

**Location**                      **Mill Hill Depot Bittacy Hill London NW7 1BL**

**Reference:**                      **14/07625/FUL**                      Received: 27th November 2014  
Accepted: 19th December 2014

Ward:                              Mill Hill                              Expiry 13th February 2015

Applicant:                      London Borough Of Barnet

Proposal:                      Erection of temporary structure (to be used until December 2016) to house recyclable material in transit

**Recommendation:** Approve subject to conditions

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. LBB/001, 002, 003, 004.

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

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 4     The building hereby permitted shall not be used before 06:00 or after 21:00 on weekdays and Saturdays or before 06:00 or after 18:00 on Sundays and Bank and Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

**Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

## **Officer's Assessment**

### **1. Site Description**

The application site is the eastern part of the depot in Mill Hill. The wider site contains a number of Barnet Council's functions, including refuse collection services. The area subject of this application is a concrete slab. The wider site contains temporary buildings and a larger depot building to the west.

### **2. Site History**

H/02766/08: Construction of a purpose made facility to recycle cans and addition of facility to allow for recycling of plastic bottles and cardboard. Approved. The buildings that were approved housed compaction equipment, baler and associated conveyors which were used by the third party contractor who was at that time collecting and processing recycling materials for the council. Since October 2013 the third party contract terminated and the recycling collection and processing method has changed and is now collected by LBB, and sorted at the material recycling facility at Edmonton. The equipment and buildings were removed from the site in 2013.

### **3. Proposal**

This application proposes the construction of a waste transfer building, measuring 21.4 metres in width, 27 metres in depth and 10.3 metres in height to the ridge. The proposed building would be set into the site some 75 metres back from Frith Lane and 22 metres from the nearest commercial buildings at Bittacy Business Centre to the south.

The building will be used for storing waste material which is in transit. Recyclable materials will be deposited to the application site by collection vehicles. The materials will be held in the proposed building until their collection by trailers which will transfer the recyclable materials to a Material Reclamation Facility. The applicant has advised that as refuse vehicles tip material onto the floor, it is almost immediately re-loaded onto a trailer by a loading shovel. The operation would therefore have a fairly consistent throughput with 5 or 6 trailer loads taken away per day.

### **4. Public Consultation**

Consultation letters were sent to 11 neighbouring properties. No responses have been received. A site notice was also displayed.

Traffic and Development: No objections.

### **5. Planning Considerations**

#### **5.1 Policy Context**

##### National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan July 2011

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

#### Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM04, DM17.

#### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

### **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

### **5.3 Assessment of proposals**

The proposed building is required to hold recyclable materials in transit. Recyclable materials will be deposited to the application site by collection vehicles. The materials will be held in the proposed building until their collection by trailers which will transfer the recyclable materials to a Material Reclamation Facility. The operation would have a fairly consistent throughput, with 5 or 6 bulk trailer loads per day taken away from the site. The proposed building is required only until December 2016, after which the depot is proposed to be relocated as part of the Mill Hill Regeneration plan. The proposed building has been requested by the Environment Agency, as at present this process takes place in the open.

The proposed building would be located some 75 metres into the application site. It would not be clearly visible from Frith Lane and would be screened in part from the site to the north by the existing mature boundary trees. The proposed building would sit comfortably in the context of the depot and would not be detrimental to the character or appearance of the area.

It is noted that this building is only required until December 2016. However, Planning Practice Guidance makes it clear that a condition limiting a building or use to a temporary period only will rarely pass the 'necessity' test that all planning conditions must pass. Having regard to the site circumstances, its current use, its context, and subject to a

condition in respect of the hours of operation, it is considered that there is no planning reason to require the building to remain for a temporary period only.

Having regard to the distance between the proposed building and the nearest neighbouring residential property (approximately 85 metres), and that the proposal would result in the enclosure of a process which currently happens entirely out in the open, it is not considered that this proposal would be detrimental to the amenities of the occupants of any neighbouring property.

#### **5.4 Response to Public Consultation**

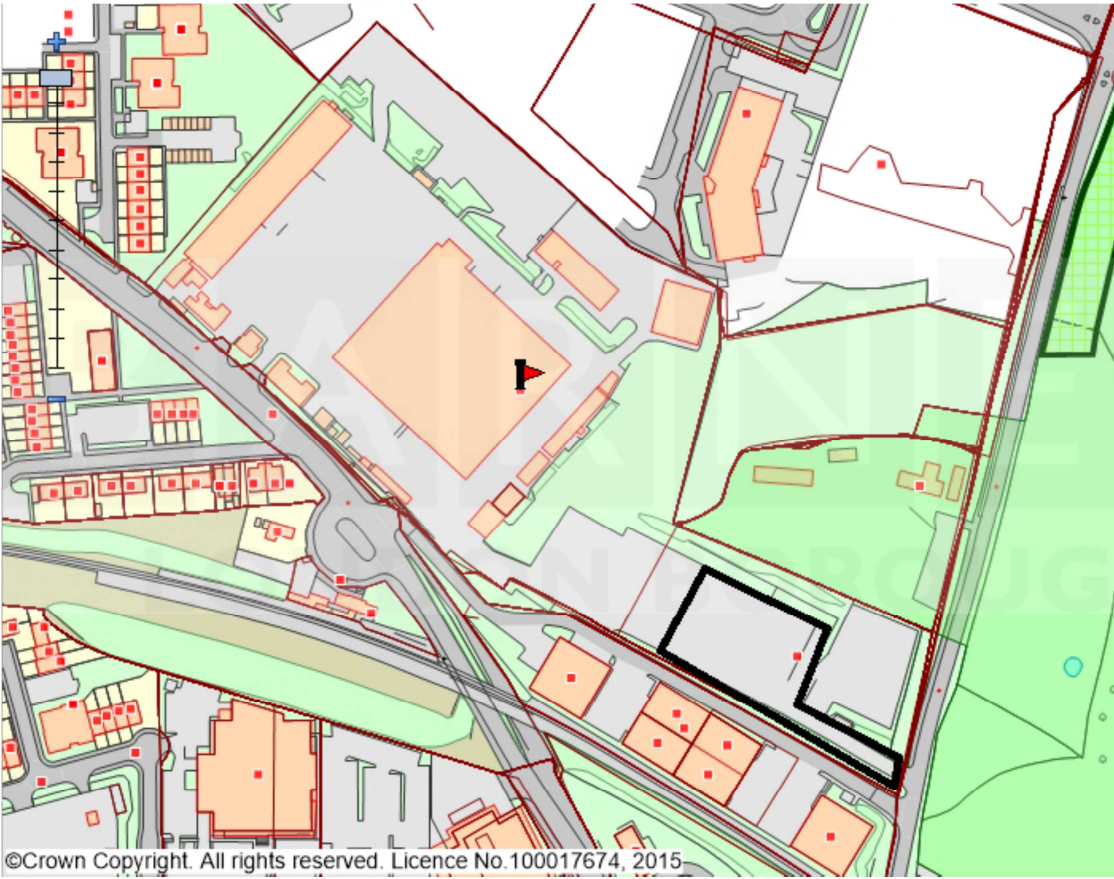
No responses have been received.

#### **6. Equality and Diversity Issues**

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

#### **7. Conclusion**

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



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