

LOCATION: Phase 4b Millbrook Park (Former Inglis Barracks) London, NW7
1PX

REFERENCE: 16/2719/RMA

Received: 25 April 2016

Accepted: 5 May 2016

WARD(S): Mill Hill

Expiry: 25 July 2016

APPLICANT: Prime Place (Millbrook) LLP

PROPOSAL: Reserved matters application seeking approval for advance infrastructure works in relation to Phase 4b of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated 22/9/2011.

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:

Design Capacity Statement – Highway (ref: 5147601-ATK-ZZ-00-TN-C-0203.P1);

Design Capacity Statement – Services (ref: 5147601-ATK-ZZ-00-TN-0202.P1);

Drainage Strategy (ref: 5147601-ATK-ZZ-00-TN-C-0200.P2);

Street Lighting Specification (ref: 5147601_ATK_HLG_SP_LE_001_P01);

Outdoor Lighting Report (ref: 5147601_AATK_HLG_CA_LE-001-P01);

Remediation & Reclamation Strategy (ref: 5147601-ATK-ZZ-00-RPT-C-0101 Rev3);

Archaeology WSI (ref: PRHMHE-RPT-X-0007);

Bat Survey and Protection Technical Note (ref: 5147601-ATK-ZZ-00-RPT-C-0104);

Written Scheme of Investigation (ref: PRHMHE-RPT-X-0007);

Planning Statement; and

Construction Management Plan (ref: 5147601 - ATK - ZZ - 00 - RPT - C – 0103 Rev 2)

5147601 - ATK - ZZ - 00 - DR - C - AIW: Existing Block Plan

0101

5147601 - ATK - ZZ - 00 - DR - C - 0104	AIW: Site Location Plan
5147601 - ATK - ZZ - 00 - DR - C - 0501	AIW: Drainage General Arrangement
5147601 - ATK - ZZ - 00 - DR - C - 0601	AIW: Existing Levels
5147601 - ATK - ZZ - 00 - DR - C - 0603	AIW: Proposed Levels
5147601 - ATK - ZZ - 00 - DR - C - 0701	AIW: Highway General Arrangement
5147601 - ATK - ZZ - 00 - DR - C - 0702	AIW: Proposed Swept Path Analysis (Sheet 1 of 3)
5147601 - ATK - ZZ - 00 - DR - C - 0703	AIW: Proposed Swept Path Analysis (Sheet 2 of 2)
5147601 - ATK - ZZ - 00 - DR - C - 0705	AIW: Proposed Highway Long Section
5147601 - ATK - ZZ - 00 - DR - C - 0706	AIW: Proposed Highway Cross Section
5147601 - ATK - ZZ - 00 - DR C - 1301	AIW: Proposed Utilities
5147601 - ATK - ZZ - 00 - DR C - 1303	AIW: Proposed Lighting Plan
23096	_T_AREA 1 Topographical Survey
5147601-ATK-ZZ-00-DR-C-0600	Existing Site Levels.
5147601-ATK-ZZ-00-DR-G-0002	Exploratory Hole Location Plan.
5147601-ATK-ZZ-00-DR-G-0003	Exploratory Hole Location Plan & Masterplan.
5147601-ATK-ZZ-00-DR-G-0004	Plan Showing Contaminants that Exceed Soil Screening Values (SGVs).
5147601-ATK-ZZ-00-DR-C-0602	Proposed Basement and Ground Levels.
5147601-ATK-ZZ-00-DR-C-0604	Isopachyte between Topographical Survey Levels and Basement Ground Levels.
5106655/REM/106	Radiological Features.
5147601-ATK-ZZ-00-DR-G-0006	Depth of Influence of Trees
5147601-ATK-ZZ-00-DR-G-0007	Geological Section 1

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).

2. Prior to the first occupation of any dwellings in subsequent phases of development which would directly adjoin this application site approved under Reserved Matters applications linked to the outline planning permission granted the under Barnet application reference H/04017/09 plans, specifications and other relevant details shall be submitted to the Local Planning Authority and approved in writing (to the Local planning Authorities Satisfaction) either:

1. Demonstrating that the street lighting on the road implemented under the consent hereby granted would not be detrimental to the amenities of the occupiers of nearby residential properties in terms of light spill.

Or

2. Proposing a suitable alternative scheme of street lighting that would not be detrimental to the amenities of the occupiers of nearby residential properties in terms of light spill.

If an alternative street lighting scheme is submitted and approved under this condition the existing street lighting shall be removed (where this is shown in the approved scheme) and the alternative scheme of street lighting installed in full prior to the first occupation of any dwellings in subsequent phases of development which would directly adjoin this application site approved under Reserved Matters applications linked to the outline planning permission granted the under Barnet application reference H/04017/09.

Reason:

To protect the amenities of the future occupiers of adjacent sites in accordance with policy DM01 of the Barnet Local Plan.

3. Contaminated Land Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted

September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

4. The development shall accord with the provisions contained within the submitted Construction Management Plan by Prime Place dated April 2016, except as otherwise agreed in writing by the Local Planning Authority.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan 2015.

INFORMATIVE(S):

- 1 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.
- 2 The applicant is reminded that Condition 63 (iv) and Condition 65 of the outline consent requires the submission and approval of a contamination remediation verification report, which will require the developer to demonstrate completion of the works set out in the approved remediation strategy.
- 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.

SUMMARY

Outline planning consent was granted on 22nd September 2011 for the redevelopment of Inglis Barracks situated in Mill Hill East. 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' (Class A1, A2, A3, A4 and A5) uses, 3,470sqm of employment (Class B1) uses, a district energy centre and associated open space, means of access, car parking and infrastructure.

The application site extends to 1.14ha and comprises a parcel of land in the southern section of the MP site (refer to Location Plan ref 5147601-ATK-ZZ-00-DR-C-0104 P1). The proposed infrastructure will connect the Primary (east-west) Link Road (approved under permission ref: H/00480/12) to the Primary Residential Street (north south link road).

The extent of the site is determined by the location of infrastructure works necessary to serve future development on land identified as 'Phase 4b' on the MP Overarching Phasing Plan, approved pursuant to Condition 7 of planning permission ref. H/04017/09. The proposed 'advanced infrastructure works' for which approval is sought comprise:

- Site clearance/preparation;
- Ground re-profiling;
- Construction of access roads; and
- Utilities and drainage infrastructure.

The application is submitted by Prime Place (Millbrook) LLP (the applicant), a phase developer of MP, who intend to undertake the proposed works in order to service/provide access to the Phase 4b land. Phase 4b will provide 188 residential units, subject to a separate reserved matters application which has recently been submitted under application 16/3111/RMA.

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 for each phase, which would deal with all matters not fully addressed within the outline consent (layout, design, appearance and landscaping).

Each phase is to be brought forward in 2 stages (which can be subject to separate reserved matters approvals):

- Firstly, a programme of advance infrastructure works (AiW) to serve the phase; and
- Secondly, the development of the phase itself.

This is controlled by Conditions 5b and 5 respectively of the outline permission (ref H/04017/09, dated 22nd Sept 2011).

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

- Design Capacity Statement – Highway (ref: 5147601-ATK-ZZ-00-TN-C-0203.P1);

- Design Capacity Statement – Services (ref: 5147601-ATK-ZZ-00-TN-0202.P1);
- Drainage Strategy (ref: 5147601-ATK-ZZ-00-TN-C-0200.P2);
- Street Lighting Specification (ref: 5147601_ATK_HLG_SP_LE_001_P01);
- Outdoor Lighting Report (ref: 5147601_AATK_HLG_CA_LE-001-P01);
- Remediation & Reclamation Strategy (ref: 5147601-ATK-ZZ-00-RPT-C-0101 Rev3);
- Archaeology WSI (ref: PRHMHE-RPT-X-0007);
- Bat Survey and Protection Technical Note (ref: 5147601-ATK-ZZ-00-RPT-C-0104);
- Written Scheme of Investigation (ref: PRHMHE-RPT-X-0007);
- Planning Statement; and

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), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.7 (Large Residential Development), 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), 7.8 (Heritage Assets and Archaeology), 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)

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), DM15 (Green Belt and Open Spaces), 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: MHE9 (Protection of Green Belt and Biodiversity), MHE10 (Making the Right Connections), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), 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/00480/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 1A of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated: 22/9/2011.
Stat Start Date	07/02/2012
Application Type	APD
Decision	APC
Decision Date	08/05/2012

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/04338/11
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/00670/13
Case Officer:	Wing Lau
Proposal:	Environmental impact assessment screening opinion for infrastructure works for Phase 3, 4a, 4b, 5,10 and 11 of the Mill Hill East development.
Stat Start Date	12/02/2013
Application Type	ES Screening
Decision	ES 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	25/02/2013
Application Type	APD
Decision	APC
Decision Date	22/04/2013

Application Reference:	H/00668/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval for Phase 3a (Central Community Park) and advanced infrastructure works in relation to phases 3a, 8, 9, 10 and 11 of Millbrook Park (Mill Hill East) pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirement of condition 5 (Reserved matter details), 25 (East-West and North-South links), 26 (Pedestrian and vehicular access points), 48 (Design of open spaces) and 52 (Children's play spaces).
Stat Start Date	23/07/2013
Application Type	APD
Decision	APC
Decision Date	13/02/2014

Application Reference:	16/3111/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4b of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 188 units in the form of 88 x 1 bedroom flats, 89 x 2 bedroom flats, 12 x 3 bedroom flats, 3 x 3 bedroom house and 4 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58,63, 69, 70, 80, 83 and 85
Stat Start Date	03/05/2016

Application Type	APD
Decision	
Decision Date	

2.3 Consultations and Views Expressed:

Public Consultation

Neighbours Consulted: 52

Replies: 0

Neighbours Wishing 0

To Speak

At the time of writing no responses from neighbouring residents have been received.

Internal /external and Other Consultations:

Environment Agency

'We have no objections to this reserved matters application, however, please note the following:

Flood Risk

As the surface water drainage condition that we recommended under the original planning reference, H/04017/09, has already been discharged, from our perspective, we are satisfied that the drainage scheme for the development is satisfactory. As we are no longer the competent authority on surface water drainage matters, we recommend that your authority in its capacity as Lead Local Flood Authority should ensure that the proposals under this application are acceptable.

Risks to Controlled Waters

We have recently revised our approach to focus our efforts on those development sites with the greatest environmental sensitivity. As such we are unable to provide specific comments on this reserved matters application. We recommend that you seek the views of your Environmental Health / Environmental Protection Department, as appropriate, for further advice.

The developer should continue to address any further risks to controlled waters from contamination at the site following the requirements of the National Planning Policy Framework and our Guiding Principles for Land Contamination. Our previous correspondence provides site-specific advice regarding land contamination issues in this location.'

Thames Water

Thames Water have reviewed the documentation provided and agree to the reserve matters as outlined in the Drainage statement Document Reference: 5147601-ATK-ZZ-00-TN-C-0200 dated April2016.

Environmental Health

No objections subject to the attachment of appropriate conditions.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings:

Site in relation to the outline consent:

The site to which this reserved matters application relates covers an area 1.14ha and comprises a parcel of land in the southern section of the Millbrook Park site. The proposed infrastructure will connect the Primary (east-west) Link Road (approved under permission ref: H/00480/12) to the Primary Residential Street (north south link road).

The extent of the site is determined by the location of infrastructure works necessary to serve future development on land identified as 'Phase 4b' on the MP Overarching Phasing Plan, approved pursuant to Condition 7 of planning permission ref. H/04017/09.

3.2 Proposal

The Advanced Infrastructure Works (AiW)

The Advanced Infrastructure Works comprises the following works:

- Site clearance/ preparation;
- Ground re-profiling;
- Construction of access roads; and
- Utilities and drainage infrastructure.

(i) Site Preparation

There are no permanent buildings within the Phase 4B are and therefore no demolition works are required under this application.

(ii) Ground Re-profiling and Remediation Works

The area of site the subject of this application has previously been partially remediated and reclamation works were carried out between 2013 and 2016. These works will in accordance with the site-wide remediation strategy approved under the discharge of Condition 63 of the outline consent (permission ref: H/00643/12).

The current application proposes further ground re-profiling in order to form the basement car parks and development plateau. The proposed finished site levels are proposed to be in accordance with the approved levels strategy as set out in Parameter Plan 6 approved as part of the Outline Planning Approval and the approved Design Code.

(iii) Construction of Access Roads

The approved outline parameter plans define 'development zones' within which new buildings can be built, which in turn frame 'corridors' within which new access roads can be laid out and 'spaces' for public open space. The proposed development comprises the construction of a new road which connects the Primary (east-west) Link Road to the west to the Primary Residential (north-south) Street to the east. Associated utilities infrastructure will be installed beneath, within the spatial parameters or 'corridors' approved by these plans.

Section of 'Secondary Street'

The OPP (Design Code figure 3.2) requires the construction of a secondary street to the south of the Phase 4b land. Pursuant to this the application proposes a section of 'secondary street' to the south of the Phase 4b land, running from a junction with the East-West Link Road to the west of Phase 4b, to a junction with the north-south Primary Residential Street to the east of Phase 4b. The 'secondary street' will provide two vehicular access points to the basement car park.

In accordance with the OPP, the proposed highway specification will be as follows:

- Designated as a 20mph road;
- Carriageway width of 3.7-5m; and
- 2.0m wide footpath along part of the road.

In accordance with the Design Code, it is anticipated that direct vehicular access to individual houses/plots will be provided. However, this level of details is not proposed under this AiW reserved matters application. The layout details of the phase will be brought forward under the separate main reserved matters application (Reference: 16/3111/RMA) which is likely to be reported to Planning Committee Meeting at the end of July..

In order to facilitate an appropriate access to the secondary street to the south of Phase 4B, the existing access to Walden Way will be revised so that access is gained from the secondary street opposite the entrance to the car park, rather than Ingliss Way. The relocation of this temporary access is necessary until such time as the properties in Walden Way are vacated.

(iv) Utilities and Drainage Infrastructure

Street Lighting

The applicant has submitted a proposed Road Lighting Plan which identifies the proposed locations of lighting columns. The purpose of the street lights is to ensure the safety of vehicle drivers/pedestrians/cyclists using the road.

In contrast to other phases, the detailed plans for the development to the north of the of the proposed secondary street were known at the time of the submission of the application allowing for the proposed lighting to be designed to avoid impacting on the amenities of these residential properties.

The potential impact of the proposed street lights on light-sensitive receptors is also further assessed in an accompanying Outdoor Lighting Report. This concludes that the proposals have been designed to ensure that light spill can be controlled to ensure that it is maintained at an acceptable level to nearby sensitive receptors.

Drainage Strategy

The submitted Drainage plan provides details of surface water and foul water drainage. Further details are set out in the enclosed Drainage Strategy Technical Note), which supports the application and which is consistent with the site-wide drainage strategy approved under discharged Conditions 43, 44 and 46 (permission ref: H/04340/12) attached to the OPP.

SUDS Infrastructure

The submitted Drainage Strategy also sets out the available SUDS techniques and identifies the ones that are considered appropriate for the development site. The identified suitable SUDS techniques for the site include attenuation storage tanks, green roofs, gravity rainwater harvesting (waterbutts) and proprietary treatment systems.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

Advanced infrastructure works

The principle of an access road and the construction/landscaping of a public open space is established by the outline planning consent. Condition 5 and 5b (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance and in the case of the AiW details of drainage, ecology and contamination strategy) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

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;
- Revised Transport Assessment
- 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 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.

The proposals comply with the approved Parameter plans in terms of location of the proposed road and levels.

For the reasons set out above it is considered that the principle of the AiW development is acceptable and in accordance with the relevant parameters and principles of the outline consent to which it relates.

4.2 Transport, Highways and Parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure efficient use of the local road network, require that development is matched to capacity, seek more environmentally friendly transport networks and promote the delivery of appropriate transport infrastructure. Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately and require acceptable facilities for pedestrians and cyclists.

A hierarchy of street types are set out in Parameter Plan 1 and is further detailed in the Design Code. Its objective is to create streets that have distinctive characters but also fit together to create a coherent development. It is anticipated that direct vehicle access to individual homes/plots could be provided in the future. However, this level of detail is not proposed under this application and will be provided in the reserved matters application for the development of the houses within Phase 4B.

In relation to Materials the application proposes that carriageways and footways will be finished in a Bituminous construction (black) with precast concrete kerbs. Tactile paving will be provided at the kerb of the two accesses to the basement car park at the eastern and western ends of the proposed road. A footpath is proposed on the north side of the road, as is required by the developer of this phase. Further footpaths will be provided in line with the provisions of the OPP and the Design Code as part of future reserved matters applications as they come forward for adjoining phases of the MP development. The proposed materials are considered acceptable in this location.

This is considered acceptable, and the proposed AIW works are in accordance with the approved parameters of the outline planning approval.

4.3 Design, Character and Amenity

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides safe, secure and attractive streets and spaces respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. It also states that proposals for lighting schemes should not have a demonstrable impact on residential amenity and seeks generally to protect the amenities of adjoining and potential occupiers and users.

Design matters relating to the hard landscaped areas proposed are considered in the Transport, Highways and Parking section of this report. Multi-media and utilities infrastructure would be provided in a 'utilities trench' beneath the proposed footpath and this is considered to be an acceptable approach that accords with the objectives of the Design Code.

Visual impact

No buildings are proposed in this application, which falls within the remit of a separate reserved matters application (16/3111/RMA) which will be reported to the Council's Planning Committee in due course. The works proposed under this application are not considered to result in any significant visual impact representing enabling works to ease the facilitation of the main development proposals for this phase.

This application also proposes the installation of street lighting columns (street lights) and the proposed locations of these are shown in the plans submitted. It is accepted that the street lights are needed to provide a safe environment for users of the roads proposed. It is recognised however that while detailed proposals to the north of the proposal have been submitted no detailed discussions have yet taken place concerning the plots to the south. A condition is therefore attached requiring the street lighting positions to be revisited once the detailed design and layout of future phases are known. Similar conditions were attached to earlier Advanced Infrastructure Permissions within the Millbrook Park Site.

Landscaping

No soft landscaping is proposed under this application however significant areas of soft landscaping are proposed under the accompanying reserved matters approval reference 16/3111/RMA including landscaping fronting the roads and internal podium deck communal gardens. Given this the proposal is considered acceptable in this context in accordance with the Design Code.

Trees

There are no existing trees contained within the application site boundary and no trees are affected by the current application.

Overall, the layout, appearance and landscaping are considered acceptable in principle and it is considered that the design approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

4.4 Drainage and Flooding

Drainage information for the wider site covered by the outline planning permission to which this application relates was submitted (under application ref H/04340/11) under conditions 43, 44 and 46 of that consent. The current application includes a plan providing details of surface and foul water drainage and a Drainage Strategy technical note. These documents set out how the drainage infrastructure proposed would be consistent with the site wide approach to drainage.

The application proposes that a surface water and foul water drainage network will be installed along the peripheries of the site under existing and proposed roads and pedestrian footpaths and also through the site. Underground attenuation tanks will also be provided to limit output flows to approved levels. These connections will feed into the wider within the site wide drainage networks which will eventually discharge into the existing Thames Water drainage network in Bittacy Hill. Both Thames Water and the Environment Agency have not raised any objections to the application.

The proposal is considered to be acceptable and compliant with the principles and objectives of the outline consent to which this application relates in terms of drainage and flooding matters.

4.5 Biodiversity and Nature Conservation

Policy DM16 of the Barnet Local Plan states that when considering development proposals the Council will seek the retention and enhancement, or the creation of biodiversity. Policy DM01 states that proposals for lighting schemes should not have a demonstrably harmful impact on biodiversity. Policy MHE9 of the AAP states that ecological surveys will be required before development can commence, to ensure appropriate mitigation measures are undertaken.

The Environmental Statement at outline stage concluded that there are no overriding concerns with respect to ecology and nature conservation preventing redevelopment taking place. It is acknowledged by the AAP that the site is of limited nature conservation importance and it is considered that the development provides the opportunity to enhance the diversity of habitats across the site through the planting of native species.

An Ecological Mitigation and Management Plan (EMMP) was approved in order to discharge Condition 60 of the outline planning consent under application reference H/04184/11 (24th November 2011). The purpose of the EMMP was to set out a management programme for the enabling phases of works to safeguard and enhance the features of importance to nature conservation present within the wider application site.

The application site the subject of this application does not contain any areas of public open space, although it does front the Central Park to the North. Given the limited scope of works proposed under this application concerning ground re-profiling and single road no specific biodiversity measures are contained within the current application. Rather it is anticipated that such measures will be incorporated within the separate reserved matters application for the development of this phase.

4.6 Contaminated land issues

Following demolition works, the site is to be subject to remediation works, which is in accordance with Condition 63 (Contaminated Land) of the outline consent. 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.

The applicant has submitted a Contamination Assessment Report dated April 2016 which provides the findings of ground investigation and the approach to dealing with contamination.

The information submitted is for Condition 63 (iii) of the outline consent. Part iv) of the Condition 63 and Condition 65 of the outline consent would require a contamination remediation verification report to demonstrate completion of the works set out in the approved remediation strategy. The Council's Environmental Health Service has confirmed that the report is comprehensive and recommends that the submitted details are considered acceptable subject to a condition requiring a final verification report following the completion of works.

4.7 Construction Management and Site Waste 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.

The submitted report follows the principle set out in the site-wide Construction Management Plan and addresses the requirements of the actions including details of contractor parking, wheel washing and methods to control dust. All construction traffic entering and exiting the site will have to use the existing Bittacy Hill entrance down to Holders Hill Circus and then the A1. The application is therefore found to be acceptable in this regard.

4.8 Archaeology

Policy DM06 of the Barnet Local Plan states that any development which may affect archaeological remains will need to demonstrate the likely impact upon the remains and the mitigation proposed to reduce the impact.

When the outline planning application (H/04017/09) was considered an archaeological assessment established that no physical archaeological remains are known to be present in the site but that the potential exists for such remains to be present. The potential adverse impacts identified by the assessment would arise from the loss of physical remains.

Details relating to Condition 61 (Written Scheme of Archaeological Investigation) attached to the outline planning permission was approved under application reference H/04189/11 on 23rd November 2011. Details were submitted that cover a written scheme of investigation for trial trenching on the site. In consultation with Greater London Archaeological Advisory Service (GLAAS) the applicants proposed a series of trial trenches to be dug on the site to evaluate the potential for archaeological finds.

An informative was added to the consent H/04189/11 to ensure any heritage assets of significant archaeological interest that may be uncovered during the course of initial trial trenching, further mitigation may be required, although English Heritage have been advised that they do not want to be formally consulted on future submissions.

It is considered that there would be no adverse impacts in relation to archaeology that will arise from the proposal and that it therefore complies with the relevant national, regional and local policies.

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 this important legislation.

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.

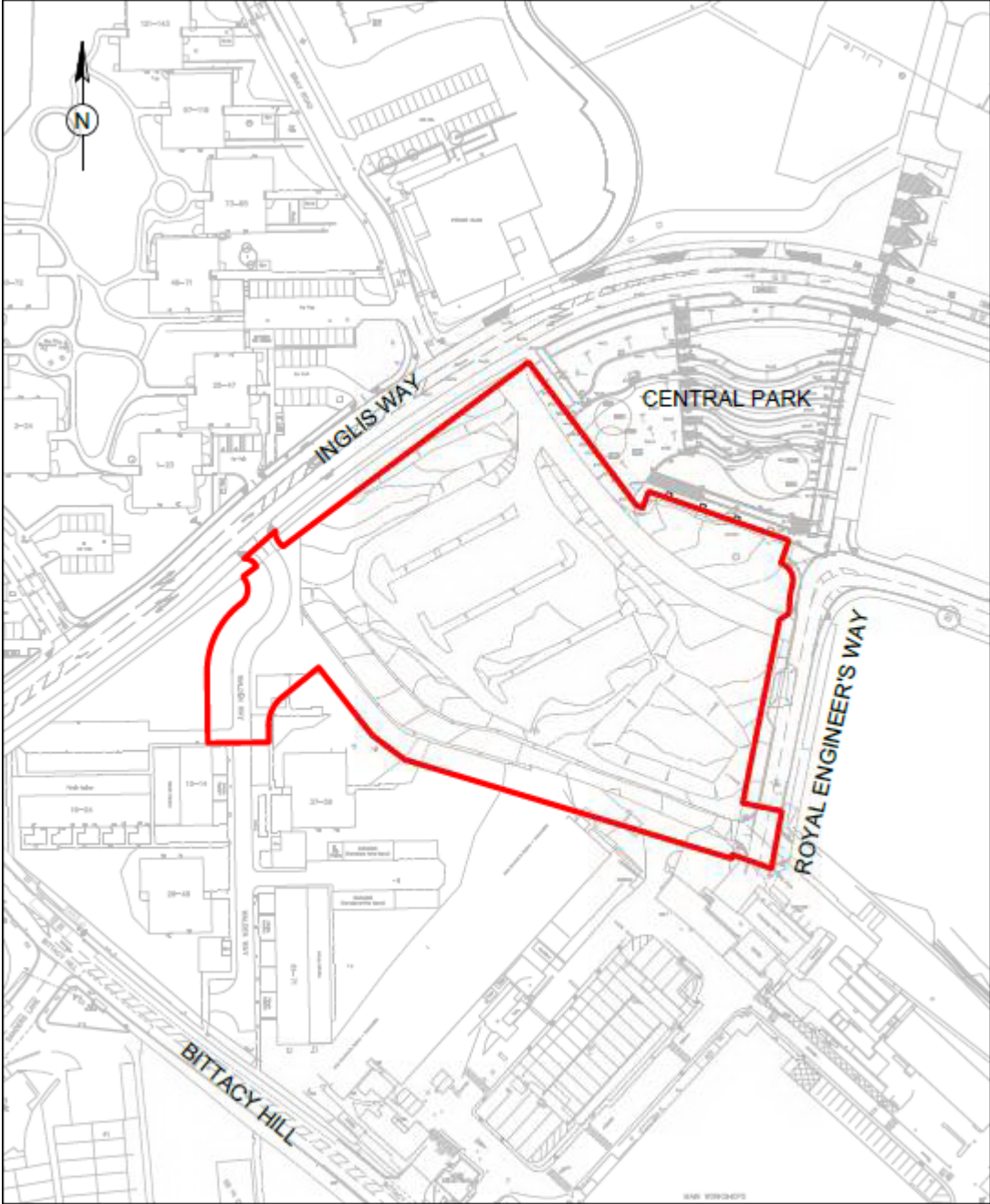
6. CONCLUSION

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.

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

SITE LOCATION PLAN: Phase 4b, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ

REFERENCE: 16/2719/RMA



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