

**LOCATION:** Phase 4B, Millbrook Park, Frith Lane, London, NW7 1HA  
**REFERENCE:** 16/3111/RMA **Received:** 03 May 2016  
**WARD(S):** Mill Hill **Accepted:** 12 May 2016  
**Expiry:** 11 August 2016

**Final Revisions:**

**APPLICANT:** Prime Place (Millbrook) LLP

**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

**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:

Site Boundary Plan 30923-BMA-AR-PL-02-01 A3  
Site Location Plan 1:1250 30923-BMA-AR-PL-02-02 A3  
Planning GA - Level 00 30923-BMA-AR-PL-03-00 A1  
Planning GA - Level 01 30923-BMA-AR-PL-03-01 A1  
Planning GA - Level 02 30923-BMA-AR-PL-03-02 A1  
Planning GA - Level 03 30923-BMA-AR-PL-03-03 A1  
Planning GA - Level 04 30923-BMA-AR-PL-03-04 A1  
Planning GA - Level 05 30923-BMA-AR-PL-03-05 A1  
Planning GA - Level 06 30923-BMA-AR-PL-03-06 A1  
Planning GA - Level 07 30923-BMA-AR-PL-03-07 A1  
Planning GA - Level 08 30923-BMA-AR-PL-03-08 A1  
Planning GA - Level 09 30923-BMA-AR-PL-03-09 A1

Refuse Strategy Level 00 30923-BMA-AR-PL-90-00 A1  
Refuse Strategy Level 01 30923-BMA-AR-PL-90-01 A1  
Cycle Storage 30923-BMA-AR-PL-81-01 A1  
1 Bed Open Plan 30923-BMA-AR-03-201 A3  
1 Bed Traditional Plan 30923-BMA-AR-03-202 A3  
2 Bed Traditional Plan 30923-BMA-AR-03-203 A3  
2 Bed Duplex - Mews house - Level 01 30923-BMA-AR-03-204 A3  
2 Bed Duplex - Mews house - Level 02 30923-BMA-AR-03-205 A3  
2 Bed Mansard Type 02 30923-BMA-AR-03-206 A3  
2 Bed Mansard Type 01 30923-BMA-AR-03-207 A3  
2 Bed Penthouse Type 01 30923-BMA-AR-03-208 A3  
2 Bed Penthouse Type 02 30923-BMA-AR-03-209 A3  
2 Bed Penthouse Type 03 30923-BMA-AR-03-210 A3  
2 Bed Duplex - Garden Apartments 30923-BMA-AR-03-211 A3  
3 Bed Houses 30923-BMA-AR-03-212 A3  
4 Bed Houses 30923-BMA-AR-03-213 A3  
1 Bed Typical WAH 30923-BMA-AR-03-214 A3  
2 Bed Duplex - Block A - Level 02 30923-BMA-AR-03-215 A3  
2 Bed Duplex - Block A - Level 03 30923-BMA-AR-03-216 A3  
North and South Elevations 30923-BMA-AR-PL-05-01 A1  
East and West Elevations 30923-BMA-AR-PL-05-02 A1  
Pedestrian Link Elevation 30923-BMA-AR-PL-05-03 A1  
General Sections 30923-BMA-AR-PL-04-01 A1  
General Sections 30923-BMA-AR-PL-04-02 A1  
General Sections 30923-BMA-AR-PL-04-03 A1  
General Sections 30923-BMA-AR-PL-04-04 A1  
Area Schedule N/E 30923-BMA-AR-PL-1807-01  
General Arrangement @A1 L-90-100  
Planting Plan @A1 L-90-200  
Planting Schedule N/A L-90-201  
Typical Site Sections - Section A - AA @A1 L-90-300  
Typical Site Sections - Section B - BB @A1 L-90-301  
Typical Site Sections - Section C - CC @A1 L-90-302  
Typical Site Sections - Section D - DD @A1 L-90-303  
Design and Access Statement (including Landscape Details)  
Development Schedule  
Energy Statement  
Sustainability Report (including Code for Sustainable Homes Pre-Assessment)  
Construction Management Plan  
Bat Survey and Protection Technical Note  
Preliminary Demolition and Site Waste Management Plan  
Drainage Statement  
Remediation and Reclamation Strategy; and  
Daylight/Sunlight Assessment.

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 the development hereby permitted is occupied the car parking spaces shown on Drawing No. BMA-AR-PL-03-00 and BMA-AR-PL-03-01 submitted with the planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

4. Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the approved parking spaces to be provided with electric vehicle charging facilities and 20% for future use. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

5. Before the development hereby permitted is occupied the details of cycle parking spaces for the villa accommodation shall be submitted to and approved by the Local Planning Authority. These spaces shall be provided in a garden store and shall be permanently retained thereafter.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

6. Before the development hereby permitted is commenced details of the basement parking aisles and ramp accesses and vertical clearances shall be submitted to and approved by the Local Planning Authority. The

development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

7. 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).

8. All hard and soft landscaping shall be carried out in accordance with the landscaping scheme as hereby approved 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 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 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.

10. 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. The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 for the Mill Hill East Development 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 costs of any associated works to public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.

### **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 Libbury 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 22<sup>nd</sup> September 2011).

The current application concerns the development by Prime Place of plot 4b of the outline consent, located in the centre of the wider Millbrook Park Site within the southern hub character area adjacent to the central community park to the north, the east west primary link road to the west and future phases to the south and east.

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

- Design and Access Statement (including Landscape Details);
- Development Schedule;
- Affordable Housing Scheme (Appendix C of this Statement);
- Energy Statement;
- Sustainability Report (including Code for Sustainable Homes Pre-Assessment);
- Construction Management Plan;
- Bat Survey and Protection Technical Note;
- Preliminary Demolition and Site Waste Management Plan;
- Drainage Statement;
- Remediation and Reclamation Strategy; and
- Daylight/Sunlight Assessment.

## **2. MATERIAL CONSIDERATIONS**

### **2.1 Key Relevant Planning Policy**

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

On March 27<sup>th</sup> 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: March 2015 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, 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, 21<sup>st</sup> 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	Outline Application
Decision	Granted
Decision Date	22/09/2011

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	Granted
Decision Date	20/12/2011

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	Reserved Matters
Decision	Granted
Decision Date	19/04/2012

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	Reserved Matters
Decision	Granted
Decision Date	20/04/2012

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/03548/12
Case Officer:	Thomas Wyld
Proposal:	Reserved matters application seeking approval of Appearance, Landscaping, Layout and Scale in relation to Phase 1a for the erection of 58 houses comprising 39 x 3 bed houses and 19 x 4 bed houses at 'Millbrook Park' (Inglis Barracks) submitted to meet the requirements of Condition 5 of outline planning

	application H/04017/09 dated 22 September 2011.
Stat Start Date	17/09/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	31/01/2013

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	Granted
Decision Date	28/03/2013

Application Reference:	H/04080/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 1 of Mill Hill East development (Millbrook Park) pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 133 residential dwellings comprising 31 x one bed flats, 61 x two bed flats, 14 x three bed houses and 27 x four bed houses, including associated infrastructure, access roads, car parking, landscaping and approval of layout and landscaping works to Phase 1 public open space OS5, together with details to discharge the requirements of

	conditions 8, 13, 26, 27, 29, 32, 48, 52, 70, 80 and 85.
Stat Start Date	29/10/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	29/04/2013

Application Reference:	H/04386/12
Case Officer:	Kevin Waters
Proposal:	Construction of a three storey primary school (3 forms of entry) with nursery, community facilities and associated works and landscaping, including staff parking, hard play and sports games area, retaining walls, drainage attenuation measures and provision of a temporary drop off car park
Stat Start Date	10/12/2012
Application Type	Full Planning Application
Decision	Granted
Decision Date	22/04/2013

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/03441/13
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	06/08/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	13/02/2014

Application Reference:	H/03860/13
Case Officer:	Andrew Dillon
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), 12 (Noise Survey along Boundary with IBSA House), 26(Access points), 27 (Details of Estate Roads), 29(Internal access roads), 35 (Petrol/oil interceptors), 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	Reserved Matters
Decision	Granted
Decision Date	12/11/2013

Application Reference:	H/00065/14
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase

	3a of Mill Hill East development involving the erection of 92 dwellings comprising 27 x 1 bed flats, 42 x 2 bed flats, 13 x 3 bed houses and 10 x 4 bed houses to meet the requirements of Condition 5 of outline planning application H/04017/09 dated 22 September 2011.
Stat Start Date	23/01/2014
Application Type	Reserved Matters
Decision	Granted
Decision Date	20/03/2014

Application Reference:	15/01546/RMA
Case Officer:	Andrew Dillon
Proposal:	<p>Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4a of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 114 units 6 x 5 bedroom houses, 37 x 4 bedroom houses, 12 x 3 bedroom houses, 50 x 2 bedroom apartments and 9 x 1 bedroom apartments together with details to discharge the requirements of:</p> <p>Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).</p>
Stat Start Date	20/03/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	25/06/2015

Application Reference:	15/06898/RMA
Case Officer:	Andrew Dillon
Proposal:	<p>Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4c of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated:</p>

	22/9/2011, involving the erection of 89 units consisting of 12 x 1 bedroom apartments, 24 x 2 bedroom apartments, 16 x 3 bedroom houses, 24 x 4 bedroom houses, 13 x 5 bedroom houses together with details to discharge the requirements of: Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Homes standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).
Stat Start Date	11/11/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	10/03/2016

Application Reference:	15/06417/OUT
Case Officer:	Andrew Dillon
Proposal:	Outline planning application for up to 66 residential units, 700 sqm of B1 floorspace, 630 sqm energy centre (CHP) and associated car parking and landscaping.
Stat Start Date	19/10/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	13/05/2016

Application Reference:	16/2719/RMA
Case Officer:	Andrew Dillon
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.
Stat Start Date	25/04/2016
Application Type	Reserved Matters
Decision	Granted
Decision Date	04/07/2016



## **2.3 Consultations and Views Expressed**

### Public Consultation

Neighbours Consulted: 177

Replies: 0

Neighbours Wishing  
To Speak 0

### Elected Representatives.

No Comments Received.

### Residents Associations and Amenity Groups.

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

*'The MHPS Committee entertained the Client and design team for phase 4B on the evening of 6<sup>th</sup> June 2016.*

*We had previously seen the scheme on two occasions and made many comments. However, this last meeting went very well, many of the points previously raised had been dealt with and there were no major issues that came up.*

*The main one is that we would like to be assured that the tree sizes shown on the drawings can be achieved as some of them are shown planted over the underground car park, and we were concerned about soil depth for root growth.*

*The Committee has general concerns about lack of car parking for residences and visitors, but this is more a Design Brief issue than anything else.*

*We were also minded that the underground parking areas should all be linked to facilitate alternative means of access.*

*(This would allow for unforeseen circumstances, like a vehicle braking down across a car park entrance or similar.)*

*The cycle parking in the basement area for the affordable housing units is in an inconvenient position and needs rethinking.*

*A major management concern to MHPS is the fact that the proposed 'walk-through-the site will be gated and locked at night.*

*If the route is there to provide a link from the lower part of the site to Central Park then we would really like to see it open continuously.*

*If it is to be managed, we trust the times set for opening and closing will be sensible. Might we suggest the route should be open from 6.00 am through to 11.00 pm – and that it be well illuminated in winter months, but not to the detriment of the adjoining residential units.*

*Lastly, we ran through the process of waste collection and recycling for each unit and the major questions seem to have been sorted out.*

*Generally the final scheme is of a high quality, and we hope this is evident in the build-out.'*

#### Internal /external and Other Consultations:

##### Highways

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

##### Environmental Health

The Council's Environmental Health Team have confirmed no objection to the proposal.

##### Environment Agency

No Objections raised.

##### Thames Water

No Objections raised.

##### English Heritage (Archaeology)

No Objections raised.

### **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 4b of the outline consent, which covers an area of 1.08 hectares in the centre of the wider Millbrook Park site. The application site area itself is currently cleared of all buildings and trees. The application site fronts the primary east/west link road to the west and the Central Park to the north. The approved Cala Homes scheme at Phase 3a (Ref: H/00065/14) is currently being erected on the eastern side of the park. The remaining areas to the south, east and north of the central park consist of future phases of the Millbrook Park development, for which no detailed reserved matters

applications have been sought to date. There are also changes in levels west to east and north to south through the site.

The site falls within the Southern Hub character zone. The Design Code advises that with the Southern Hub Zone housing should be of a higher density housing with heights ranging from 3 to 6 storeys.

### **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.

#### Housing:

The proposals would be for a mix of 1, 2, 3 and 4 bedroom units) providing a total of 188 dwellings as follows:

88 x one bed flats  
89 x two bed flats  
12 x three bed flats  
3 x three bed houses  
4 x four bed houses

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.

The proposed houses are located along the southern edge of the site containing four pairs of three storey semi-detached houses (one half of a pair split into flats), with the remainder of the perimeter block consisting of apartments ranging from between 4-6 storeys in height. A line of four properties consisting of 4 flats is also located in the centre of the site measuring 2 storeys on top of the podium deck car park. Parking is provided underground, with a podium decked amenity space on top.

#### Landscaping:

The application proposal also includes the landscaping of the perimeter of the block included both hard landscaping as well provision of low level shrub planting along the frontage of the buildings and the planting of trees along the southern boundary of the site. Further trees are proposed are proposed to be retained on the northern, western and eastern elevations which were authorised under other planning consents pursuant to the Outline Planning Approval. Significant areas of planting are proposed within the communal gardens in the centre of the site.

#### 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 4c 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 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 32 – Shared Footways/ Cycleways

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 35 – Petrol/ oil interceptors

This requires details of petrol/ oil interceptors or justification concerning why this is not required.

- 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 58 – Bat Survey and Protection and Bat License

This condition requires a bat survey to be carried out prior to the demolition of any buildings or the removal of any trees.

- Condition 63- Contamination Strategy

This condition requires the submission of a Remediation and Reclamation Strategy prior to the commencement of any phase.

- Condition 69 – Noise from Plant

This condition requires details of any plant and machinery proposed as part of this development.

- 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 188 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 was established at outline stage. This current application shows roads in the same location in compliance with the outline parameters for access.

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 conform and the applicant has provided justification for any deviations. These are explained in the sections below.

## **4.2 Amount of Development**

### Housing

The amount and mix of development for 188 dwellings in Phase 4b is in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. 29 units are to be affordable dwellings consisting of 22 properties for affordable rent (5 x 1 bed flats, 5 x 2 bed flats and 12 x 3 bed flats) and 47 intermediate properties (1 x 1 bed and 12 x 2 bed flats) with the rest of the development to be private sale properties. This accords with the baseline tenure mix required under the S106 and accords with the latest agreed site wide phasing plan. 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.

## **4.3 Scale**

Parameter Plan 4 (Scale) sets out the maximum permissible dimensional height and maximum level of storeys throughout the wider Millbrook Park Development. In relation to Phase 4b the approved storey heights range between 4 and 6 storeys.

Figure 1: Parameter Plan 1 (Scale)



### Legend

- Site Boundary
- Up to 6 storeys
- Up to 5 storeys
- Up to 4 storeys
- Up to 3 storeys
- Up to 2 storeys
- Single storey

The scale of some parts of the scheme exceeds the approved parameters in terms of the number of storeys. These consist of:

- The apartment block to the west of the plot features a limited breach in the elevation along Inglis Way. The change in levels across this part of the site



results in a breach in storey height to the internal facing elevation and southern part of this block.

- The north-west corner of the west block, which has been designed to include additional storeys to define a gateway feature and announce the Central Park. This corner has been identified as an important gateway and an opportunity to provide a key landmark building, enhancing legibility of the place and delivering a distinctive urban design response, in accordance with the Design Code.
- The majority of the apartment block to the east is compliant in terms of storey height, with the exception of a small section on the north-facing elevation (fronting the Central Park) and a small section along Royal Engineers Way.

These 'breaches' are the outcome of extensive pre-application discussions which has taken into account various factors including the topography of the site, daylight/sunlight levels, the urban character of the Southern Hub, and the requirement for a landmark gateway with Phase 8 to the north, which are specific to this site. The height and massing of the scheme, along the southern boundary of the site, has also been reduced below the maximum storey heights to take account of the site's topography and to allow increased levels of sunlight into the scheme. The approved design code allows departures from the approved parameters where such departures a justified in planning terms and will result in the delivery of a better quality scheme. The Local Planning Authority is therefore able to use its discretion to approve minor breaches to approved parameter plans, where justified. The proposed departures are considered acceptable for various reasons which are discussed below under the design section of this report.

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 is located within the Southern Hub character zone (as defined in the Design Code for Millbrook Park).

The Design Code advises that with the Southern Hub housing should be high density housing consisting of terraced housing and apartments measuring between 3-6 storeys of a 'urban court layout' with active ground floor frontages around a block perimeter and a landscaped deck over parking areas.

The design and layout of the scheme predominately follows the above parameters.

### 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 providing 188 dwellings at 203 dwellings per hectare (dph).

## **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.

No roads are proposed under this application although the accompanying reserved matters application for the delivery of advanced infrastructure for this phase (Ref: 16/2719/RMA approved by Planning Committee on the 4<sup>th</sup> July) proposed a road along the southern edge of the phase linking into the wider Millbrook Park road network. In addition to this the application incorporates a pedestrian link through the centre of the phase from the south leading through to the Central Park to the north. While the public will have the right to transverse the route, it is not intended to create a public right of way and gates are proposed at the northern and southern entrances which are intended to be closed at night.

The proposals demonstrate a building layout in broad accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan 1.

### Parking

The application proposes the provision of 195 car parking spaces within this phase. Spaces will be allocated at the ratio of 1 space for 1 and 2 bed units, 1.5 spaces per 3 bed unit and 2 spaces for the four bed units. 10% of parking will be for disabled persons.

The majority of the spaces are provided in the form of a secure basement car park built on two levels in the centre of the development accessed from the south. Parking to the houses and apartments on the southern elevation of the phases will be provided with forecourt car parking spaces.

Cycle Parking is also proposed within secure cycle lockers for the houses and apartments on the southern elevation and within communal cycle stores for the

remainder of the apartments at the rate of 1 space for 1 and 2 bed units and 2 spaces for 3 and 4 bed units.

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. In relation to the development the primary access routes that run along the western and eastern boundaries of Phase 4b already have consent under earlier advanced infrastructure permissions (Ref's H/00480/12 and H/03441/13). A planning application for advanced infrastructure within this phase including a secondary access route along the southern boundary of Phase 4b was approved by the Planning Committee on the 4<sup>th</sup> July 2016 (Ref: 16/2719/RMA). This is in accordance with the Design Code and the provisions of condition 5b of the Outline Planning Permission.

### Open space

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

Due to the nature of this plot, no public open space is included within this phase. The proposed adjoins the proposed Central Community Park to the north.

### Crime

The proposed layout follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages, including the central pathway leading through the site. Secure access will also be provided to the proposed underground car park. It is considered however that a condition should be attached requiring the development to achieve Secured by Design accreditation.

### Levels

Parameter Plan 6 (Levels Strategy) approved under the outline consent sets out the existing contours of the site and proposed spot levels at street junctions as well as the maximum permissible gradients.

In relation to Phase 4b, the existing site slopes approximately 7m west to east and approximately 3-5m north to south. The advanced infrastructure works reserved matters application for the redevelopment of this phase (Ref: 16/2719/RMA approved at planning committee on the 4<sup>th</sup> July 2016) included ground reprofiling to standardise the gradients within the phase to create a more level site from west to east although there are still significant level changes from north to south throughout

the phase and the development contains three different ground floor levels. As a result of this car parking is staggered over two levels and terraces are formed above these forming the central 'secret' communal garden areas. The approved finished site levels are 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.

#### **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 4b is within located within the southern hub character zone and as such it is of a higher level of density than the northern parts of the wider Millbrook Park Site.

The principal design rationale behind the scheme was set around the central space contained within the centre of the blocks. The Design and Access Statement refers to these elements as the 'secret gardens' in the centre of the site, which connects through to the public space to the north of the phase comprising the Central Park. The central pedestrian spine is flanked by duplex apartments that have access to both the eastern and western courtyards.

In relation to the main buildings around the periphery of the site, the apartment blocks are arranged in a 'horse shoe' layout that addresses the open central park to the north, and the primary streets along the east and west boundaries. The apartment buildings are tiered on to address the sloping landscape. The southern edge of the scheme contains a series of individually placed semi-detached villas. These are widely spaced on the southern street to provide greater permeability in terms of views and sunlight.

The southern boundary of the site is defined by a low density typology, with 7 semi-detached villas spread across the length of the southern edge. This frontage is completed by the addition of 2no. duplex apartments on the south-western edge of the southern road.

In relation to the detailed design of the building, along the western elevation, the buildings range from between four storeys and six storeys in height, with the highest element being located in the North West corner of the plot facing the Central Park. The buildings are primarily constructed of a 'Crème' Colour brick, with textured brick insert elements arranged in a zig-zag pattern. The proposed fenestration consists of floor to ceiling windows with inset balconies with inset timber panels to the sides.

The top storeys above 3<sup>rd</sup> and 4<sup>th</sup> storey level (levels slope down the hill) is inset behind the parapet and is finished in a bronze effect finish.

The eastern elevation is finished in a similar way with a simpler pattern of materials, with 'Crème' effect brickwork, inset balconies and a recessed bronze effect top storey. The elevation facing the Central Park contains an offset opening providing access from the Park to the centre part of the development. Areas of roof garden are also proposed in front of the recessed top storey to provide a more verdant setting facing the Park.

In relation to the houses on the southern part of the site, these are fairly traditional in design with contemporary elements, measuring three storey in height, finished in Crème brickwork with a pitched standing seam metal roof.

In relation to the internal spaces, a central pathway is located running through the centre of the site, flanked on one side by a short terrace of two storey duplex apartments with Crème brickwork and a flat green roof that face towards the more open eastern communal garden to the east and the more secluded western courtyard to the rear. Privacy to these units is achieved through the use of low hedgerows and the use of raised planters.

#### Conclusion for External Appearance

Overall, the proposal successfully incorporates various architectural elements within a coherent design and is considered acceptable in principle resulting in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

#### **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 4b.

Along the street-scape surrounding the development zone proposes the planting of *Pyrus chalcidolus* (Callery Pear) along the southern boundary, *Alnus cordata* (Italian Alder) along the eastern boundary and *Platanus x acerifolia* (London Plane Tree) along the western boundary, with the northern boundary being free from tree planting as it will be overlooking the central park.

Internally within the site all vegetation has previously been cleared and the application proposes to introduce an attractive and biodiversity rich planting palette and adhere to guidance in the design code. The landscape and external realm proposals includes the introduction of trees suitable to the site and local environment

which are specified in the application documents. All existing trees located beyond the perimeter of the site will be retained

Further landscape and environmental enhancements include the introduction of native species shrub planting. In the form of native species shrub planting with a mixture of evergreen plants providing the structure to the landscape planting design combined with herbaceous perennial planting to provide colour, scent and seasonal variations and interest. The palette of proposed shrub planting species will include considerations from Indicative swale species (where planting conditions are suitable).

The application also includes the use of extensive green roofs, planted with a variety of native species sedum, will further augment the ecological improvements of the development again benefiting biodiversity levels as well as assisting towards the design guideline SUDS requirements. Further attenuation strategies will include the installation of urban swales to the northern perimeter of the development site as well as the creation of podium deck / roof garden attenuation tanks suitable for future forecasted precipitation eventualities.

The application proposes the use of non-prescriptive natural play using the existing undulating topography. The inclusion of a number of specific fixed play interventions, along with the non-prescriptive play, will mix the formal and informal play opportunities and balance the overall strategy. Each individual landscape zone within the development masterplan will include play opportunities designed for a wide range of ages and abilities avoiding zoning areas for specific play requirements, which reinforces the concept of play throughout the external realm. This will include the provision of safe and suitable doorstep toddler play and relaxing and comfortable amenity courtyards.

Formal Play is available immediately to the north of the phase within the Central Park.

In relation to ecology the application proposes the use of wildflower planting, flowering & fruiting trees and plants, green roofs, SUDS, and the introduction of a variety of habitats which would be considered to represent appropriate ecological enhancements.

### Hard areas

The application proposes a high quality, man-made palette of materials is proposed, taking reference from the Design Code.

Within public footways and spaces textured blocks with high natural stone aggregate content are proposed. A subtle blend of colours provides a unique and elegant finish to the surfaces. Colours are carefully selected to compliment the architectural elevation finishes.

Within communal spaces a softer materials is proposed. A resin bound gravel is identified to provide a clear contrast between public and communal realm.

Conservation style kerbs are proposed throughout to maintain uniformity.

### Landscape Management

The areas of public realm surrounding the site will be transferred to the Millbrook Park Residents Management Company on completion. The remaining landscaping areas will be subject to an on-going maintenance contract with a suitable provider. This provider could also be the Millbrook Park Residents Management Company or another provider. The maintenance contract will be in place prior to the first occupation and the provision will be included within the legal agreement with purchasers and will be based upon a rolling annual provision.

A schedule of landscape maintenance for a minimum period of 5 years has been provided with the current application.

### Street Lighting

Street lighting locations on the eastern, western and southern side of the development have already been agreed under previous advanced infrastructure work applications including the most recent approval on the 4<sup>th</sup> July 2016.

### 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 help to introduce a human scale to the frontages of the proposed buildings 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 4b maximizes the outlook of occupiers of the new dwellings, with all houses being located on a north south axis. Where possible apartment units are designed to be dual aspect, however in certain circumstances this is not possible due to the size of the block. In order to ensure that these units receive sufficient light the development incorporates large floor to ceiling windows to maximise the amount of light entering rooms. The application is accompanied by a Daylight/ Sunlight report which confirms that all units will receive adequate daylight and sunlight.

### Privacy

The layout of the development has been designed to ensure the protection of residential privacy and the avoidance of overlooking.

The proposed design has considered minimum distances between buildings and, where pinch-points between buildings occur as a result of the building parameters, windows have been positioned to achieve oblique views between units.

In the few instances where windows are directly opposed to each other, these are generally openings to non-habitable rooms and privacy film will be proposed as a finish to these windows. The recessed balconies increases the privacy of the units both in relation to adjacent units and external views without the need to use additional privacy screens between residential units.

#### 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 Council's adopted Supplementary Planning Document entitled Residential Design Guidance as well as the Millbrook Park Design Code requires the provision of 5 sq.m of amenity space each habitable room for flats, and between 40 and 85 sq.m for houses depending on the number of habitable rooms.

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens and in relation to the apartment buildings all units are provided with individual balconies and also have access to the shared external amenity areas. All of the proposed units meet or exceed the minimum standards outlined in the as stated and the proposal is acceptable on grounds of private and communal amenity space provision.

#### **4.8 Impacts on amenities of neighbouring and surrounding occupiers and users**

The periphery of the site is delineated by the east west primary link to the west, the Central Park to the North and other minor estate roads to the south and east. The site to the north east on the opposite side of the Central Park is currently being built and is near completion. Due to the distance separation between these buildings across a public park, it is not considered that the proposal would adversely affect the amenities of these properties. To the west on the opposite side of the East West link road are a series of refurbished apartment blocks managed by Notting Hill. This buildings are angled on a east west axis and obliquely face the application site. Again due to the distance separation, as these buildings are also set back from the



road, it is not considered that the proposal would result in any material impact on the amenities of these properties in terms of daylight, sunlight or privacy.

In relation to future phases located to the south and east of the development, no detailed reserved matters application have been submitted, however the distance separation between the development and these future plots will be similar to the relationship of plots to the north with any overlooking being limited to the public faces of development over internal roads and it is not considered that the proposal would significantly affect the amenities of dwellings contained within future phases or be unduly impacted upon by future development.

#### **4.9 Transport, parking and highways matters:**

##### Access

The access points have already been established and the surrounding roads including the east west link road to the west and Royal Engineers Way to the east have been authorised under earlier reserved matters approval. The road to the south of the phase which links these two roads and forms the southern boundary of the site was authorised under the recent advanced infrastructure consent (Ref: 16/2719/RMA). Access to the basement car park is via two accesses formed on the southern road.

##### Pedestrian Facilities

Access and movements for pedestrians were established as part of the outline application, with access available to the sides of the phase along both Inglis Way and Royal Engineers Way. In addition to this a pedestrian and cycle only path has been created through the centre of the site providing access to the Central Park to the North. This path is not intended to operate as a formal right of way and the submitted application documents suggest that this would be closed at night. The creation of this pathway which is not required under the terms of the Outline Planning Permission is welcomed in creating an additional safe pedestrian route and helps to integrate the proposal into the wider area. Overall it is considered that the proposal would provide a satisfactory pedestrian environment in accordance with the aims of the design code.

##### Parking

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)

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 table below shows the typical parking requirement as set out in the Design Code and that set out in the outline planning permission for the proposed development.

No. of units	Types	Parking Ratio Permission	Parking Ratio Design Code	Parking Req.
80	1b	1	1.1	80-88
89	2b	1	1.1	89-98
15	3b	1.2	1.5/2	18-30
4	4b+	2	2.0	8
				<b>195-224</b>

There is some flexibility in the provision but the total development should not exceed 2522 spaces so that individual phases may contain a higher number of spaces providing that the total number of spaces does not exceed the maximum number. A total of 195 parking spaces are proposed and would meet the outline planning permission standard and is spread between 2 no basement levels with access off the southern road (the car parking entrances are located to the East and West of this road). The basement provides parking for 179 spaces and 16 spaces for the Villa residences as shown on page 146-147 of the DAS located on the Phase 4b Estate Road Drawing No's BMA-AR-PL-03-00-01. The additional 10 bays are not shown on the plans but states that additional visitor parking is provided on curtilage that forms part of the site-wide grade parking provision. 10% of spaces are for disabled use with 17 provided in the basement parking in close proximity to lift access.

20% of parking spaces are to be provided with electric charging points and a further 20% for future provision and is in accordance with the London Plan.

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

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. A condition to this effect is included.

Accessibility and Inclusivity

Nineteen units within Phase 4b 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 have level access to these properties are as far as responsibly possible located in close proximity to their entrance points.

All of the proposed dwellings are designed to comply with the design criteria necessary to meet Lifetime Homes standards however due to the topography of the site some of the internal paths between terraces are by necessity stepped. However alternative routes exist to access these areas albeit in a less direct manner. Given the topography of the site this is considered acceptable and it is considered satisfactory to meet Condition 70. The scheme has followed principles of inclusivity and accessibility.

### Cycle Parking

Cycle parking spaces have been identified on Drawing No BMA-AR-PL-81-01 on Level 00 41 spaces and Level 02 166 spaces in the basement parking areas. For the garden apartments 2 bed duplex 2 spaces are provided as shown on Drawing No BMA-AR-03-211. For the 3 bed houses 2 spaces are provided as shown on Drawing No BMA-AR-03-212. For the 3 bed houses 2 spaces are provided as shown on Drawing No BMA-AR-03-213. In total 255 cycle spaces will be provided. The Design code set out the cycle standard 1 space per one and two bed dwelling 2 spaces per three and four bedroom dwelling 10% cycle spaces to be provided for visitors within the street in robust, vandal resistant stands.

No. of units	Types	Cycle Space	Space Req.
80	1b	1	80
89	2b	1	89
15	3b	2	30
4	4b+	2	8
	Visitor	10%	21
Total			<b>228</b>

The spaces for the 2 bed duplex and houses should be provided in a garden store and not in the open as shown on the above drawings. The cycle parking numbers provided is acceptable.

### Waste Management

Refuse storage locations are shown on Drawing No's BMA-AR-PL-90-00-01. Refuse storage within the basement will be placed by the management company on collection days in the external lay-down area that will allow for containers to be

collected from within 10 metres distance of the proposed refuse collection point. The doors of the storage shown on Drawing No BMA-AR-PL-90-01 will open into the circulating area for parking and will be a conflict. The storage area should be designed so that doors open inwards.

#### 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. A Construction Management Plan has also been submitted with the current application which accords with the site wide policy and is considered acceptable.

##### 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 approved advanced infrastructure consent for this phase contained details of proposed measures to deal with contaminated land (Ref: 16/2719/RMA) which was considered satisfactory by the Scientific Services Officer subject to final verification. Given that this is required both under the Outline Planning Consent and under the Advanced Infrastructure Consent there is no need to attach any further conditions to this application.

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

##### Sustainable design and construction

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

The application is accompanied by a Energy Strategy and Code for Sustainable Homes Pre-Assessment which demonstrates that the proposal would reach the equivalent of Code for Sustainable Homes Level 4 as well as achieving a 49.3% reduction in CO<sub>2</sub> emissions as is required by London Plan policies and Condition 80 (Code for Sustainable Homes) of the outline consent. This is achieved partly through implementing high building fabric specifications and energy efficient measures and partly by the proposed connection to the proposed District Heat Network to the South of the site. As the main district energy centre is not proposed to be built until 2019 a temporary energy centre has been consented adjoining the Central Park which will be delivered by the Inglis Consortium.

### Water resources and Drainage

The Drainage plan submitted with the Advanced Infrastructure Works provided details of surface water and foul water drainage. Further details were set out in the Drainage Strategy Technical Note, which supported the application and which was considered 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 Drainage Strategy submitted with the Advanced Infrastructure Works application for this phase set 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.

### 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.

#### Green/ Brown 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 meets this requirement through the use of podium deck gardens and extensive green roof areas on the apartment buildings, the inclusion of podium decks has been previously included in brown/ green roof calculations and the development would in itself comply with the requirements of Condition 84 and contribute to the overall provision within the Millbrook Park Development.

## **5. EQUALITIES AND DIVERSITY ISSUES**

Section 149 of the Equality Act 2010, which came into force on 5<sup>th</sup> 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.

## **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.

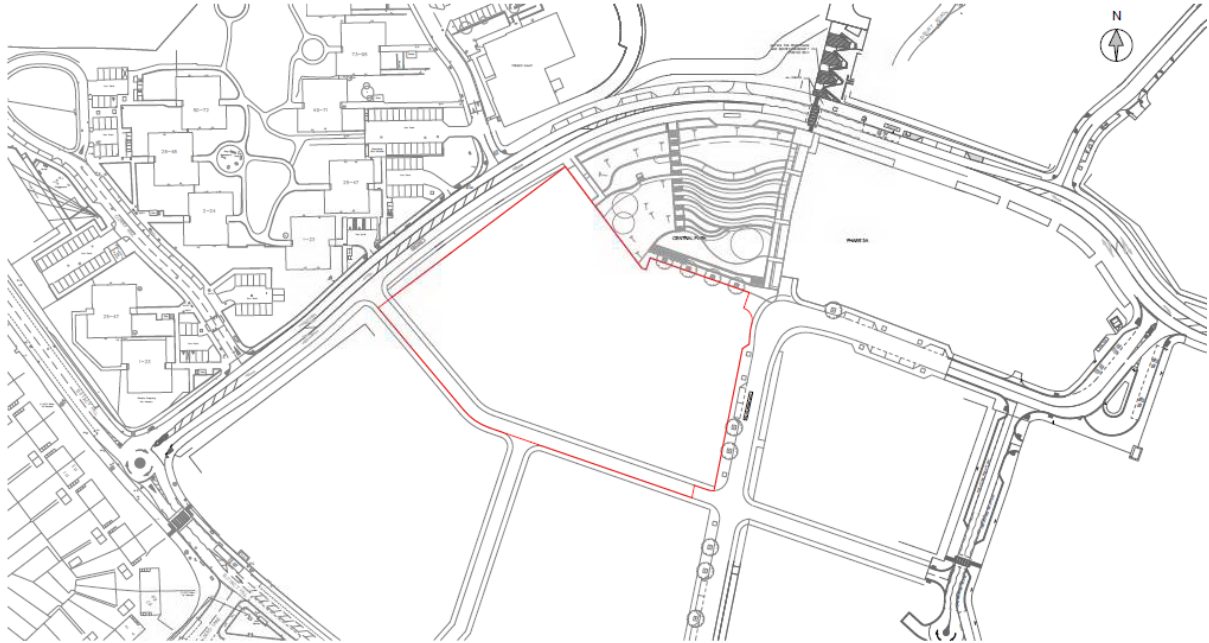
The design of the development is appropriate for the Southern Hub Character area, which also provides for variety and legibility. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.

The application also satisfies the requirements of Conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58, 63, 69, 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 4b, Millbrook Park (former Inglis Barracks),  
Mill Hill East, London, NW7 1PZ**

**REFERENCE: 16/3111/RMA**



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