

LOCATION: Phase 6 Millbrook Park (Former Inglis Barracks) London, NW7 1PX
REFERENCE: 16/4389/RMA
WARD(S): Mill Hill

Received: 4 July 2016
Accepted: 11 July 2016
Expiry: 10 October 2016

APPLICANT: Inglis Consortium

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:

Millbrook Plaza Design Statement (ref. A103-MP-RE-01C)
Site Location Plan

Landscape Masterplan (ref. A103-MP-LA01-A)

Millbrook Plaza Sections (ref. A103-MP-SE01)

Millbrook Plaza Sections (ref. A103-MP-SE02)

General Arrangement Plan (ref. A103-MP-LA02-A)

Archaeology Technical Note, prepared by Halcrow (ref. PRHMHE-RPT-X-0007)

Air Quality Assessment, prepared by Atkins (ref. 5106655/ MB/ MPB/ 002)

Geo-environmental Technical Note, prepared by Atkins (ref. 5106655 / MB / MBP / 005)

Drainage Strategy, prepared by Atkins (ref. 5106655/MB/MBP/006)

Ecology Technical Note, prepared by Atkins (ref. 5106655/MB/MBP/003)

Energy Statement (Permanent Energy Centre), prepared by Atkins (ref. 5106655/MB/MBP/004)

Noise Assessment, prepared by Atkins (ref. 5106655/MB/MPB/001)

Design Capacity Statement, prepared by Atkins (ref. 5106655/MB/RM6/001)

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. 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. No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;

- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

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.

5. 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 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).

6. a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development

Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

7. Before the development hereby permitted is occupied the car parking spaces shown on the plans hereby approved 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.

8. a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until a bat survey has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.

b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

9. The disabled parking space shall be provided and clearly marked with a British Standard disabled symbol where appropriate and permanently retained for the use of disabled persons and their vehicles and for no other purpose.

Reason: To ensure and promote easier access for disabled persons to the approved building 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.

10. The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport 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.

11. Prior to the commencement of the development hereby approved, details of any highways within each sub-phase to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure that adequate public access is provided throughout the development.

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 0.44ha and comprises an area of land that is located within the community zone in the southern hub Character Area of the wider Millbrook Park redevelopment. The application site comprises public open space plot OS9 and is located within Phase 6. It is bound to the north by plot FF, to the east by plots HH and GG, to the south by Bittacy Hill and to the west by Royal Engineers Way and Phase 9B. The outline planning permission grants mixed use retail/employment at ground floor with residential above from within the plots which front the Plaza.

The existing site is currently occupied by the Council depot comprising a large scale building with associated car parking and service area. The depot buildings and hardstanding areas will be demolished and removed upon vacation of the site which is currently anticipated to take place in early 2017.

The proposed 'advanced infrastructure works for which approval is sought comprises the landscaping and infrastructure works of the public open space plot OS9 which is located within Phase 6, including the installation of the Permanent Energy Centre.

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 Statement
- Statement of Compliance;
- Archaeology Technical Note;
- Air Quality Assessment;
- Geo-environmental Technical Note;
- Drainage Strategy;

- Ecology Technical Note;
- Energy Statement (Permanent Energy Centre); and
- Noise Assessment.

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: MHE3 (Employment), MHE6 (Community Facilities, Shops and Services), MHE7 (Parks and Public Open Space), MHE8 (Children's Play Space), 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:

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| 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 |

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| | 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 |

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| 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 |
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| 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 |
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| 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. |

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| Stat Start Date | 24/10/2011 |
| Application Type | APD |
| Decision | Approve |
| Decision Date | 15/12/2011 |

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| 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 |

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| 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 |

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| 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. |

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| Stat Start Date | 25/02/2013 |
| Application Type | APD |
| Decision | APC |
| Decision Date | 22/04/2013 |

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| 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 | 23/07/2013 |
| Application Type | APD |
| Decision | APC |
| Decision Date | 13/02/2014 |

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| 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 |

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| 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 |

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| | 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 | APC |
| Decision Date | 29/07/2016 |

2.3 Consultations and Views Expressed:

Public Consultation

Neighbours Consulted: 52
 Neighbours Wishing To Speak 0

Replies: 1

At the time of writing one response has been received from the Mill Hill Preservation Society. The letter makes the following comments:

- '1. The original draft plans had some water elements in the scheme that have been lost.*
- 2. It would be good to see a piece of sculpture in the square – which we feel will be a very important new space for Mill Hill East.*
- 3. It was not possible from the plans to relate the plaza to the activities at ground floor in the buildings round it. We understand this information will not be available until later, but is of importance so as to ensure spaces are allocated properly.*
- 4. A proper crossing to the tube/bus station is a must and this needs to relate to the plaza on the short edge where the 'market area' was proposed.'*

Officer Comment: These comments are discussed in greater detail in the design section below.

Internal /external and Other Consultations:

Highways

No Objections subject to the attachment of appropriate conditions.

Scientific Services

No objections raised to the proposal.

Environment Agency

No Objections Raised.

Thames Water

Thames Water have made the following comments:

'Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.'

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 comprises an area of land that is located within the community zone in the southern hub Character Area of the wider Millbrook Park redevelopment measuring 0.44ha in area. The application site comprises public open space plot OS9 and is located within Phase 6. It is bound^{ed} to the north by plot FF, to the east by plots HH and GG, to the south by Bittacy Hill and to the west by Royal Engineers Way and Phase 9B. The outline planning permission grants mixed use retail/employment at ground floor with residential above from within the plots which front the Plaza.

The existing site is currently occupied by the Council depot comprising a large scale building with associated car parking and service area. The depot buildings and hardstanding areas will be demolished and removed upon vacation of the site which is currently anticipated to take place in early 2017.

3.2 Proposal

The proposed works for which approval is sought comprise the landscaping and infrastructure works of the public open space plot OS9 which is located within Phase 6, including the installation of the Permanent Energy Centre (PEC).

The proposed public open space within this phase comprises of the main civic square which acts as the gateway into the site from Mill Hill Station to the South.

The proposed square is arranged over two levels, with the lower plaza adjoining Bittacy Hill being design as a predominately open space bordered to the south and west by new street trees and street furniture. The design rationale behind this space is to create a multi-functional space which could be used for other events such as local markets.

The upper plaza will combine two areas, the first a large central lawn incorporating raised areas of stone seating. This will include an ornamental planting bed with a feature tree and some incidental toddlers play equipment, designed to be visually attractive when not in use. This area of lawn, along with a smaller area to the south will allow for informal summertime recreation / relaxation.

The second area lies immediately to the south of the mixed use element within the Phase 6 development. This has been identified for uses that would include small shops, cafes and similar uses and accordingly the space to the front allows for both a visibly clear retail frontage as well as space for out of hours / emergency servicing and managed activities such as café seating.

The lower plaza is separated from the upper plaza by a Permanent Energy Centre which was originally proposed to be erected in the adjoining phase 6B. The Energy Centre is predominately housed underground however due to service, personnel and emergency access needs some parts of the installation will be partly visible within the plaza. The first, a service access area which allows for replacement plant, as well as a separate fire/personnel access. The structure has been designed to obscure the function and will incorporate decorative/ sculptural steel panels, climbing plants and a green roof. The structure also acts as the retaining features for two of the flights of steps, connecting the upper and lower plazas. The second structure houses the secondary fire escape and a separate Gas Meter Station which is required to be located outside of the main below ground energy centre. As with the main service structure, this small kiosk or pavilion style building has been designed using a curved form to complement the space within which it sits and will use similar materials and a green roof.

In addition to the above the Design Code recommends that 11 parking spaces should be provided, however following a design review of the proposed layout and re-configuration of the overall design for the plaza, the parking has moved location to the periphery of the space creating additional public open space, which reduces the number of parking spaces to 9.

The approved site wide drainage strategy also requires that an attenuation tank is provided within the Millbrook Plaza to manage the volume of surface water generated by the Millbrook Park development. This attenuation tank is designed to accommodate approximately 1000m³ of storage.

Discharging of conditions

This application also involves the discharge 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 this proposal are as follows:

- 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 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 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 the public open space is established in the outline consent. The

open public spaces in Millbrook Park are considered to be a key element of the outline consent as it provides essential amenity space for residents, along with providing a key gateway into the site. In terms of site area, the public plaza extends to 0.3ha (total application site area 0.44ha). This is in direct accordance with condition 15 of the outline planning permission (ref. H/04017/09) which states a target provision of 0.3 hectares for the 'Public Square'.

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 differ in a number of ways which are discussed in greater detail below.

4.2 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.

Changes from Design Code

The submitted application predominately follows the design parameters as set out in the Design code, i.e. incorporated tree and shrub planting, seating, toddler play features and utilises high quality materials.

The Design Code also advises that the proposal will incorporate public art to enhance and identify the space in the form of a sculpture or water feature and the indicative plan in the design code shows an ornamental pool separating the square and the car parking areas.

The reserved matters application which has been submitted does not contain any water features or free standing sculptures. The Design Statement advises that the water features have not been incorporated due to the design of the square and the desire to design useable public space which can be used for a variety of functions. In relation to the sculpture, the ornate grilling proposed on the Permanent Energy centre facing the lower plaza is considered to fulfil a similar function and it is not considered that a separate statue or sculpture is necessary in this location.

Design of Public Plaza and Energy Centre

The proposed public square is set out over two levels with the lower plaza consisting of an open hard surfaced space with seating and landscaping around the periphery, while the upper plaza contains a raised grassed area with tree and shrub planting which also contains natural play elements. The remainder of the upper plaza is open and covered in hard surfacing to provide for pedestrian movements through the space and providing opportunities for outdoor seating for potential uses fronting the square, which is anticipated in the Design Code to include retail and restaurant type uses.

The two plazas are separated by the new permanent energy centre, with steps either side, with a separate level route being provided along the north of the plazas connecting through to Bittacy Hill. While the majority of the energy centre is underground, a raised service area fronts the northern end of the lower plaza. The front of this is clad in a decorative perforated metal screen containing decorative patterns. The roof of the energy centre is covered by an extensive green roof. An underground secondary fire escape and underground substation is also provided which exits on the eastern edge of the upper plaza in the form of a pavilion structure which is designed to appear similar in appearance to a pop up coffee shop. This structure will provide additional storage space and will also house a gas meter.

Overall the visual appearance of the spaces created will be of high quality, and will provide usable public spaces which would provide an appropriate gateway into the Millbrook Park development.

Landscaping

The landscaping proposals contain a mixture of hard and soft landscaping. In relation to hard surface materials, the application proposes a mixture of natural stone paving, granite paving and patterned concrete block paving along with raised stone planters and seating and stainless steel cycle stands and railings. In relation to soft planting the application proposes the creation of areas of shrubbery, grassed lawn, wildflower mix over the proposed energy centre and trees along the boundary of the lower plaza and within the upper plaza. The submission does not include details of the proposed species and a landscaping condition is attached requiring this information to be submitted to the Council's satisfaction.

Overall it is considered that the proposed landscaping strategy is acceptable and will lead to the delivery of a high quality scheme in keeping with the surrounding area.

Trees

There are currently two existing trees on the site which already have permission to be removed pursuant to the approval of condition 53 of the Outline Planning Permission. The current application proposes new planting in the lower plaza in the form of a row of mature trees with canopies starting at a minimum of 2.2m above ground. Planting species are proposed to be predominantly ornamental with a range of seasonal flower shrubs and herbaceous plants selected for seasonal interest.

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.

4.3 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.

The Design Code envisaged the provision of 11 drop-off car park spaces on the western edge of the plaza. However in order to maximise the quantum of public open space the number of car parking spaces have been reduced to nine. The site is located on the southern periphery of the site, directly adjoining Mill Hill Station across Bittacy Hill to the south. Due to this location it is considered that the majority of visitors to the plaza are likely to travel by foot and the slight reduction in the car parking provision is considered appropriate in this instance and is supported by the Barnet Highways and Transport Team.

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.

In relation to Surface Water, the Plaza forms part of the wider drainage strategy, with surface water coming from the north of the site, through the plaza connecting into the existing Thames Water surface water sewer present at Bittacy Hill.

In order to manage flows into this sewer an attenuation tank is proposed to be provided within the Millbrook Plaza to manage the volume of surface water generated by the development. This attenuation tank is designed to accommodate approximately 1000m³ of storage which will be utilised to cater for a 1 in 30 year design storm event as the surface water modelling which has been carried out does not predict flooding in design storms up to the 1 in 100yr plus 30% for climate change event.

In relation to Foul Water drainage this transverses the site north to south connecting to the main foul water connections in Bittacy hill similar to the surface water drainage.

Thames Water have commenting on the submitted drainage plans stating that they have no objections to the proposed drainage strategy. 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 Ecological Walkover Survey was submitted in support of the current reserved matters application. The Survey found that the site at present has limited wildlife potential but one of the existing buildings could potentially be used by bats for roosting purposes and that there might also be nesting birds within the site. As such the ecological report recommends that if tree removal is to take place within the nesting season, then it would be necessary for the trees to first be checked for nesting birds. It is also recommended that a bat survey is carried out prior to the

demolition of any buildings. A Suitable condition is attached requiring the submission of such a survey to the satisfaction of the Local Planning Authority.

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 June 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.

4.9 Permanent Energy Centre

The application has submitted air quality and noise reports in support of the proposal. The information has been examined by the Council's Environmental Health Service who advise that they are satisfied that the CHP energy centre will not detrimentally affect air quality, and that the noise limits which have been set accord with Barnet's noise level requirements.

4.8 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.

No Construction Management Plan has been submitted in support of the application, and as such a condition is included requiring the submission of a demolition and construction management plan prior to the commencement of construction. This would ensure the environmental issues are effectively managed with minimum

impact on the surrounding environment by this development including noise disturbances, vibration, dust, smoke, plant emissions and traffic.

4.9 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.

The application also satisfies the requirements of Conditions 26, 27, 32, 35, 48, 52, 83 and 85 of the outline consent.

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

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