

LOCATION: Land at Partingdale Lane, Millbrook Park, Mill Hill East

REFERENCE: H/04096/13 **Received:** 11 September 2013

Accepted: 11 September 2013

WARD(S): Mill Hill **Expiry:** 06 November 2013

**Final
Revisions:**

APPLICANT: Linden Homes (Chiltern)

PROPOSAL: Installation of pedestrian access with stairs and handrail point between Partingdale Lane and Phase 3 Millbrook Park.

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: LHC 242-2422-PL-LA-01, 02 and Design and Access Statement.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

1. MATERIAL CONSIDERATIONS

1.1 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 Mayor's London Plan: July 2011 3.7 (Large Residential Development), 7.5 (Public Realm), 7.18 (Protecting Local Open Space and Addressing Local Deficiency), 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), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources).

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), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards)

Mill Hill East Area Action Plan (AAP) 2009

The London Borough of Barnet (LBB) and the Mayor of London have designated the Mill Hill East area as an Area of Intensification in the London Plan.

The Council recognised that Mill Hill East was an area where more detailed policies were required to guide future development and in 2006 commenced work on an Area Action Plan (AAP) which covers an area of 48 hectares focused primarily on the former Inglis Barracks site. The aim of the AAP was 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.

The AAP was the subject of lengthy public and stakeholder involvement which culminated in an Examination in Public (EiP) in October 2008. Following receipt of the Inspectors decision notice the AAP was amended and in January 2009 the Mill Hill East Area Action Plan (AAP) was adopted by the Council. The AAP therefore forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE7 (Parks and Public Open Spaces), MHE9 (Protection of Green Belt and Biodiversity), MHE10 (Making the Right Connections), MHE13 (Parking), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality)

1.2 Relevant Planning History:

Application Reference:	H/04017/09
Case Officer:	Jo Dowling
Site Address:	Inglis Barracks, Mill Hill, NW7 1PX
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/04655/11
Case Officer:	Colin Leadbeater
Site Address:	Inglis Barracks, Mill Hill, NW7 1PX
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/04387/12
Case Officer:	Wing Lau
Site Address:	Land between Bittacy Hill and Phase 2 Millbrook Park (Former Inglis Barracks)
Proposal:	Installation of two pedestrian access points comprising ramped footpath and steps and associated landscaping
Stat Start Date:	15/11/2012
Application Type:	Full
Decision:	APC

Decision Date:	22/02/2013
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Application Reference:	H/03904/12
Case Officer:	Wing Lau
Site Address:	Phase 2 Millbrook Park (Former Inglis Barracks)
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:	02/11/2012
Application Type:	Reserved Matters
Decision:	Granted
Decision Date:	28/03/2013

Application Reference:	H/03379/13
Case Officer:	Andrew Dillon
Site Address:	Land between Bittacy Hill and Phase 2 Millbrook Park (Former Inglis Barracks)
Proposal:	Installation of two pedestrian access points to Millbrook Park.
Stat Start Date:	01/08/2013
Application Type:	Full
Decision:	APC
Decision Date:	04/09/2013

Application Reference:	H/03860/13
Case Officer:	Andrew Dillon
Site Address:	Phase 2 Millbrook Park (Former Inglis Barracks)
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).
Stat Start Date:	28/08/2013
Application Type:	Full
Decision:	Granted
Decision Date:	12/11/2013

1.3 Consultations and Views Expressed:

Date of Site Notice: 08 August 2013

Neighbours Consulted: 20
Neighbours Wishing
To Speak 0

Replies: 8

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

- Proposal would be detrimental to highway safety as located on narrow section of Partingdale Lane where visibility is limited;
- Proposal would result in overlooking of Partingdale Manor opposite;
- Proposed crossing should be resited closer to Frith Lane;
- Proposed crossing would provide an ingress/egress point for criminals;
- Proposal would result in anti social behaviour;
- Proposal would encourage and enable parking on Partingdale Lane by future residents and visitors.

Internal /Other Consultations:

Highways and Transportation -

- The pedestrian desire line at this location was introduced and part of the Masterplan which and is already approved. This proposal is a detailed design on the already approved location.
- The disabled users are accommodated elsewhere.
- The location of the proposed stairs has clear visibility at both sides.
- Materials are not subject of consideration as this part is not public Highway or to be offered for adoption.

2. Description of the site, surroundings and proposal.

2.1 Site Description and Surroundings:

Millbrook Park

In September 2011 outline planning permission was granted for the redevelopment of a site known as Mill Hill East (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.

Outline consent was granted for a residential-led mixed use development, involving the demolition of all existing buildings (excluding the Officers' Mess building) 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 and associated open space, means of access, car parking and infrastructure in September 2011 (ref H/04017/09).

Site in relation to the outline consent

The specific part of this site is on the strip of land between Partingdale Lane and Phase 3 of the wider Millbrook Park development. The outline planning consent allows the Millbrook Park development to be implemented in a series of phases (split into Development Land Parcels) and Phase 2 is located within the northern part of the site covering an area of 3.06 hectares (Ha) in size. The Parameter Plans and Design Code defined different character areas within the application site where different forms and densities of development would be appropriate. Phase 3 predominantly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone.

An application for reserved matters in relation to Phase 3 involving the construction 138 dwellings (ref: H/03860/13) was submitted on the 28th August 2013 and approved at the Planning and Environment Committee on the 12th November 2013.

2.2 Proposal

The proposal seeks full planning permission for the formation of a pedestrian crossing from the proposed Phase 3 development through to Partingdale Lane to the north. This is achieved through the provision of a set of 12 steps with 1.1m high handrails to either side. The crossing measures 1.6m in width and 4.2m in length. The steps will be constructed out of Marshalls silver grey single solid concrete steps with black visibility strips with resin bound aggregate approaches.

The design of the stairs is similar to two pedestrian accesses which were approved from the Phase 2 portion of the Millbrook Park Development and Bittacy Hill under planning application references H/04387/12 & H/03379/13.

3. PLANNING CONSIDERATIONS

3.1 The Principle of Development

The principle of providing pedestrian accesses along this part of Partingdale Lane has already been established under the outline planning consent (ref: H/04017/09). The approved Parameter Plan 1 (Access and Movement) established the locations of the primary and secondary access points to the site for vehicles, cyclists and pedestrians. This plan indicated one pedestrian access point from Partingdale Lane in a similar position to that proposed on the current application.

The recently approved reserved matters application for the development of Phase 3 (Ref H/03860/13) adjoining the proposed access indicated the creation of a crossing to Partingdale Lane in the same position as that proposed under this application although no consent was specifically sought for the proposed crossing as part of the crossing is located outside of the redline boundary.

It is therefore considered that the principle of the proposed pedestrian access is acceptable provided that the proposal would cause no harm to nearby residents and is acceptable on visual and highway grounds. These points are discussed below.

Impact on Neighbouring Amenity

The proposed access is located between Partingdale Lane and the approved Phase 3 development. The proposal involves building over a bank of existing vegetation connecting to an existing footpath which requires building over an existing bank of vegetation. The proposed crossing is located so that it doesn't directly face the closest residential property located on the opposite side of Partingdale Lane (Partingdale Manor) although the crossing could potentially allow limited views into the side garden of this property however views are limited due to an existing brick boundary wall, trellis and planting. The use of the stairs is in any event likely to be transient in nature and would be over a public highway where anticipations of privacy are correspondingly reduced. Overall it is not considered that the impact of the proposal on the amenities of neighbouring residents would be significant.

Visual Amenity

Partingdale Lane is characterised by a mature landscape screen which provides the opportunity for glimpsed views into the Millbrook Park site. This boundary provides an interface with semi rural green belt edge nature of Partingdale Lane characterised by limited built development and views through to the open countryside located to the north. The current application would not affect any existing trees, involving the introduction of a series of steps from the proposed development at Phase 3 of Millbrook Park down an existing bank through to Partingdale Lane. The crossing will be constructed out of Marshalls silver grey concrete steps incorporating black visibility strips along with black powder coated handrails. The proposed materials are identical to the materials approved pursuant to the construction of two pedestrian

crossings from the western part of the Millbrook Park Site through to Bittacy Hill (Application ref's H/04387/12 & H/03379/13).

The resultant visual appearance of the structure would be visible against the surrounding landscape bank and would be limited in its visual profile, the structure would be constructed out of appropriate materials and is considered to represent an appropriate standard of design in keeping with the character of the surrounding area. It is also not considered that the proposal would adversely affect the character or appearance of the Grade II Listed Building at Partingdale Manor due to the low profile of the structure and position adjoining an existing landscaped bank.

Pedestrian safety and disabled access

The proposed access will have Marshalls silver grey single solid concrete step with black visibility strips with resin bound aggregate approaches, black powder coated handrails are provided on both sides of the crossing. The proposed steps would connect to an existing pedestrian footpath running along this side of Partingdale Lane. It is also noted that the speed limit along this stretch of Partingdale Lane is 20 mph and a chicane is located a short distance to the west further reducing vehicle speed. Due to these factors it is not considered that pedestrian users of the access would be at any greater risk than pedestrians using the existing footpath and the proposal is considered acceptable in regards to highway safety.

In relation to disabled access, the difference of levels in relation to the northern crossing between the Phase 3 Site and Partingdale Lane is approximately 1.8m at present. Due to the short level of the accesspoint (4.2m) it is not possible to achieve satisfactory gradient levels without introducing a more convoluted zig zag arrangement. Such an approach would result in additional loss of vegetation and would result in a more visually obtrusive structure to the detriment of the visual amenities of the area, contrary to the agreed design code. The proposed stepped crossing accords with the principles agreed for the southern crossing and would allow non disabled and ambulant disabled use of the crossing.

Parking

Concern has been expressed by neighbouring residents concerning the potential for visitors for properties within the Phase 3 development to park in Partingdale Lane as a result of the proposed pedestrian crossing. However the recently approved application for the Phase 3 development (ref: H/03860/13) includes the provision of 210 allocated parking spaces along with 11 visitor spaces which accords with the Design Code. With the exception of a single disabled space in close proximity to the crossing there are limited opportunities for parking along Partingdale Lane due to its narrow nature and absence of any identifiable on street parking area and given this and the level of car parking provision within the approved Phase 3 scheme it is not considered that the local highway network will be significantly impacted by the proposal.

Trees and Landscaping

The proposed access is located outside the root protection zones of trees located along Partingdale Lane. As such it is not considered that the proposal would adversely affect trees in the vicinity of the crossing. It is noted that the approved Phase 3 development (H/03860/13) included additional planting along Partingdale Lane and as such it is not considered that any additional landscaping is required under this application.

Other Matters

In relation to concerns relating to the use of the new access as a point ingress and egress from potential criminals, it is noted that all development requires a degree of judgement and balance between the need to ensure secure perimeters as well as the need to allow permeability and social inclusion. The proposed access would connect to houses and apartments located to the north of the Millbrook Park site, which have recently been granted planning permission under planning application (ref: H/03860/13). The submitted plans for this application showed the creation of an access to Partingdale Lane in the submitted drawings. The Metropolitan Police Service was consulted on this application and raised no objections to the scheme subject to the development achieving secured by design accreditation.

In relation to potential anti social behaviour particularly from youths, while the proposal would provide an access through to Partingdale Lane from the new development, given the absence of shops, restaurants or other magnets in Partingdale Lane it is considered that the volume of pedestrian movement is likely to be limited. Should anti social or criminal behaviour occur this can adequately be dealt with through the criminal justice system and is not considered to warrant the refusal of the application.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities. While the provision of a stepped rather than a ramped access would prevent this crossing being used by wheelchair users it is necessary due to the changes in level between the site and Partingdale Lane. The steps are designed to be usable by ambulant disabled persons incorporating handrails either side and incorporates textural differences in services for persons with sensory disabilities. It is considered that the proposals are compliant with legislation under the Equalities Act 2010.

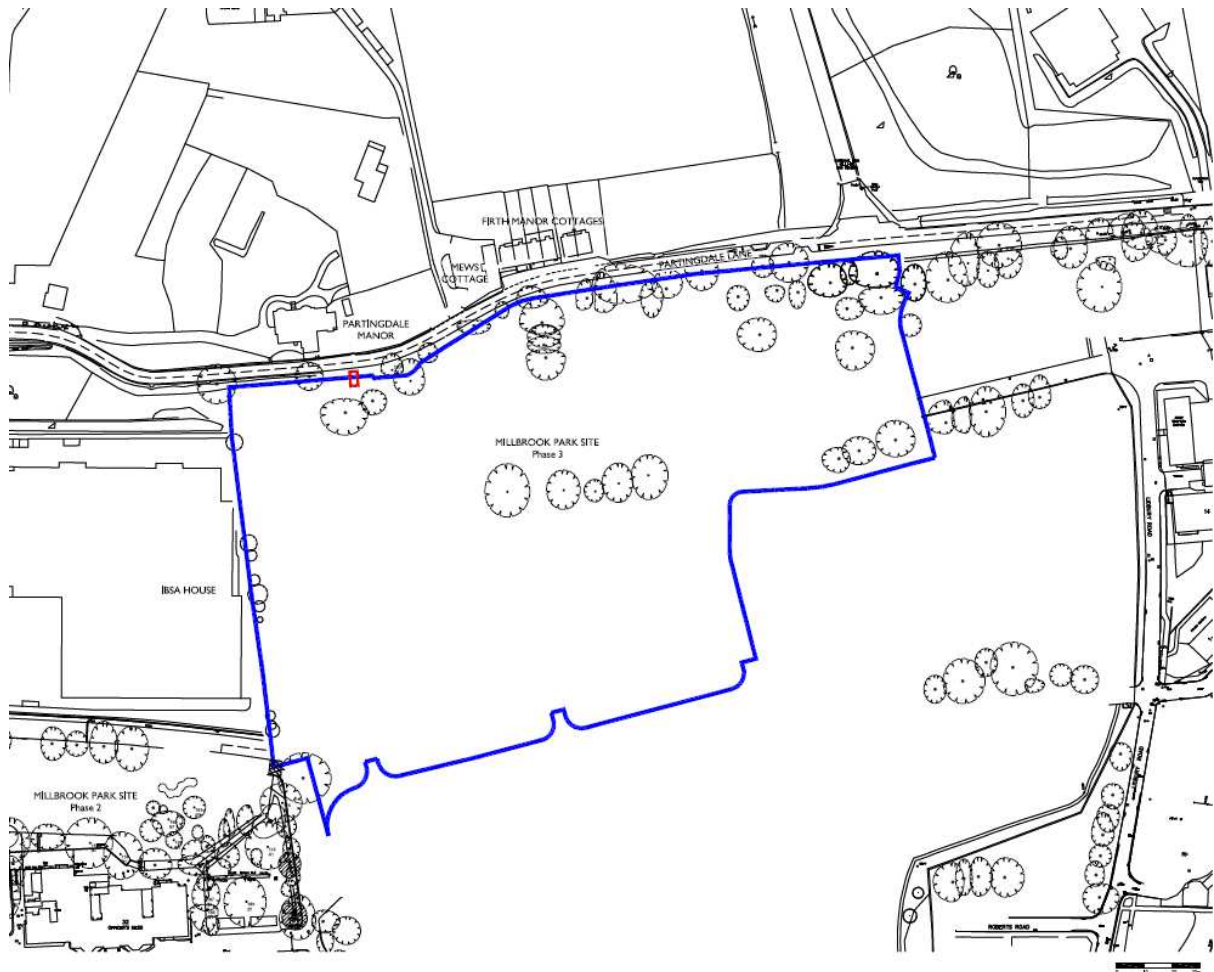
5. CONCLUSION

The proposal is considered acceptable would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site or the adjoining Phase 3. It would not cause adverse harm on local amenity nor on highway safety.

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

SITE LOCATION PLAN: Land at Partingdale Lane, Millbrook Park, Mill Hill East

REFERENCE: H/04096/13



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