benches and door step play elements such as boulders. A new footpath is also proposed along the rear cartilage of the properties fronting Partingdale Lane.

Play space

Play provision in the form of toddler's 'doorstep play' is proposed in the Community Square and throughout the Pocket Parks in accordance with the Design Code and the Open Space Strategy. Timber play and natural elements such as balance beams, hopscotch and boulders suitable for young children are proposed.

No formal neighbourhood play provision is proposed as a part of Phase 3 due to its close proximity to a Local Area of Play in the Panoramic Park within the Millbrook Park Masterplan. The details submitted satisfy Conditions 48 (Design of Open Space) and 52 (Children's Play Space).

Trees

This contains a large number of existing trees that have been identified to be retained to maintain the 'green edges' to the site. Most of the trees that are to be felled in Phase 3 have already been approved at previous stages. Parameter Plan 2 at outline stage had indicated the trees that are to be lost, followed by the approval

of Condition 53 (Protective Fencing Around Trees). A further Application for the demolition of existing buildings (Ref: H/04655/11) was granted in December 2011 which included details of tree retention, felling and protection measures.

In addition to trees which were earmarked for removal, seven trees were earmarked for refusal subject to the submission of the Reserved Matters Application depending on the final position of the proposed dwellings and other infrastructure. The current application proposes the loss of two of these trees. These consist of:

- 1 x Condition C2 Italian Alder (T244)
- 1 x Condition B/C Common Ash (T247)

In addition due to the afore mentioned trees, the following trees are also proposed for removal. These are

- 1 x Condition B/C Sycamore (T276)
- 2 x Condition C Cherry Trees (Unspecified Saplings located within Group 611)

To compensate for the loss of these trees and to enhance the landscaping of the site the application proposes the planting of 120 trees, along the northern boundary with Partingdale Lane, the IBSA Boundary and throughout the development.

Protection of existing trees

The applicant has submitted an Arboricultural Method Statement and accompanying plans to indicate the protection measures for the retained trees. The RPA encroachments to retained trees are mainly attributable to proposed roads, car parking and other hardstanding and it is proposed to require a no-dig/low-dig construction method and permeable paving surface in these areas. The Council's Tree Officer has examined the submitted details and has concerns that the proposal could potentially result in damage to proposed trees and/ or future pressure to fell or lop.

It is noted that the broad position of the proposed houses has already been established in the Outline Consent and the trees in question are not subject to any statutory protection, although they provide substantial group amenity value and screening to the boundaries of the site. It is therefore recommended that appropriate conditions are attached requiring the submission of a foundation method statement, the supervision of relevant works by a qualified arboriculturalist and details of hard and soft landscaping including the requirement for replacement planting in the event of future loss.

Maintenance

Areas of public open space, estate roads and parking court areas are to be transferred to the Millbrook Park Residents Management Company (RMC1) for ongoing maintenance, in accordance with the approved Estate Management Framework approved pursuant to Condition 10 of the outline consent (ref H/01219/12). The submitted Landscape Management Plan provides specifications for replacement planting and identifies site specific management requirements for

establishment period (years 1-5) and management beyond this period should be reviewed.

Hard areas

A simple, robust palette of materials is provided in accordance with the requirements of the Design Code and the contrast for different street types and areas help to distinguish between the private and public realm. The materials have also been chosen to respond to the proposed sustainable drainage strategy (SUDs). Street furniture such as benches, litter bins and lighting will be timber and steel in accordance with the Design Code materials matrix.

Street lighting locations have been provided, including details of proposed lanterns and lux lines. A condition was also attached to the previous Advanced Infrastructure Reserved Matters Application for this Phase (H/00668/13) requiring the applicant to submit additional details prior to the occupation of the units demonstrating that the proposed street lanterns would not adversely affect the amenities of future occupiers.

Conclusion for Landscaping

The landscaping approach is considered to be in accordance with design principles set in the Design Code and parameter plans. It will achieve a verdant Bittacy Hill frontage and will frame and complement the architectural approach whilst increasing the overall biodiversity of the site's environment. It complies with Policies CS5 and DM16.

4.7 Amenities of Future Occupants

Dwelling outlook and daylighting

Development plan policy requires that new dwellings are provided with adequate outlook. The layout proposed for Phase 3 maximizes the outlook of occupiers of the new dwellings, with all houses being located on a north south or east west axis. All of the proposed apartment buildings are also dual aspect and it is considered that all units will receive adequate levels of daylight and sunlight.

Privacy

Across the majority of the site privacy distances are considered to be in keeping with policy requirements with rear to rear distances measuring between 30-38m. Front to front distances are lower around 12m, although anticipated levels over a public space are correspondingly lower than at the rear and accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas. Several of the units, including 12 flats, 39 four bed units and 2 five bed units contain projecting balconies. The submitted details show the provision of a 1.8m opaque screen to the sides of the proposed balconies which would be sufficient to ensure that the proposal would not adversely affect the privacy of future occupiers.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The Mayor's Housing SPG November 2012 includes a wider ranging Minimum Floorspace Table based upon the same standards.

All of the units proposed would have a gross internal floor area which exceeded the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Amenity space

The approved Design Code require the provision of 10 sq.m of amenity space for a 1 bed flat, 15 sq.m for a 2 bed flat, 40-55 sq.m for a 3 bed house, 55-85 sq.m for a 4 bed house and 85 sq.m for a 5 bed house.

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens with the majority of the larger houses also having balconies. In relation to the proposed flats, 12 of these have individual balconies while all flats will have access to shared external amenity areas. All of the proposed units meet or exceed the minimum standards outlined in the Design code.

and a large number of these also have access to either a balcony or a terrace to meet the minimum area requirements specified in the Council's Draft Sustainable Construction and Development SPD. The majority far exceed the required areas.

The draft SPD specifies a 5sqm of space per habitable room for flatted developments. The flats in Phase 2 have between 2 to 3 habitable rooms each and therefore equals to a minimum of 10sqm (for one bed flat) and 15sqm (for two bed flat). Each flat has a minimum of 5sqm of private balcony or terrace space and private communal amenity space is available around the apartment blocks. The total communal space for each block meets the minimum cumulative amenity space. The dwellings would be within 100m radius of the Officers' Mess Gardens as well as the pockets of public open space within this phase and is considered acceptable.

Where balconies are proposed, privacy screens are provided between each house and thus prevent overlooking.

It is considered that alternative amenity spaces would be available to any future occupants of this private sale property and the proposal is acceptable on grounds of private amenity space provision.

4.8 Impacts on amenities of neighbouring and surrounding occupiers and users

Properties on Partingdale Lane

Partingdale Lane is semi rural in character forming part of the Metropolitan Green Belt. Partingdale Lane contains a line of cottages (Frith Manor Cottages) which face onto Partingdale Lane, another cottage (Mews Cottage) which contains no windows facing towards the development, although it has a rear garden to the side fronting

Partingdale Lane and Partingdale Manor a Grade II listed building located further to the west which has a projecting 2 storey front wing fronting Partingdale Lane.

The majority of the proposed development, (would result in no material impact upon properties in Partingdale Lane. The relationship of the plots closest to the relevant properties in Partingdale Lane are discussed below.

As a result of objections received the applicant has submitted a daylight and sunlight report assessing the impact of the proposal on daylight and sunlight. The report is based upon the BRE (Building Research Establishment) document entitled 'Site Layout Planning for Daylight and Sunlight A Guide for Good Practice)' advises that providing a new development would retain a VSC (Vertical Sky Component) score of greater than 27 or if the level of reduction is less than 20% than a development is normally considered acceptable and would not result in a significant reduction of daylight. In relation to sunlight a survey is only required in the case of windows located within 90 degrees of due south. In such cases windows should as a result of a development still receive 25% of annual probable sunlight hours (APSH) including at least 5% of APSH between 21st September and the 21st March or the level of reduction should not exceed 25%

Partingdale Manor

The three storey, four bedroom house located at Plot 42 is located sideways onto Partingdale Lane directly facing the projecting two storey wing of Partingdale Manor at a distance of 17m. In addition to this a pair of semi detached houses are located further to the west (Plots 36 and 37) and another property (Plot 50) is located further to the east.

The submitted report advises that of the 6 windows facing towards the development all of these windows would either retain a VSC of greater than 27 or the level of reduction would be less than 20%. In relation to sunlight all windows would received more than 25% of APSH and more than 5% during winter months. As such it is not considered that the proposal would result in any significant loss of daylight or sunlight to Partingdale Manor.

In relation to the comments received regarding the daylight and sunlight study not taking account of existing trees or proposed planting, advice from the BRE booklet is normally to discount trees as the impact of trees on daylight is likely to change throughout the year. Notwithstanding this, the proposed planting is predominately on ground level and as such should not significantly impact upon levels of daylight. Taking the large existing tree located outside of the application boundary into account could potential reduce the VSC calculation but would be likely to have a negative affect in calculating whether a reduction in daylight is greater than 20% and as such is not considered to warrant the refusal of the application.

In relation to privacy, Plot 42 is located sideways onto Partingdale Lane, with two ground floor windows and 1 first floor windows facing towards Partingdale Lane. The proposed ground floor windows which while located at higher level would only afford limited views through the existing pathway and landscaping and as such would not result in any significant loss of privacy. The proposed first floor window provides

additional outlook to a bedroom which is also serviced by an additional window to the west. The window is limited in size abutting a chimney breast and view is also further restricted by a large mature tree located partly outside of the application site in a direct line of sight between the properties. Given this it is not considered that the development at Plot 42 would result in any significant loss of privacy to Partingdale Manor.

The properties at Plots 36 and 37 and Plot 50 are not located in a direct line of site, while the properties at 36 and 37 front onto Partingdale Lane and will allow a degree of overlooking of a portion of the side curtilage of Partingdale Manor, given the large size of this curtilage with significant garden areas to the north and the east, it is not considered that this would warrant the refusal of the application particularly given that any overlooking would occur over a public road.

Mews Cottage

This property does not contain any windows facing towards the development with all windows facing either towards the west or the north. Due to this layout the proposal would not result in any significant loss of daylight or sunlight to habitable room windows.

In relation to privacy, the applicant has amended the layout of Plot 52 to reduce the potential of overlooking of the side/ rear garden of Mews Cottage. The amended design proposes an ensuite window at second floor level in lieu of a bedroom window. Projected 3d images provided by the applicant indicate that views into the garden from proposed ground or first floor windows would be limited due to the existing boundary treatment. The proposed alteration of the second floor window to an en-suite which would be fitted with obscure glazing would prevent overlooking of this garden. Plot 52 also has a first floor balcony located to the side, however this is set back from the rear of the property and as a result will not result in any significant loss of privacy.

Frith Manor Cottages

The properties located at 1-6 Frith Manor Cottages consists of a short terrace of 4 properties (No's 1-4) and a pair of semi detached houses (5-6). All of the properties are two storeys in height with habitable room windows fronting Partingdale Lane. The Daylight and Sunlight Report submitted by the applicant demonstrates that the proposal would not result in a reduction of the VSC below 27. In relation to sunlight all windows would received more than 25% of APSH and more than 5% during winter months. Given this it is not considered that the proposal would result in any significant loss of daylight or sunlight to the Frith Manor Cottages.

In relation to privacy, one of the proposed plots (Plot 62) is in a direct line of site with plots 52 and 63 having an oblique relationship. Plot 62 is located sideways onto Partingdale Lane containing only one first floor side facing window serving a landing which would not significantly affect privacy. In addition to this the property contains a rear balcony which would also afford some views although given that any overlooking would be limited by existing mature trees over a public highway it is not

considered that this would significantly affect privacy to properties at Frith Manor Cottages.

Phase 2 Development

The development adjoins the Phase 2 development to the south west, with the apartment building serving Plots 1-12 adjoining Plot L in Phase 2. The proposed building is slightly angled away from this building and the proposal does not result in any significant loss of privacy to the adjoining building. Adequate daylight and sunlight is also available to the south and east and it is not considered that the proposal would have any significant impact upon the amenities of occupiers of this phase.

Future Phases

The periphery of the site is delineated by the internal estate roads including the secondary General, northern street and community streets which will also serve future phases. Due to this layout proposed dwellings will either face front or sideways onto future phases and as such it is considered that the proposal would not significantly affect the amenities of dwellings contained within future phases or be unduly impacted upon by future development.

Noise disturbance from IBSA House

The western boundary of the site adjoins the boundary with IBSA House which consists of offices, a large print works and delivery yard. The print works has the benefit of an unrestricted planning consent and as a result the press can operate on a 24 hour basis.

As explained in the previous sections, two conditions (No. 12 and 57) were imposed on the outline consent with the objective of protecting the amenities of future residents and ensure the continued use of IBSA House. These conditions have been partly discharged in so far as they relate to the Phase 2 development which is located to the south of IBSA house but have not yet been discharged in relation to Phase 3.

Condition 12

Condition 12 reads: *"No development except infrastructure works in relation to Phase 1 shall commence unless and until an Acoustic Design Report has been submitted to and approved in writing by the Local Planning Authority. The Acoustic Design Report shall include, in relation to plots A1, A2 and L details of how internal noise standards with reference to BS8233 both internal for noise sensitive rooms (day and night) and external gardens (daytime). The internal and external layouts of the properties shall be designed to minimise the impact of noise from IBSA House. The relevant parts of the PPG24 assessment also to be taken into account.*

The measures required by the report shall be provided prior to the occupation of the relevant phase and thereafter be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of future residents and ensure the continued use of IBSA House in accordance with Policy ENV13 of the Barnet Unitary Development Plan Saved Policies (May 2009)."

The approved noise mitigation measures for the houses of Phase 2 were informed by a design and noise report by Halcrow (2011), limited the number of habitable room windows facing towards IBSA house and provided for all retained windows to be fitted with acoustic glazing and Acoustic Trickle Ventilation. In addition to this a 2.5m high acoustic fence was also erected along the entire northern boundary.

The current application for Phase 3 provides for a similar design approach with the 2.5m high acoustic fence being extended along the entire western boundary of the site. A landscaped buffer is also proposed and a line of car parking and an access road is proposed along a large portion of the boundary of the site with IBSA House, resulting in a degree of visual separation although several of the apartment blocks and one of the houses do back onto the IBSA house boundary. All properties with habitable rooms backing onto IBSA house would be provided with appropriate glazing incorporating acoustic trickle ventilation.

The Environmental Health Team was originally concerned that noise measurements had not taken account of all sources of noise including a plant located close to the north east boundary of the site and that outdoor noise levels may exceed acceptable levels. The applicant has confirmed that the submitted noise survey has taken account of this plant and that the proposed mitigation measures would satisfactorily ensure adequate living conditions. The Environmental Health Team has accepted this subject to the attachment of appropriate conditions. It is also considered that Condition 12 can be fully discharged.

Landscape buffer Condition 57

Condition 57 of the outline consent reads: *"No development within Blocks A1, A2 and L of the scheme as shown on Parameter Plan 4 (Scale) or within 50m of the boundary of IBSA House shall begin unless and until details of the proposed boundary treatment and landscape buffer with IBSA House have been submitted to and approved in writing by the Local Planning Authority.*

The approved boundary treatment shall be provided in accordance with the approved details prior to the occupation of any of the units in the relevant phase and thereafter maintained for the life of the development.

Reason:

To protect the amenities of future residents and to ensure the continued use of IBSA House in accordance with policy ENV13 of the Barnet Unitary Development Plan Saved Policies (May 2009) and policy MHE6 of the adopted AAP".

This condition in part overlaps with Condition 12, but is specifically about boundary treatment and a landscape buffer. The reason for this condition is the same as 12, which is to protect the amenities of future residents and ensure the continued use of IBSA House. The details concerning Block L has already been approved under the Phase 2 consent and as such this condition can be fully discharged.

The Phase 3 application provides for the planting of approximately 40 trees along the IBSA boundary involving a mix of evergreen, semi evergreen and deciduous semi mature stock. Native hedgerows and climbers will also be introduced to base of acoustic fence. The Council's Environmental Health Team has previously advised that landscaping has a limited role to play in preventing noise transmission. The main purpose therefore of the proposed landscaping is to visually screen IBSA house and the proposed Acoustic Fence. The level of landscaping and planting proposed is considered acceptable and it is considered that this condition can be satisfactorily discharged.

4.9 Transport, parking and highways matters:

Access

The access points have already been established and the internal estate roads (the 'Secondary General and 'Northern Street') have been laid out in accordance with the Illustrative Masterplan. The use of the permeable block paving for parking courts and shared surfaces and dressed aggregate for footways are in compliance with the Design Code. The 'movement hierarchy' anticipated in the Design Code will be achieved.

Pedestrian Facilities

Access and movements for pedestrians were established as part of the outline application. The proposal incorporates a pedestrian footpath along the northern boundary with Partingdale Lane, separate footpaths along the main distributor roads and 'Pedestrian favoured streets' shared surfaces within the community streets in accordance with within the Design Code.

Pedestrian permeability with the surrounding area would be strengthened by the proposed pedestrian link with Partingdale Lane to the north. Details to discharge Conditions 26 (Pedestrian and Vehicular Access Points), Condition 27 (Details of Estate Roads) and Condition 29 (Internal Access Roads) are satisfactory. Condition 29 requires the internal access roads to be constructed and in place before any dwelling is occupied.

Parking

Condition 23 of the outline consent limits the number of residential parking spaces to 2,522 (plus limited visitor parking) across the whole site. The scheme provides 210 allocated parking spaces with 11 visitor spaces. The visitor parking is based on provision of 1 per 10 units for the one bed units and 1 per 5 units for the two bed units. No specific visitor parking is included for the proposed houses. 10% of spaces will be to Wheelchair Standard.

Parking Standards set out in the Local Plan Policy DM17 is as follows:

Maximum Standards will be:

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

- (ii) 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms) and
- (iii) 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)

The scheme therefore provides adequate car parking and would not result in significant overspill to neighbouring roads.

The original submitted scheme did not include details of proposed electric charging, refuse collection points, motorcycle or visitor cycle parking facilities (for the proposed flats). These details have now been provided with the scheme achieving 20% active and 20% passive electrical charging points in accordance with TFL standards along with 7 motor cycle spaces and 10 secure visitor cycle spaces and the Council's Highway Officer has confirmed no objection to the scheme subject to the attachment of appropriate conditions.

The parking courts and parking barns have been designed to allow for direct access into the rear gardens of the properties. Where this is not practicable, the route to the rear gardens have been minimised as much as possible. Access to the proposed parking courts are restricted by vehicular and pedestrian gates in order to comply with secured by design guidelines which limits access to below the 3.7m width outlined in the Design Code which would allow for single entry ingress and egress but not two way traffic. Due to the limited number of vehicles contained within each parking court this is considered acceptable and is similar to the arrangement of the consented scheme at Phase 2.

A Parking Management Strategy has yet to be submitted and must be conditioned in order for the proposal to be considered acceptable. This will demonstrate how vehicles will be prevented from parking on the non designated areas, in particular on the shared through route which is essential for traffic movements and the free flow of traffic. A condition to this effect is included.

Residents raised concerns regarding potential parking in Partingdale Lane, however given the adequate level of parking proposed within the development together with the narrow width and limited parking facilities in Partingdale Lane it is not considered that the local highway network will be significantly impacted.

Accessibility and Inclusivity

Fourteen houses within Phase 3 are wheelchair accessible, which equals to 10% and in compliance with Condition 70 (Design to Lifetime Homes Standards and Wheelchair Standards) of the outline consent. The allocated car parking spaces to these properties are in close proximity to their entrance points.

While the topography of the site is generally level in comparison with other parts of the Millbrook Park Site. there are some localised level changes within the Phase resulting in some parts of the development having gradients from 1:10 and 1:20 and not all car parking spaces meeting the recommended 3.3m width necessary for future conversion to disabled standard. It is noted that all houses are designed to

provide level thresholds and all of the proposed dwellings are designed to comply with the internal design criteria necessary to meet Lifetime Homes standards with all of the proposed wheelchair units also meeting the relevant External Standards. Condition 70 states that where the scheme cannot achieve the standards due to site specific conditions evidence shall be submitted. In this instance, given the topography of the site and given that the proposal complies with the standards internally, this is considered satisfactory to meet Condition 70. The scheme has followed principles of inclusivity and accessibility.

Sustainable travel

Secure cycle storage is provided either within plots within sheds and garages or within designated covered and secured cycle stores for the proposed apartment blocks are provided within the communal areas. The provision of 1 cycle space per one and two bedroom dwellings and 2 spaces per three, four and five bedroom dwellings, providing 233 spaces in total which is in accordance with the Design Code and is considered acceptable. The Design Code also recommends 10% cycle spaces to be provided for visitors within the street. The application proposes the provision of 10 secure visitor cycle spaces which is secured by condition.

Electric charging points have been provided either in the garage or in the courtyard and meets the minimum required in the London Plan 2011 (10% active and 10% passive) to encourage the uptake of electric vehicles. Motorcycle Parking is also provided.

Waste Management

The refuse strategy for the apartments provides for communal stores located either within the building or in detached stores. The majority of the dwellings have their refuse/recycling storage provided on plot either within garages or rear gardens. Dedicated refuse collection points are also provided for houses which are not otherwise accessible. Turning circles and vehicular tracking diagrams have been included in the application proposal demonstrating that refuse lorries (and emergency vehicles) can adequately access the development. The main internal estate road and other roads serving this development are not proposed to be offered for adoption. Nevertheless, the roads and other shared surfaces on this development must be constructed to withstand the largest type loads of vehicles proposed to enter/exit these areas. An indemnity condition (No. 34) has been included on the outline application for all phases.

Street lighting

The provision of adequate and well designed lighting will influence potential criminal behaviour and should help to reduce the risk of crime and fear of crime for those people living, visiting and working within this latest phase of the Mill Hill East development. The Holophane Conus column street lights proposed on this Phase were also proposed and accepted in the previous consent for the Phase 2 reserved matters application. This consent for the earlier was subject to a condition requiring the submission of a detailed lighting scheme including lux Lines and it is considered

that a similar condition is appropriate in this instance to ensure the satisfactory development of the site.

Conclusion for Transport, Parking and Highways

In summary, the application provides for adequate parking without harming the local highway network and promotes sustainable modes of travel and complies with Policies CS9 and DM17.

4.10 Environmental issues

Construction management

A Construction Management Plan for the whole of Millbrook Park was approved pursuant to Condition 17 of the outline consent (ref H/04183/11). The document incorporates the view that succinct method statements will be required for each reserved matters application. The Construction Management Plan submitted for this reserved matters application sets out the arrangements that will be implemented to ensure the environmental issues are managed and minimum impact on the surrounding environment by this development including noise disturbances, vibration, dust, smoke, plant emissions and traffic.

Contamination

A contamination strategy for the whole site has been dealt with under Condition 63 of the outline consent (ref H/00643/12, approved April 2012). This condition is split into 4 parts and parts i) and ii) which includes desk top studies and site investigation have been approved. Parts iii) of the condition requires the approval of a remediation strategy and part iv) requires a verification to be submitted for each phase.

This reserved matters application has not submitted any information to discharge the remainder of Condition 63, but an informative shall be imposed to remind the applicant of this requirement prior to the commencement of development. A similar informative was attached to the earlier Phase 2 approval.

4.11 Energy, climate change, biodiversity and sustainable construction matters:

Sustainable design and construction

Phases expected to be commenced prior to the end of 2013 have been designated to meet Code for Sustainable Homes Level 4 (Phase 1, 1A, 2A and 3) with post 2013 phases to meet expected revised 'Zero Carbon' government definition, and the Fabric Energy Efficiency Standard.

The application is accompanied by a Sustainability Statement, Energy Strategy and Code for Sustainable Homes Pre-Assessment. The applicant is committed to achieving Code for Sustainable Homes Level 4 (i.e. 25% reduction in CO² emissions over the Part L 2010 of the Building Regulations), as is required by London Plan

policies and Condition 80 (Code for Sustainable Homes) of the outline consent. This is mainly achieved by implementing high building fabric specifications and energy efficient measures. The submitted information is considered sufficient to meet the requirements of Condition 80 which can be discharged in relation to Phase 3.

An overarching energy strategy for the whole of Millbrook Park was submitted to and approved pursuant to Condition 79 of the outline consent (ref H/00560/12). The approved strategy outlines how a centralised energy supply to the south of the site will be delivered, and a decentralised supply to the north. The south of the site will be served by a District Heating Network provided by a single Energy Centre while the north of the site is expected to adhere to the Mayor's Energy Hierarchy by utilising an energy efficient building fabric and where applicable photovoltaic panels (PV).

The Mayor's Energy Hierarchy sets out three methods for achieving a minimum 25% reduction in carbon emissions:

- 1 Be lean: use less energy (fabric efficiency standards)
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

Due to the design of the houses, involving traditional properties with pitched roofs together with the layout of the scheme where south facing roofslopes face onto public roads along with sensitivity of the northern portion of the site adjoining the Metropolitan Green Belt, no PV panels are incorporated into the scheme with the applicant intending to achieve the Mayor's Energy Target through the implementation of an enhanced building fabric in combination with high efficiency building services. The submitted energy statement indicates that this would achieve an improvement of 26% over the Part L 2010 baseline.

This is consistent with the Mayor's Energy Hierarchy where being lean is the priority and is considered to satisfy Condition 79 which it is considered can be satisfactorily discharged.

Water resource

The drainage strategy for Phase 3 is developed from the principles identified in the approved site wide drainage strategy produced by Halcrow pursuant to Condition 43 (Drainage Strategy, H/04340/11, April 2012) of the outline consent.

The surface water drainage system to serve Phase 3 will follow best practice using Sustainable Urban Drainage Systems (SUDS) to attenuate and treat runoff from roofs, roads, car parks and other permeable areas. Waterbutts, pervious pavements and geocellular storage structures are proposed to reduce the impact of surface water runoff from the new development. The submitted Drainage strategy advises that discharge rates for the surface water will accord with the approved Halcrow site wide drainage strategy and the submitted calculations accord with this. There is therefore no objection raised to this change. The rest of the discharge rates for the other phases have not changed.

Condition 82 (Greywater/Rainwater Recycling Target) of the outline consent requires a minimum of 10% of rainwater to be collected on site and used to provide for irrigation needs of the development. Condition 83 (Greywater/Rainwater Recycling Provision) requires the submission and approval of details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings of the phase and this should include a reconciliation plan or table showing how the provision complies with the 10% target fixed by Condition 82.

The applicant has submitted a statement (titled 'Appendix C Rainwater Recycling Response to Conditions 82 and 83' August 2013) which sets out the applicant's commitment to meeting the requirements of the conditions. Through the installation of 200 litres + waterbutts for all houses of 3 beds and above and 150 litres for 1-2 bed houses it is considered that the scheme would provide for 24.5% which exceeds the 10% requirement set out in Condition 82. A reconciliation table has been submitted and it is anticipated that this is a 'live' document which would be updated with each submission of a reserved matters application. Condition 83 can therefore be discharged insofar as the information relates to Phase 3 only.

Biodiversity and Ecology

The AAP encourages the planting of native species to encourage biodiversity. The Environmental Statement at outline stage concluded that there are no overriding concerns with respect to ecology and nature conservation preventing redevelopment taking place.

A site wide Ecological Mitigation and Management Plan (EMMP) was submitted and approved (H/04184/11, November 2011) pursuant to Condition 60 of the outline consent. It was considered that the document as approved demonstrated a comprehensive overall management plan for ecological assets on the application site.

No specific survey has been submitted with the current application, although the application proposes the retention of the majority of the existing trees on the site and the planting of new hedgerows and trees on the boundaries with Partingdale Lane and IBSA house and other locations within the Phase. The submitted landscape plan also advises that bat and bird boxes will be installed in existing retained trees at locations to be agreed with an onsite ecologist. The proposed landscaping proposals which are discussed in more detail along with the proposed mitigation matters are considered acceptable.

Natural England was consulted and raised no objections to the scheme as submitted. There are therefore no significant ecological issues raised in this proposal.

Green roofs

Condition 84 (Green/Brown Roofs Target) of the outline consent requires a minimum of 10% of green or brown roofs across the whole of Millbrook Park site. Condition 85 (Green/Brown Roofs Provision) requires details to be submitted and approved demonstrating this provision across the whole site including a reconciliation plan or table showing how it meets the 10% target fixed by Condition 84.

The scheme does not provide any green or brown roofs as the traditional form of development with its pitched roofs would conflict with the practical requirements of its installation. Since the development in the later phases could contribute to the 10% target (as shown on the reconciliation table), the lack of provision in Phase 3 is acceptable in this instance and Condition 85 can be discharged.

5. EQUALITIES AND DIVERSITY ISSUES

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

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

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

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

The Phase 3 development will offer inclusive design for safe and easy use for all. All of the proposed dwellings are designed to meet the internal Lifetime Homes Criteria and 14 units (10% of proposed) are designed to be wheelchair accessible. In terms of external environment due to the topography of the site not all homes will be able to meet the external criteria as parts of the site will have gradients of 1:10 and 1:20. Additionally not all car parking spaces will be able to provide 3.3m wide parking spaces. While regrettable, this is considered inevitable given the nature of the Mill Hill Park site and has been accepted in other phases and is similarly considered acceptable in this instance.

The use as residential has been established at outline stage and it would not prejudice existing or future users/residents in the surrounding area. The areas of open spaces are publicly accessible and have level access.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities.

6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code.

The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality family housing that would have a good standard of accommodation including outlook, privacy and access to daylight.

The traditional design of the development is appropriate for the Central West Slopes Character area, which also provides for variety and legibility. The materials and form relates well to the locally listed Officers' Mess building. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.

The mitigation measures proposed in relation to potential noise disturbance from IBSA House activities are considered appropriate. The landscape buffer would provide an adequate visual screening.

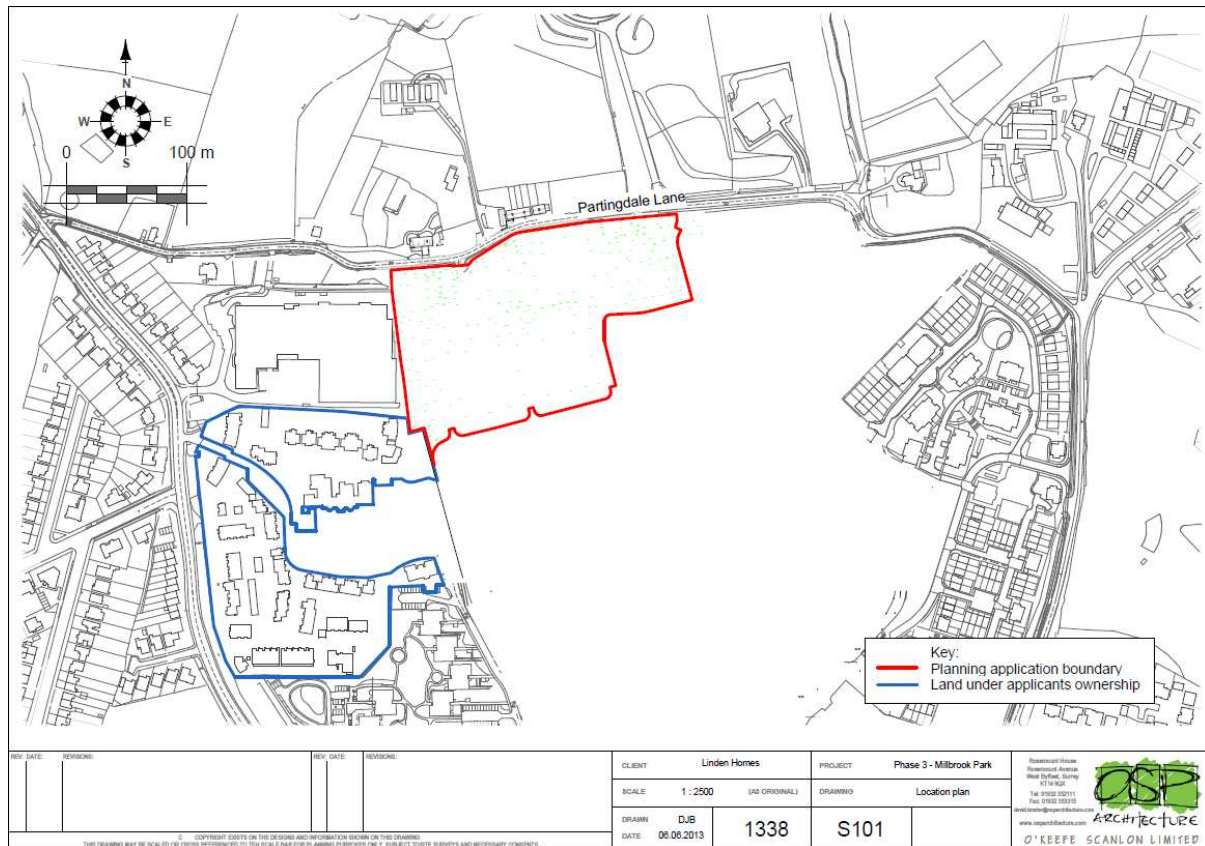
A large number of new trees and the landscaping scheme would mitigate the additional loss of the existing trees, contributing to the 'green edge' in this part of Millbrook Park site. The accessible public open spaces proposed would provide for quality green recreational spaces for existing residents nearby and future residents of the development.

The application also satisfies the requirements of Conditions 5, 8, 12, 26, 27, 29, 48, 52, 57, 70, 80, 83 and 85 of the outline consent.

It is recommended that the application be **approved** subject to the attached conditions.

SITE LOCATION PLAN: Phase 3, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ

REFERENCE: H/03860/13



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