

LOCATION: Phase 2, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ

REFERENCE: H/03904/12 **Received:** 8th October 2012
Accepted: 2nd November 2012

WARD: Mill Hill **Expiry:** 28th January 2013

APPLICANT: Linden Homes Chiltern Ltd

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.

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.

This application relates to Phase 2 of the outline consent. Phase 2 is located in the north west corner of the Mill Hill East regeneration area (also known as Millbrook Park). The existing Officers' Mess building falls within Phase 2, but is outside of this reserved matters application. The proposed development comprises 103 dwellings together with the landscaping of public open space (identified as Phase 2 'Open Space 2'). The development will also include new planting, creation new footpaths, internal access roads, provision of a toddlers' doorstep play area and street furniture.

RECOMMENDATION: APPROVE SUBJECT TO THE FOLLOWING 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:

Proposed Site Plan (ref.AA2999/2.1/003P7)

Proposed Roof Plan (ref.AA2999/2.1/004P6)

Refuse Strategy Plan (ref.AA2999/2.1/005P7)

Slab Levels (ref.AA2999/2.1/006P5)

Parking Diagram (ref.AA2999/2.1/007P7)

Privacy Panels (ref.AA2999/2.1/008P5)

Hard and Soft Landscape Materials Plan (ref.AA2999/2.1/009P5)

Principal Building Materials Plan (ref.AA2999/2.1/010P6)

Boundary Treatment Plan (ref.AA2999/2.1/011P5)

Car Barns (ref.AA2999/2.1/012P4)

Garages (ref.AA2999/2.1/013P3)

Fire Hydrant Location (ref. AA2999/2.1/015P3)

Plot Schedule (ref.AA2999/2.1/019P5)

Schedule of External Finishes (ref.AA2999/2.1/020P1)

House Type 3BA Plans (ref.AA2999/2.1/021P3)

House Type 3BA Elevations 1 of 2 (ref.AA2999/2.1/022P4)

House Type 3BA Elevations 2 of 2 (ref.AA2999/2.1/023P4)

House Type 3BB (ref.AA2999/2.1/024P3)

House Type 3BC (ref.AA2999/2.1/025P4)

House Type 3BD (ref.AA2999/2.1/026P3)

House Type 4BA (ref.AA2999/2.1/027P4)

House Type 4BAV (ref.AA2999/2.1/028P3)

House Type 4BC (ref.AA2999/2.1/029P3)

House Type 4BCV (ref.AA2999/2.1/030P3)

House Type 4BE-4BF Plans (ref.AA2999/2.1/031P3)

House Type 4BE-4BF Elevations (ref.AA2999/2.1/032P5)

House Type 4BE-4BF Elevations (ref.AA2999/2.1/033P3)

House Type 4BH (ref.AA2999/2.1/034P4)

House Type 5BA (ref.AA2999/2.1/035P5)
House Type 5BAV (ref.AA2999/2.1/036P5)
House Type 5BB (ref.AA2999/2.1/037P5)
House Type 5BC (ref.AA2999/2.1/038P3)
FOG 1BA and FOG 1BB (ref.AA2999/2.1/041P4)
Apartment Block A – Plans and Elevations (ref.AA2999/2.1/042P5)
Apartment Block B – Plans (ref. AA2999/2.1/043P5)
Apartment Block B – Elevations (ref. AA2999/2.1/044P6)
Apartment Block C – Plans (ref.AA2999/2.1/045P5)
Apartment Block C – Elevations (ref. AA2999/2.1/046P5)
Street Elevations 1 of 3 (ref. AA2999/2.1/051P5)
Street Elevations 2 of 3 (ref. AA2999/2.1/052P5)
Street Elevations 3 of 3 (ref. AA2999/2.1/053P5)
Proposed Site Sections (ref. AA2999.2.0/054P5)
External Refuse Stores (ref. AA2999/2.3/001P1)
Electric Gate (ref. AA2999/2.3/002P3)
Landscape General Arrangement Plan (ref.CH469-2382-GA-01 to 04 Rev F)
Planting Plans (ref.DH469-2382-PP-01 Rev H)
Planting Plans (ref.DH469-2382-PP-02 Rev H)
Planting Plans (ref.DH469-2382-PP-03 Rev F)
Planting Plans (ref.DH469-2382-PP-04 Rev F)
Protective Measures for Trees (ref.CH469-2133-TS-08 Rev B)
Tree Removal and Protection (ref.CH469-2382-TS-03 to 06 Rev B)
Tree Retention and General Arrangement Plan (ref. CH469-2382-GA-05 to 08 Rev D)
Tree Pit Detail in Hard Landscape (ref. 2382-DT-01 Rev B)
Tree Pit Detail in Linear Verges (ref. 2382-DT-02)
Tree Pit Detail in Soft Landscape (ref. 2382-DT-03)
Landscape Management and Maintenance Plan (ref. CH469-2382-RE-01 Rev B)
Acoustic Design Report (ref 7320-NEA-01-Rev A)
Drainage Statement (ref. CV8111080/SH/LR/011) and supporting data (dated February 2013)
Drainage Strategy Plan (ref CV81101080/105 Rev P5)
Response to condition 82 and 83 February 2013
Arboricultural Impact Assessment Report (ref. LHS/MP2/AIA/01h)
Sustainability Statement (this includes Code for Sustainable Homes Pre-assessment) (dated September 2012)
Energy Strategy (dated February 2013)

Construction Management Plan (dated October 2012)

Demolition and Site Waste Management Plan (October 2012)

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 development hereby permitted is occupied a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall include details of:

- Monitoring and enforcement of any unauthorised parking;
- Details of the management and enforcement of the use of visitors spaces;
- Controls for servicing and deliveries.

The strategy must demonstrate to the satisfaction of the Local Planning Authority that monitoring and enforcement measures will be sufficient to prevent obstruction to the free flow of both vehicular and pedestrian traffic on site.

The Parking Management Strategy shall be implemented in accordance with the details submitted and shall be applied thereafter.

Reason:

To safeguard the amenity of the resulting development the free flow of traffic within the estate and the safety of vulnerable road users in accordance with CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

4. Before development hereby permitted is occupied and notwithstanding details shown on plans otherwise hereby approved, details of the external bicycle storage for Apartment Block C shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details submitted and shall be applied thereafter.

Reason:

To ensure the cycle storage is secure and to encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

5. Before development hereby permitted is occupied, external bicycle storage shown on plan drawing No. AA2999/2.1/003P6 shall be provided for Apartment Block B and thereafter maintained for the life of the development.

Reason:

To ensure the cycle storage is secure and to encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

6. Before development hereby permitted is occupied, 10 No. visitor cycle parking spaces shall be provided for visitors within the street in black steel vandal resistant stands and thereafter maintained for the life of the development.

Reason:

To ensure the cycle storage is secure and to encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

7. The materials to be used for the external surfaces of the buildings hereby permitted shall be in accordance with drawing AA2999/2.1/010P6.

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. Before development hereby permitted is occupied, the electric charging points as specified in the approved Plot Schedule shall be provided and thereafter maintained for the life of the development.

Reason:

To encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

9. All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme 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 safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

11. The new trees as shown on the plans hereby approved shall be planted in accordance with the typical tree pit details shown on plans CH469-2382-DT-01 Rev B and CH469-2382-DT-02.

Reason:

To safeguard the health of new trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

12. Notwithstanding the details shown on plans otherwise hereby approved and prior to occupation of any of the approved residential properties details of the appearance, amount and location of photovoltaic panels within this phase 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 appearance of the development and to ensure sustainable development targets of the outline planning permission are achieved in line with the requirements of Outline Planning approval H/04017/09.

13. Notwithstanding the details shown on plans otherwise hereby approved and prior to development commencing a detailed external lighting scheme including siting of lighting columns and a site plan with lux lines 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 and prevent disturbance to existing and future occupants thereof and to ensure the free flow of vehicular and pedestrian traffic and security of the site in accordance with Policies CS9 of the Core Strategy (2012) and DM01, DM04 and DM17 of the Development Management Policies (2012).

14. Before development hereby permitted is occupied, the privacy panels to balconies and terraces shown on the approved plans shall be provided and thereafter maintained for the life of the development.

Reason:

In the interest of residential amenity in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

15. Notwithstanding the details shown Plan drawing No. CH469-2382-GA-02 Rev F otherwise hereby approved the area marked 'Tarmac to footpaths connecting to Phase 2 Access Road footpath' within the Officers' Mess Visitor Parking court shall be laid as a shared surface at the same level as the parking spaces and no kerb shall be installed.

Reason:

To ensure the free flow of vehicular and pedestrian traffic in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

16. Before development hereby permitted is occupied, a dry riser for Apartment Block A and domestic sprinkler system to comply with BS9251 shall be installed and thereafter maintained for the life of the development.

Reason:

In the interest of fire safety in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

INFORMATIVES:

The informatives that it is recommended be included on the decision notice in respect of this application are set out in Appendix 7 of this report. These include (as the first informative) a summary of the reasons for granting planning permission for this development and the relevant development plan policies taken into account in making this decision.

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, 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 22nd Sept 2011). Reserved matters for Phase 1A delivering 58 dwellings was recently approved in December 2012 (ref H/03458/12).

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

Site Location Plan (ref. AA2999/2.1/001P1)

Topographical Survey Plan (ref. AA2999/2.1/002P1)

Existing Site Plan (ref. AA2999/2.1/014P1)

Illustrative Landscape Masterplan (ref. CH469-2382-GMP-01 RevA)

Illustrative Landscape Sections (ref. CH469-2382-SE-01 Rev C)

External Lighting Layout Plan (ref ME101)

3D Views (ref. AA2999/2.1/055P1)

3D Views – Apartment Block C (ref. AA2999/2.1/057P2)

Swept Path Analysis (Refuse Vehicle) (1 of 2) (ref. CV8111080/SP01 Rev F)

Swept Path Analysis (Refuse Vehicle) (2 of 2) (ref. CV8111080/SP02 RevD)

Swept Path Analysis (Vehicle) (ref. CV8111080/SP03 Rev A)

Swept Path Analysis (Vehicle) (ref. CV8111080/SP04 Rev A)

Swept Path Analysis (Vehicle) (ref. CV8111080/SP05 Rev A)

Indicative Service Routes (ref CV8111080/106 Rev P2)

Plan Illustrating Areas of Open Space (ref 2133-LA08 Rev B)

Planning Statement September 2012 MBP/LHC/1

Planning Statement Addendum October 2012 MBP/LHC/1.1

Design and Access Statement (ref AA2999/DAS/P1 – 05-10-2012) and Addendum dated February 2013
Statement of Community Involvement (dated August 2012)
Conus Lighting Specification and supplementary information (ref. MBP/LHC/1.1) dated 18-01-13)
Green/Brown Roof Reconciliation Table October 2012
Phase 2 Micro Drainage April 2012
East.casx Micro Drainage 21/01/2013

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), 3.3 (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 (Community Facilities, Shops and Services: Officers' Mess), MHE7 (Parks and Public Open Space), MHE8 (Children's Play Space), MHE9 (Protection of Green Belt and Biodiversity), 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, 21st Dec 2011) also sets out the guidelines for how the site, its neighbourhoods, open spaces and key amenities could be designed and built. It informs the formulation of individual reserved matter applications related to specific phases of development. Site-wide or phase related reserved matters must be in compliance with the agreed Design Code unless satisfactorily justified and this will be assessed in detail below.

2.2 Relevant Planning History:

Application Reference:	H/04017/09
Case Officer:	Jo Dowling
Proposal:	Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.
Stat Start Date	30/10/2009
Application Type	EIAO
Decision	APL
Decision Date	22/09/2011

Application Reference:	H/00642/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 2 of Millbrook Park (Mill Hill East), pursuant to outline planning permission H/04017/09 dated 22/09/2011
Stat Start Date	20/02/2012
Application Type	APD
Decision	APC
Decision Date	20/04/2012

Application Reference:	H/01101/12
Case Officer:	Jo Dowling
Proposal:	Environmental impact assessment screening opinion.
Stat Start Date	16/03/2012
Application Type	ESR
Decision	ESN
Decision Date	16/04/2012

Application Reference:	H/04338/11
Case Officer:	Colin Leadbeatter
Proposal:	Submission of details for condition 6 (Overarching Phasing Plan) pursuant to planning permission H/04017/09 dated 22/09/11.
Stat Start Date	24/10/2011
Application Type	APD
Decision	Approve
Decision Date	15/12/2011

Application Reference:	H/04337/11
Case Officer:	Colin Leadbeatter
Proposal:	Submission of details for Condition 9 (Open Space Strategy) pursuant to planning permission H/04017/09 dated 22/09/11
Stat Start Date	24/10/2011
Application Type	APD
Decision	Approve with conditions
Decision Date	03/01/2012

Application Reference:	H/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/00807/13
Case Officer:	Wing Lau
Proposal:	Environmental impact assessment screening opinion for residential development for Phase 2 of Mill Hill East development.
Stat Start Date	08/10/2012
Application Type	ESR
Decision	Screening not required
Decision Date	12/03/2013

2.3 Consultations and Views Expressed:

Public Consultation

Neighbours Consulted: 1611

Replies: 4

Neighbours Wishing
To Speak 1

Revised plans have been received and the application was re-consulted. At the time of writing no further comments have been received, but should any arise this will be reported in an addendum report.

At the time of writing **three** letters from neighbouring residents raising the following (in summary):

- The proposal is above the density on this part of the Mill Hill East Triangle
- remove any future permitted development rights and prohibit the conversion of any garages for any other use than vehicle parking;
- Opposed to the development mainly for the impacts it will have on traffic (both during construction and after) and the impact on surrounding areas;
- to have over 2000 new homes will have a very negative impact on the area which will become very overcrowded. The high density population will increase crime and anti social behaviour and generate extra traffic;
- the neighbourhood is experiencing increasing frustration due to the increased congestion and traffic and the development would make this worse;

- There will be an increased loss of privacy, noise generation, demand on the utilities for the area, garbage, pollution, stress and health/sanitation risks;
- There will be a reduced Green Belt. This would be a needless overcrowded development.

Officer's response:

The principle of developing 2,174 homes (plus commercial space) and the density is already established under the outline consent. The current scheme falls slightly under the target density for this phase. Conditions in the outline consent restrict permitted development rights and prohibit the conversion of integral garages. A number of highway and transport mitigation measures will be delivered by the end of Phase 2 (as agreed in the outline s106 agreement). The outline application had estimated that the population increase of Millbrook Park would be approximately 24% and mitigation measures would be in place to ensure neighbouring amenity would not be significantly compromised. Phase 2 and Millbrook Park is not within a Green Belt.

International Bible Students Association (IBSA House) Main concerns relate to the design layout of the dwellings immediately adjoining IBSA House and the failure to mitigate noise impact for the future residents.

- the scheme does not respect the Masterplan or Design Code for a buffer zone around IBSA House boundary;
- -scheme does not respect the minimum 5m distance of separation between residential units and the IBSA boundary required in the Design Code;
- habitable rooms should face away from IBSA House required in the Design Code;
- -scheme does not respect the NPPF which states that businesses should not have reasonable restrictions put on them because of changes in nearby land uses since they were established;
- no recognition that IBSA House has a requirement for further expansion;
- the acoustic report is not reliable or accurate which should capture and assess noise generated by IBSA;
- scheme does not respect and suitably discharge the requirements of Conditions 12 and 57 of the outline consent;
- the fencing should be visually attractive and the current proposal would not hide the poor appearance and condition of the existing fence – should be replaced by an acoustic fence along the whole boundary;
- no acoustic fence to protect Plot 17 and its garden;
- glazing measures alone would undermine IBSA's ability to protect its operations, mechanical ventilation to reduce noise levels is not viable in the long term.

IBSA has also commissioned their own acoustic report and this has found some inaccuracies of the submitted report by the applicant including the time of monitoring, the height of the measurements taken and the conclusion with less attenuation.

Officer's response:

The above points are discussed in detail under 'Landscaping' and 'Noise disturbance from IBSA House' sections of this report (sections 4.6 and 4.8), but in summary:

The Design Code guidelines aim to deliver a high quality coherent residential and mixed use development and whilst the scheme does not strictly accord with some of the Design Code principles, it should be acknowledged that these are non-prescriptive guidelines. There should still be some flexibility in exceptional circumstances where clear and acceptable justification is provided. Should the alternative solution achieve the same objective (and in this instance to protect both future residents and IBSA's amenity in respect of noise disturbance), its non-compliance with the Design Code is acceptable.

The revised scheme now relocates some habitable rooms to the southern elevation facing the Officers' Mess building and in cases where this is not achieved mitigation measures are proposed. No formal application to expand the existing IBSA premises has been submitted and the assessment has therefore been based on the current situation. A noise assessment was submitted as part of this application and further discussion relating to the robustness of the applicant's noise report is found in the 'Noise' section of this report.

This application will partially discharge Conditions 12 and 57 as this phase only relates to Plot L within Phase 2. Further details relating to Plots A1 and A2 will also need to be discharged when the future Phase 3 reserved matters application is submitted.

The revised plans now show an acoustic fence along the whole boundary adjoining IBSA. The glazing and mechanical ventilation measures had been established in the previously approved Condition 12 report (ref H/04018/11) and this proposal does not differ significantly from that.

Internal /external and Other Consultations:

- **Greater London Authority (GLA)** – No comments received
- **Metropolitan Police Service** – The combined height of boundary treatment should be at least 1.8m; consider the installation of gate to control access to the shared surface road leading to the northern mews units; doors to garages to be designed to certain security standard; northern boundary to IBSA House to be agreed by the LPA; no detail about the security standard of external cycle stores. General points were given on the standards of lighting and doors and windows.

- **Transport for London** – Phase 2 scheme would not affect any bus routes / bus stop facilities in the vicinity. No objections to the proposal.

- **Environment Agency** –
Initial comments:
The original strategy does not conform with the agreed drainage requirements/discharge rates at outline application stage. The scheme

should be in compliance with Section 7 of the Site wide drainage strategy reference: dated 28 Sept 2011, produced by Halcrow for the outline planning permission at 89.2 litres per second (l/s) up to the 1 in 100 year plus climate change event. The scheme as proposed has a total outfall of 96l/s. The drainage strategy should include the volume of attenuation to be provided, and supported by calculations to demonstrate that the volume is sufficient.

The applicant has since submitted further information in relation to drainage and has demonstrated that the total runoff leaving the wider site has not increased and overcomes the EA's previous concerns.

- **English Heritage** – No comments received
- **London First** – No comments received
- **Sustrans** – No comments received
- **Thames Water** – No comments received
- **Natural England** – No specific comments made.
- **London Fire Brigade** –

No significant objections to the scheme. It is recommended to have dry riser for Block A and a domestic sprinkler system for affected houses to comply with BS9251. Otherwise a change to the turning area to allow fire engines to turn round would be required. Location of Fire Hydrants were also recommended.

Officer's response:

The applicant has taken on board these comments and has submitted a plan to indicate the location of the Fire Hydrants. It is recommended that a condition requiring the dry riser and sprinkler system be imposed as it is not possible to change the turning area.

- **Environment and Transport, Green Spaces** – No comments received.
- **Traffic and Development (Highways)** -

Initial comments summarised as follows:

Technical points on the layout such as visibility splays, location and width of dropped kerbs, radii of access and requires amended layout;

Car parking arrangement could be improved and where there are areas that could potentially be parked on should be so allocated;

The number of visitor parking at 24 spaces is excessive (an over allocation of 11 bays) and should be removed;

A number of disabled bays would be blocked by hedges;

The swept path analysis as submitted shows manoeuvring of refuse vehicles to be difficult and may mount the kerbs, which is unacceptable;

A parking management strategy has not been provided and was a requirement in the reserved matters;

The requirement of 10 on-street cycle parking spaces is not detailed on the plan as well as the provision for motorcycles.

Drainage - London Clay subsoil at this site – infiltration to the underlying strata is not possible. The solution to counter this issue will be to use "Piora" permeable paving system "C" owing to the poor infiltration characteristics of the clay subsoil.

Following discussion with the applicant, amended plans were received to address Highways concerns and no further objections are raised.

- Environmental Health -

Initial comments as follows:

Concerns about the monitoring study by Clement Acoustics. Suggested that the monitoring results found in the Halcrow study (26/09/2011) which was submitted to discharge Condition 12 be used to aid the design of the scheme as this was in an approved submission of details condition.

Concerned about the amenity of the future residents facing IBSA House.

The scheme, with a 2.5m acoustic fence across the length of the northern boundary, will result in acceptable external noise levels in gardens, however Units 1 and 17 do not have the 2.5m acoustic fence and are very close to the site boundary and will be adversely affected.

Habitable rooms of units 1-19 face IBSA. The primary solution provided by the applicant seems to be the use of mechanical ventilation so that windows do not need to be opened. The opinion is that alternative designs would negate the need for this option as it is not considered that residents will keep their windows closed or will want to have to keep their windows closed.

Following these comments, further discussion and negotiation were had between the applicant and the Environmental Health team in relation to the noise surveys undertaken by the different experts. Environmental Health are now satisfied with the noise assessments. Further mitigations have been proposed including; relocation of some habitable rooms to the rear; new rooflights for ventilation; angled bay windows to allow natural ventilation without a direct outlook to IBSA House; acoustic fence to be across the whole length of the boundary and; additional planting to Plots 1 and 17. Environmental Health considers the changes to be acceptable and satisfies the concerns raised.

- Street Lighting -

Initial comments: Lantern used should direct light where needed, however due to the 360degree design light spill may be experienced, and suggest the use of internal shield or baffle especially near windows of buildings; unable to see lighting levels for all car park areas, possible loss of acceptable light level in these areas; due to absence of full lighting report do not know maintenance factors used and this will have influence on overall lighting level achieved.

Following these comments, further details were received from the applicant. The Council's Street Lighting Engineer has confirmed that the lanterns suggested for use, do seem to be able to control light spill. However to ensure residents are not effected a site plan with lux lines indicated should be submitted.

- Trees and Landscape Team –

Initial various comments: Unsuitable choice of species in the play area and parking areas; the lack of protective fencing details and construction methods (e.g 'no-dig' construction'); protective fencing not considered to offer adequate

protection such as canopy areas; inconsistency over the 'no-dig' areas; some concerns over unnecessary level changes; there are a number of level changes within RPAs and particular concerns where levels are lowered; there will also be a number of multiple incursions into the RPAs on some of the trees that are being retained and therefore question the chances that these trees would actually survive; a number of trees proposed would have restricted rooting volume; the Landscape Management plan appears to be relatively vague and is unenforceable.

Having received a response and amended plans from the applicant, the Tree Officer made further comments requesting additional information on the soil volume for the different tree species, the location of the lighting columns to the north and requesting that a condition be imposed for the submission and approval of a method statement that expands on the recommendations outlined in the Arboricultural Impact Assessment Report.

- **Refuse** – No comments received.
- **District Scout Committee** – No comments received.
- **Woodside Park Gardens Suburb** – No comments received.
- **Mill Hill Residents Association** – No comments received.
- **Ridgemont Residents Association** – No comments received.
- **Federation of Residents Association** – No comments received.
- **The Finchley Society** – No comments received.
- **Mill Hill Preservation Society** –

Concerns about the use of the lighter brick type as it is not a very common material in the vicinity; dwellings 56-58 and 95-103 does not sit well with the rest of the design and needs to have a more solid brick colour; the use of the light buff elsewhere is reasonable as long as a red brick is used as the detail brick round openings; street lamps do not match that shown in the Design Code and should have a degree of continuity through the scheme; there should be no increased light pollution; light should focus downwards; the orientation of Dwelling 19 is poor; current proposal should include a strategy to replace existing Ash trees that dies in light of the current disease spreading through the ash population; concerned that the planting along Bittacy Hill North is protected and improved; the scheme generally follows the Design Code in terms of landmark buildings, landscape etc; the roof design in certain locations does not seem to be appropriate for the inclusion of solar thermal panels; there is no crossing point between Bittacy Park and the site – the link does not relate well to the footpath system on the site – single run of steps is unsuitable for the less abled or cyclists; there should be a 'zig-zag' ramp access through the landscape area; Bittacy Hill is a busy road and the crossing point needs to have a central safety reservation; the refuse enclosure for dwellings 95-103 is poorly sited and needs to be improved; some houses do not have defensible space in front of the property. Generally believe that the scheme with some fine tuning could make a successful contribution to the overall development of Millbrook Park.

Officer's response:

The above points have been covered in detail in the main report, but in summary: The houses along Bittacy Hill have a variety of external finishes including render, red and some lighter coloured bricks and therefore the buff brick proposed here is in keeping with the existing houses on the opposite

side of Bittacy Hill. The proposed lighting columns are metal in accordance with the Design Code and the Council's Lighting Engineer confirmed the lanterns would be able to control spill to a point, but additional details are requested in a condition to ensure residents' amenity is protected and no increase in light pollution.

Dwelling 19 is orientated to front the open space to provide an active frontage. The siting of the refuse store for Apartment Block C (Plots 95-103) is slightly back from the road and does not affect residents' amenity. Plots 36-39 do not have any defensible space in front of the properties and whilst it would be ideal, this is a shared surface court and the Design Code allows for no enclosure where the private frontage zone is less than 1200mm. The scheme does provide some hedge planting which does give a buffer zone appropriate to this street type.

New trees are proposed to replace those lost and the planting along Bittacy Hill would be augmented. Solar thermal panels is discussed in further detail in the 'Sustainability' section of this report.

The steps discussed by MHPS are in fact one of two pedestrian accesses just outside of this reserved matters application site on Bittacy Hill and were approved under a separate planning application (ref H/04387/12). The steps are shown on these plans to provide some context. The access goes over an existing vegetated bank between the footpath on Bittacy Hill and the parking courts of Phase 2. Whilst it would be ideal to have a ramp to this southern pedestrian access, it is acknowledged that the gradient here is steep and a ramp can only be achieved if it 'zig-zagged' up the bank. Such a zigzag ramp would require the loss of a greater extent of vegetation and thus a detrimental impact on the visual amenity. In this instance, given that the northern access is a ramp (which would be suitable for wheelchair users, elderly, cyclists etc) there is no objection to the stepped access and is already approved under the separate application.

The MHPS has noted that this access point should be part of a pedestrian system for crossing to Bittacy Park with a new central pedestrian island to facilitate crossing Bittacy Hill. However, it is not the intention of the Design Code to suggest such a crossing outside of the Millbrook Park site and the approved pedestrian access would in any case improve the link from Bittacy Hill to the site.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings:

Site in relation to the outline consent:

The site to which this reserved matters application relates covers an area approximately 3.005 hectares (Ha) in size, located on the north-west part of Millbrook Park. The site falls within Phase 2 (or Development Land Parcel 2) of the outline consent (phasing approved pursuant to Condition 6 'Overarching Phasing Plan' ref H/04338/11, subsequently amended under Condition 7 ref H/02221/12). The application site comprises 2 parts (north and south), split by the Officers' Mess gardens and the internal estate road.

Each phase is further broken down into development plots (See appendix 2 for Plot layout). Plot S1 was originally in Phase 6, but this was subsequently added to be within Phase 2 as amended by application ref H/02221/12, which is allowed under Condition 7 of the outline consent. See Appendix 1 for latest Phasing Plan.

Parameter Plan 5 (Character Areas) of the outline consent divides the Millbrook Park site into a number of different character areas. The adopted Design Code then refines this into 5 specific character areas. Phase 2 falls within the Central Slopes West (CSW) character area. This is an area of a lower density than the main central slopes because of the sensitive relationship of this part of the site to the retained, locally listed former Officers' Mess and to the Bittacy Hill Frontage.

Physical features:

The site is bounded by Bittacy Hill to the west and IBSA to the north. Bittacy Hill has a suburban character and comprises a mix of detached, semi-detached and terraced houses set back from the road. Bittacy Hill Park is located to the south west adjacent to Bittacy Hill.

IBSA House forming the most northern boundary is the administrative headquarters of IBSA and the location of their publishing facility. It includes offices, a large print works and delivery yard.

An existing development of flats and houses owned by Notting Hill Housing Trust housing (NHHT) is located along the southern and south-eastern boundary. To the west of the site is the existing cleared site associated with the future Millbrook Park phases.

The Officers' Mess building (locally listed) is located in the central part of Phase 2 (See Appendix 3 for proposed site layout). This building was granted full planning permission (as part of the outline consent) for the conversion to 10 flats and a doctors' surgery. It falls within the red line boundary of this application, but no works or development is proposed to the building. The Officers' Mess Gardens sit to the south of the locally listed building and falls outside of the red line boundary of this application. The existing buildings apart from the Officers' Mess on this part of the development site have already been demolished.

The site is accessed in the north west of the site from Bittacy Hill and following the approval of the internal estate road (the main access for Phase 2), this would link up with Bray Road to the south and the rest of the road networks for Millbrook Park. The internal estate road was approved as the advanced infrastructure works for Phase 2 (ref H/00642/12, dated 10th April 2011). This internal estate road and the Officers' Mess Gardens divide the application site into the two areas.

The landscape is characterised by mature trees and are thickest along the Bittacy Hill edge, around the Officers' Mess and the south-western boundary with NHHT housing. A number of the trees around the Officers' Mess are covered by a Tree Preservation Order (TPO).

The site has a steep topography where there are gradients of around 1:12 (an overall fall of 19metres (m) from the northwest to the southern corner of the site). The Officers' Mess gardens have a steep bank along its southern edge, which adjoins the internal estate road.

The site has a public transport accessibility level (PTAL) of 2. Mill Hill East underground station is approximately 450m to the south of the site.

With the exception of IBSA House, the surrounding area to the north are predominantly larger residential properties with some located within the Metropolitan Green Belt. The southern half of the surrounding area is also predominantly residential with a mix of uses including a supermarket, scout camp, golf course and the Council's depot.

3.2 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. An Environmental Impact Assessment Screening Opinion for this phase has been submitted separately and it was considered that an Environment Statement was not required (application ref H/00807/13).

Housing

The proposals would be for a mix of 1, 2, 3, 4 and 5 bedroom units. Excluding the Officers' Mess development (which already has full planning permission for the provision of 10 flats and a doctor's surgery), a total of 103 dwellings are proposed:

- 3 x one bed flats
- 20 x two bed flats
- 45 x three bed houses
- 25 x four bed houses
- 10 x five bed houses

A mix of 3 storey terraced, semi-detached and detached houses are proposed with 3 apartment blocks along the southern edge. A number of house types are proposed and the applicant has created 'residential sub-character areas' that categorise groups of buildings through their use of materials and their house types.

In addition to the Phase 2 estate road already approved, internal access roads and footpaths to the properties are proposed.

A number of existing trees are proposed to be removed and landscaping work and replacement planting will take place. A number of parking courts and two 'parking barns' are proposed around the site.

Landscaping of public open space OS2

Parameter Plan 2 (Landscape) of the outline consent, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase.

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space to be provided across the whole Millbrook Park site. It stipulates that not less than 5.95 Hectares of open space shall be provided in the development which will consist of a target provision in a number of areas across the development site. The target provision that relates to this phase is: Officers' Mess Gardens 0.76 Hectares and Open Space to north/south of Officers' Mess 0.29 Hectares.

Phase 2 as defined in the approved Phasing and Implementation Plan (pursuant to Condition 6) includes public open spaces (POS) and residential development (see Phasing Plan at Appendix 1). The public open spaces comprise of two areas in Phase 2, namely referred to as OS1 (Officers' Mess Gardens) and OS2 (land to the north/south of the Officers' Mess gardens). This reserved matters application proposes the landscaping of the public open space OS2. Detailed proposals for OS1 have already been approved under permission ref H/03057/12).

OS2 is split into 3 parts – 1) to the north eastern area of phase 2 and the Officers' Mess

2) a small area to the west of the Officers' Mess

3) an area to the east of Plot N and west of NHHT properties (See Appendix 4 for Open Space Plan).

These areas consist of grass and mature trees and the proposal would involve planting of some new trees, provision of grass, ornamental planting and hedges and installation of some timber benches. A pedestrian path and steps are proposed to the area east of Plot N.

The application also proposes associated hard and soft landscaping works across the site. The applicant also wishes to discharge a number of conditions required by the outline consent and in this instance Condition 57 requires details of a proposed boundary treatment and landscape buffer with IBSA House to be submitted for approval.

The landscape included within the Bittacy Hill frontage will see the introduction of new tree and hedgerow planting to reinforce the Green Edge.

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 2 are as follows:

- 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 12 – Noise Survey along Boundary with IBSA House

This requires the submission of an Acoustic Design report to be submitted to show how internal noise standards Plots A1, A2 and L will be achieved and

how the design of the properties would be designed to minimise the impact of noise from IBSA House.

- 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 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 57 – IBSA House Boundary Treatment and Landscape Buffer

This condition requires details of boundary treatment and landscape buffer with IBSA House to be submitted and approved.

- 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.

- Condition 91 – Change of Use of Officers’ Mess Parking – Details

This requires the turning space and parking spaces to be provided and marked out within the site with a scheme to be submitted to and approved prior to the occupation of the Officers’ Mess.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of constructing 103 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 main access point for this phase is already established at outline stage and permission was also granted for the advance infrastructure works in April 2012, which approved the internal estate road. This current application shows the access in the same location in compliance with the outline parameters for access. Whilst, the application does not formally seek the approval for access, the internal access points, circulation and routes for pedestrians and vehicles are still considered as part of the overall scheme and for the discharge of conditions 26, 27 and 29.

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 Community Facilities/Social Infrastructure Strategy (MHE/OPA/8.1)
- 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 2 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 strictly conform and the applicant has provided justification for any deviations. These are explained in the sections below.

Deviation from outline

Each phase within the Millbrook Park site is made up of smaller plots as identified in Parameter Plan 4 (Scale) and in the approved Development Schedule (DS) at outline stage. This schedule provides a plot by plot breakdown of the accommodation and in this instance Plots L, M1, M2, N, O and S1 fall within Phase 2.

The number and mix of units for Phase 2 is as per the s.106 accommodation schedule. The proposed total number (103) and mix of units is in accordance with the DS when plots L, M1, M2, N, S1, O are added together, however the application deviates from the schedule at a plot-by-plot level. It is the distribution of the units across Phase 2 that is different to the approved schedule. This is a response to detailed design work which has concluded that a better quality solution can be achieved via deviations to the schedule. The applicant has submitted a separate s.96a application to amend the DS and is approved under ref H/00456/13.

Approved Development Schedule at outline (Table A6157.1)

Plot	1 Bed Flat	2 Bed Flat	3 Bed Flat	3 Bed House	4 Bed House	5 Bed House	Total
L	3	8	0	9	7	4	31
M1	0	6	0	5	6	1	18
M2	0	0	0	14	3	2	19
N	0	0	0	10	7	2	19
S1	0	6	0	0	0	0	6
O	0	0	0	7	2	1	10
Total	3	20	0	45	25	10	103

Linden Reserved Matters Application

Plot	1 Bed Flat	2 Bed Flat	3 Bed Flat	3 Bed House	4 Bed House	5 Bed House	Total
L	0	0	0	1	8	10	19
M1	2	0	0	10	5	0	17
M2	0	0	0	16	4	0	20
N	0	0	0	9	8	0	17
S1	0	9	0	0	0	0	9
O	1	11	0	9	0	0	21
Total	3	20	0	45	25	10	103

One of the rationales for the DS is to ensure that units are not squeezed into certain plots as the scale of the building are already set under Parameter Plan 4. Any deviation from the DS would be acceptable provided all other matters such as the size, scale and layout of the development would not cause adverse harm and the standard of accommodation for residents are not compromised. As discussed below in this report, when all the other detailed matters are considered the departure from the DS is acceptable.

4.2 Amount of Development

Housing

The amount and mix of development for 103 dwellings (excluding the Officers' Mess) in Phase 2 is in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. The current proposals do not include the provision of any affordable housing in accordance with the s.106 which reflects the need to invest in infrastructure in the early phases. Condition 8 (Housing Mix and Location of Affordable Housing Units) of the outline consent requires the submission of details of affordable housing, but since there is no affordable housing in this phase, this condition can be discharged.

Public Open Space

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space for Phase 2 to be: Officers' Mess Gardens 0.76 Hectares and Open Space to north/south of Officers' Mess 0.29 Hectares. It is anticipated that some variation is inevitable when detailed design for each area is finalised and therefore the figure is a 'target', with the minimum of 5.95Ha across the whole site to be provided.

The approved application for the Officers Mess Gardens (OS1) extends to approximately 0.68Ha, which fell short of the 0.76Ha target. This current application for the approval of Open Space to north/south of Officers' Mess (OS2) would provide 0.3Ha, which is above the 0.29Ha target. Whilst the overall target for Phase 2 open space is not achieved, the Applicant has also demonstrated that the minimum total of 5.95Ha could be provided across the whole Millbrook Park site in their reconciliation note and plan 2133-LA08 Rev B (Appendix E of the Design and Access Statement and Appendix 4 of this report). In light of this and provided the minimum total area of open space can be achieved across the wider site, there is no objection to the slight shortfall in provision for this phase.

4.3 Scale

Parameter Plan 4 (Scale) indicates a 3 storey maximum permissible height for the entire phase 2 area with the exception to the north eastern corner of Plot L which can rise to 4 storeys. The proposed houses and apartment blocks are predominantly 3 storeys in height, with some 2 storeys facing the Officers' Mess gardens. The ridge heights are also within the maximum heights as set out in the parameter plan. Apartment Blocks B and C have been redesigned following negotiation with the applicant and reduced to fit within the scale parameters at 3 storeys maximum.

The proposal also fall within the required width and length parameters (minimum and maximum) stipulated within Parameter Plan 4, which ensures that the development blocks would not consist of oversized plots and thus excessive massing.

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 adds a further character area referred to as the Central Slopes West character zone (CSW). It is envisaged that development within this character to be of a lower density than the main Central Slopes because of the sensitive relationship of this part of the site to the retained, locally listed former Officers' Mess and to the northern Bittacy Hill frontage. The site falls within the CSW character zone.

The existing vegetated bank and mature trees partially screen the proposed houses, which are set back from Bittacy Hill. The existing houses on the opposite side of Bittacy Hill are a mix of detached and semi-detached 2 storey houses and though those dwellings proposed are 3 storeys along this frontage, it is still considered to be in keeping with the scale of neighbouring properties. The Notting Hill Housing Trust (NHHT) housing adjoining to the south is predominantly 3 – 4 storeys with some 2 storeys along the Bittacy Hill frontage. The proposed houses within Phase 2 are on a higher level, however the height at 3 storeys is considered acceptable in relation to the NHHT dwellings as they are some distance away.

The vision for the CSW character zone is for a 'Garden Housing' block type where it would comprise of smaller blocks composed of detached, semi-detached and terraced houses and the occasional small apartment buildings on block corners. The buildings in Phase 2 have been grouped together by the applicant to create 'residential sub-character areas' and variation in the form, design and massing helps to break down the overall mass and scale. The site is steep and it is noted that there is a big step between the southern boundary and the NHHT buildings. As a result, the terraced houses on the southern boundary (Plots 60-68) are 2 storeys at the front and 3 storeys at the rear.

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 CSW character zone having an average of 66 dwellings per hectare (dph). The proposed development in this application would provide a net density of 41.7dph (including the 10 units within the Officers' Mess) and though it falls under the target provision of 66dph, it is recognised that this CSW character zone should be of a lower density to take into account of its relationship with the locally listed Officers Mess and the suburban Bittacy Hill frontage.

Phase 2 has a Public Transport Accessibility Level (PTAL) of 2 and is considered suburban in character. The London Plan recommends a density range of 150-250 Habitable rooms per hectare for sites with a PTAL between 2-3. At 196 habitable rooms per hectare the proposal would accord with the upper end of acceptable density levels established by London Plan Policy.

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. The proposals demonstrate an internal road and building layout in accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan 1. The main internal estate road links Bittacy Hill with Bray Road to the south and the rest of the site. The more minor internal roads proposed in this application are classified as 'Community Street' and 'Green Lanes' in the Design Code and these are laid out in accordance with the Illustrative Masterplan. The only significant deviation from the Illustrative Masterplan is Plot L to the north adjoining IBSA House.

Plot L

The Illustrative Masterplan and the approved parameter plans show Plot L to be immediately south of IBSA House boundary and the Officers' Mess Building to the south (See appendix 5 and 6 for Plot L). The vehicular access road to Plot L was intended to be located to the south of this plot linking the future phase 3 development. There is an existing steep bank to the rear of the Officers' Mess building which consists of trees that would be at risk if the link road was constructed as indicated on the Illustrative Masterplan. The applicant has therefore 'flipped' Plot L and the vehicular access road around so that the road would now be immediately south of the IBSA House boundary. There is an existing vehicular access immediately south of the IBSA boundary and this new proposal would essentially re-use this with Plot L located to the south of the road. The benefit will be to safeguard the line of existing trees along the boundary with the Officers' Mess Building.

It was also expected that the houses within Plot L would have the habitable rooms facing south towards the Officers' Mess and to have the dwellings' gardens on the north side receiving noise from IBSA House (which was established under approved Condition 12 -Noise survey along boundary with IBSA House). It is now proposed to have the gardens facing the Officers' Mess building to provide a quieter outdoor environment. For the two primary reasons outlined above (safeguarding trees and rear gardens away from IBSA House), the redesigned layout of Plot L is considered acceptable. IBSA House issues are discussed in more detail below in the amenity and noise section of the report.

The proposed layout is broadly in compliance with the parameter plans and the Illustrative Masterplan and it is expected that there would be some minor variations to the layout as detailed design work evolves.

Frontages

Within Phase 2 there are two key primary frontages, the first being the relationship with Bittacy Hill, and the second being the relationship with the proposed estate road facing onto the Officers' Mess Gardens.

The relationship with Bittacy Hill is considered to be of paramount importance to the overall acceptability of the scheme. It is envisaged that there should be 'glimpsed views' of the development from Bittacy Hill through existing and

proposed vegetation and soft landscaping. The proposed development fronting Bittacy Hill comprise houses and terraced houses and would be of a traditional Arts and Crafts design. These would predominantly have frontages facing Bittacy Hill and where there are side elevations facing the road there are windows and entrances. There is a strong built form along the Bittacy Hill frontage and is set back at an appropriate distance from the road edge (between 11m – 22m), which conforms to the Design Code's guidelines. The existing mature, tree-lined hedgerow along this edge would be largely retained to minimise the visual and physical impact of development on the character of Bittacy Hill.

Following further discussions, the Apartment Block A has been redesigned and repositioned to be set back further from Bittacy Hill edge. A hedgerow and a number of small trees are proposed in front of Block A to soften this edge.

Section 4.1.1 of the Design Code provides specific detail on the vehicular gateway requirements for Bittacy Hill. This is the primary gateway into the north west corner of the site from Bittacy Hill and the principal is for a strong built form. The scheme proposes two 'terraced crescent' houses on both sides of the road entrance and soft landscaping to create an attractive and strong gateway into the site.

The houses fronting the Officers' Mess Gardens and the internal estate road would provide an active frontage and are sufficiently set back from the edge to provide some defensible space.

Parking

A number of parking courts are proposed across the site and are well overlooked. The roads are shared surfaces and conform to the Design Code, providing direct access to the dwellings and parking courts. There are two 'parking barns' proposed and are essentially covered car ports. Car Barn A is to the north of the site serving Plots 1- 9 Car Barn B is within the central housing block to the rear of Plots 49-52. These allocated parking courts behind houses have been designed to allow direct access into the rear gardens to reduce the walking distance and is an acceptable solution. The gated entrance to Car Barn would provide adequate security and is surrounded by rear gardens, which would provide passive surveillance. 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. The approved parameter plan and indicative Masterplan include 'green corridors' on the south west corner of this site to enable access to and across Bittacy Hill and to Bittacy Park. This requires a gap to be created within the tree lined hedgerow boundary where it is of lowest quality. There are two pedestrian accesses shown on the plans, which are on the strip of land between Bittacy Hill footpath and Phase 2 site but are outside of the red line boundary. These have been approved under a separate application ref H/04387/12 (dated Feb 2013) submitted by the same applicant and would provide pedestrian links from Bittacy Hill through to Phase 2. These lead directly up to the proposed parking courts and allows for

a permeable development. The Design Code specifies a suitable metal railing along this boundary and this is shown to be 1.3m high black coated metal rail. The scheme also provides a pedestrian footpath running along the western boundary between the railings and the houses and further increases accessibility of the site.

The layout of the houses in a 'Garden Housing' block ensures that there is an acceptable distance between habitable rooms and thus privacy distances are maintained. This is covered in more detail in Section 4.7

Open space

The approved 'Revised Public Realm and Open Space Strategy' and the Design Code establishes the design principles for the landscape works. These open areas have been designed as informal recreation spaces: 0.14Ha to the north east and west of the Officers' Mess, which forms an extension to the Officers' Mess Gardens; 0.16Ha stepping down the slopes to the east of Plot N. It is laid out in a less formal manner to the Officers' Mess Gardens (approved under H/03057/12) as it provides an area that is more open and follows the outline design principles to promote connectivity and movement and public access through and around the Officers' Mess. These areas of open space also retain the majority of the existing trees and vegetation. Plot 19 is orientated to address the open space, which ensures that there is an active frontage and passive surveillance.

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. The Flats-over garages (FOGs) add further passive surveillance. The comments from the Metropolitan Police have been noted and mainly refer to the Secured by Design standards for lighting, doors and windows. It was suggested that gates be installed to control access to the shared surface road leading to the northern mews units, but since this is well overlooked it is not considered necessary. Further details relating to street lighting is to be confirmed and a condition is recommended.

Levels

Due to the topography of the site (sloping south), Parameter Plan 6 (Levels) orientate the blocks with their longer sides along the contours. The proposed dwellings are generally laid out along contours and where the dwellings are in a row sloping south, these are stepped down the hill allowing views in/out from the higher units. The proposal accords with the approved parameter plan levels.

Conclusion on Layout

Overall the layout is considered to accord with parameter plans and the approved Design Code. The layout is therefore considered to be acceptable.

Deviation from Development Schedule

The overall number and mix of units across Phase 2 is in accordance with the DS. However, the distribution of the units across the phase deviates on a plot by plot level. It was originally envisaged to have 31 residential units in Plot L adjoining IBSA House boundary, but this has been reduced to 19 units

encompassing larger family dwellings. This would have a character that is more like the Green Belt Edge having the lowest density and this in fact reduces the number of units exposed to the noise emitted from the IBSA House site. To compensate, more units are proposed on the plots to the south of the site and in particular two bedroom flats in Plot O. Given the layout is considered acceptable in terms of density, overlooking and scale there are no objections to the deviation. Furthermore, the southern part of the site adjoins the denser NHHT houses and flats and is therefore more in keeping. The proposed deviation is not considered to cause any adverse harm in terms of character or other assessments.

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.

The architectural character of the proposed buildings is predominantly influenced by the Officers' Mess building and the general forms respond to traditional elements such as pitched roofs, chimneys and brick detailing. As discussed, Phase 2 is within the CSW character zone and it is envisaged this would take the form of more traditionally designed buildings with varied pitched roofs. This development has been categorised into 'residential sub-character areas' which groups buildings through their use of materials, their house types and character. These 'sub character' areas are:

'Gateway and Officers' Mess' – these buildings are at the entrance to Bittacy Hill, running down the internal estate road and opposite the Officers' Mess Gardens. These buildings have a stronger relationship with the Officer's Mess with slate roof, warm red brick and brick detailing. The entrance gateway is designed as a terrace curving around the landscaped space to the front and this creates a strong frontage with Bittacy Hill, which is required as this is the primary gateway into the north west corner of Phase 2 and the wider Millbrook Park masterplan. The retained and proposed trees and the built form enclosure would conform to the requirements of the Design Code. This 'terraced crescent' at 3 storeys rises at the end houses and includes two storey bays and articulation to emphasise the gateway. The building is also designed to have an active frontage with its side elevation facing the internal estate road.

'Northern Mews' – these buildings are to the north of the Officers' Mess (to the south of IBSA House) and have a less formal urban grain with larger detached and semi-detached houses. Since it has a direct relationship with the retained building, similar materials are also used. The houses are much larger in scale with varying roof forms to reduce their overall scale and massing. Revised plans were received to introduce oriel windows on the side elevations for noise mitigation (this is discussed in noise section below). These oriel windows are considered to be of an acceptable scale and serve to articulate the elevations.

Plot 19 is a large detached dwelling positioned to the end of the mews and to the north-western corner of the Officers' Mess (facing the top public open space). It uses the northern road for vehicular access with parking at the rear and a pedestrian footway is proposed to the front of the building. Plot 19 has its front entrance facing the public open space and it also has its side elevation facing the residential parking court to the Officers' Mess. It is important to address these public areas and it has done so with a primary frontage and corner building as envisaged in the Design Code. As such, the house has been designed with elevations that address both sides and is considered to be of an acceptable design.

'Bittacy Hill' – these houses on the western boundary have a direct relationship with the Bittacy Hill frontage and are mainly terraced houses stepping down the street. The articulated roof form steps down the terrace and incorporates brick fronted dormer windows. Single storey gabled bay extensions create further articulation to the building form and this sub character area uses a mix of red brick and warm buff brick with plain roof tiles, which is in keeping with the existing houses on the opposite side of Bittacy Hill. Where the terraced houses have their side elevations facing Bittacy Hill these would also have windows, entrances and active frontages to address the road.

Apartment Block A located to the south western corner of Phase 2 site is within the *'Bittacy Hill'* sub-character area and appropriately maintains the traditional design approach whilst addressing the street.

'Southern Square' – these houses are grouped to the south beyond Plots 44 and 89 and also include the row of terraces along the NHHT boundary. Here the external walls will be in a warm red brick continuing the theme from the main access road, but the roof material will change from slate to plain tile roof. The row of terraced houses on the southern boundary of Phase 2 has a two storey appearance on the entry side (facing north) and three storeys to the rear side. The simple gabled front elevation is repeated along the terrace to create a saw tooth roof and details such as a dentil course and quoin brickwork to provide interest. The rear elevations of buildings within the *'Southern Square'* would be highly visible due to the topography of the site, but the gabled roofs and brick detailing design is carried round to the exposed rear elevations.

'Southern Court' – these houses are located beyond to the west of Plots 68 and 84 and incorporates a small terrace of houses and Apartment Block B in the south eastern corner. The houses would have plain tiled roofs and red-brown brick with the apartment block in a buff brick similar to the NHHT apartments. The terraces of houses are short in length and incorporate dormer windows to address the parking court. The Apartment Block B has a different architectural language to the smaller houses given its larger footprint and mass, but it maintains the detailing and pitched roofs, which would be in keeping with the rest of the scheme and the buff brick would be acceptable given its position overlooking the NHHT properties. Amended plans were also received to add windows on elevations where needed. There are projections and recesses and varied roof form on this apartment block and the balconies also help to break down the overall mass. The front elevation addresses the

parking court and overlooks the adjoining public open space to the east providing passive surveillance.

'Officers' Mess/Transition' – This sub-character area comprises Apartment Block C situated at the eastern edge of the site. This marks the transition from Phase 2 in the CSW character area to the Central Slopes East (CSE) area. The Design Code identifies interface areas that occur at the transition from one character area to another. The change in character between CSW (Phase 2) and CSE (Phases 5 and 6) is due to differences in height, density and block form. The Design Code advocates a gradual change in density from east to west rather than an abrupt change in character

Negotiations on the design of the scheme have resulted in a 3 storey building that is reduced in height, length and scale. The building has also been broken down with appropriate recesses and projections with a symmetrical design that works well being adjacent to the smaller regular houses fronting the Officers' Mess Gardens. The front elevation consist of two gabled projections, protrusions and balconies that articulate the building form and the two gabled roofs at each end relates to the design of the adjoining houses. The rear elevation is articulated via different materials around the window openings. It maintains some traditional form and order, but the detailing is subtly more contemporary in character as it is situated on the edge of Phase 2 and would adjoin the future phases 5 and 6, which are likely to be of a more dense development. This proposed design is considered an acceptable solution in this 'interface' area. Located on a prominent corner of Phase 2 and Bray Road, Apartment Block C is also designed with all elevations addressing the street. Proposed with buff brick and slate roof, it compliments the adjoining NHHT properties to the south.

There are instances where a small blind window is incorporated on the front elevations of the three bedroomed terraced houses and is added to reduce the extent of any blank brick facades. It is not possible to introduce a glazed window in these locations due to its height above a stairwell on the second floor level. This feature is considered to be an acceptable design solution.

Rooflights have been kept to a minimum and these are to be a conservation type and are therefore considered acceptable.

Flats-over garages (FOGs) and parking barns

There are two FOGs proposed located to the rear of Plots 21 and 22 which face the internal estate road. The front elevation has been designed to address the street with front pedestrian entrances and dummy windows to the garages at ground floor level. The rear elevation comprise mainly garage doors at ground floor, with windows proposed on the upper floors overlooking the rear access and providing some interest and passive surveillance.

The two main parking barns are 'open' and therefore allow views in and through to other areas. The central parking barn (Barn B) is on a steeper slope and is therefore designed to have its roofs stepping down. This design allows permeability and reduces the built form and is considered acceptable.

Conclusion for External Appearance

Overall, the traditional fenestration patterns, brick detailing, chimney stacks and materials are also considered acceptable in principle and it is considered that the traditional architectural approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

Materials

As discussed, a mixed palette of materials has been proposed which responds to the Officers' Mess (red brick and slate tile) and the surrounding buildings (Bittacy Hill and NHHT buildings). The Design Code stipulates that a warm red brick should be used in the CSW character area, but there is no objection to the buff bricks in the appropriate areas to provide variety and in response to the range seen in neighbouring buildings outside of Millbrook Park site. The proposed materials for other features such as windows, doors and panels conform to the Design Code. The samples of materials submitted;

1. Lingfield Multi for the warm red brick
2. Lynemouth Multi for the red-brown brick
3. Smeed Dean London Stock for the buff
4. Redland Medium Mixed Brindle plain tiles
5. Natural slate roof

The samples are considered appropriate in terms of the design approach, the location and the ability for future phases to respond to the materials.

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 2.

Bittacy Hill frontage

The proposed landscaping at the 'gateway' on Bittacy Hill entrance features lawn, formal hedge and structure planting and new trees. The existing mature trees at this entrance are to be retained as required by the Design Code. Although outside of the site boundary, the existing boundary vegetation along Bittacy Hill will be retained as much as possible and additional hedge planting would be proposed within the site along this boundary, which would minimise the visual impact of the development. A suitable metal railing along this boundary shown to be 1.3m high black coated metal rail would satisfy the Design Code requirements.

The line of existing mature trees along this frontage are shown to be retained and additional new trees and shrubs to reinforce this 'Green Edge' on Bittacy Hill.

IBSA House boundary

The Design Code specifies an appropriate visually attractive fencing, existing trees to be retained and wherever possible a new hedge and tree planting to provide a landscape buffer along the IBSA boundary. The indicative section

in the Design Code (under 5.2.5) shows a 5-9m landscape buffer between the boundary and the rear gardens of residential properties.

The IBSA boundary is currently defined by a steel post and wire mesh fence with barbed wire (over 2m high) abutting a low brick wall with a timber close boarded fence behind. A line of existing mature vegetation (including evergreen species) within the IBSA House boundary is located immediately beyond the timber fence. Following amendments to the scheme, it is now proposed to erect a 2.5m high acoustic timber fence along the whole of the IBSA House boundary. New hedge and tree planting (a mix of species) is proposed along the timber fence and ornamental planting to the base. This area is approximately 4m deep. This strip of vegetation and trees does not meet the suggested depth of 5-9m, but with the vehicular access road, the retained Chestnut trees and the proposed grass verge all combined, this in itself is a landscape buffer between the IBSA House boundary and the front gardens of the dwellings and achieves a depth of 13m.

It is acknowledged that this does not continue along Plots 1 and 17, which has a depth ranging from 1m to 4m (the 1m is at the pinch point between the corner of Plot 1 house and the splayed IBSA boundary). Due to the position of the proposed houses, it is not possible to have a minimum 5m deep landscape buffer in the garden area and furthermore, there are no flank windows on Plots 1 and 17 that face onto IBSA House. The deciduous and coniferous trees along the gardens of Plots 1 and 17 would be sufficient to provide a visual screen.

IBSA has raised concerns that the distance between their boundary and some plots (namely Plots 1 and 17) would not be compliant with the Design Code and hence the separation would not be enough to protect both IBSA and future residents' amenities. The objective of this landscape buffer is mainly to visually screen the fencing and the print works and does not actually attenuate the noise from IBSA (confirmed by Environmental Health). Further analysis of this landscape buffer and noise attenuation is discussed under the noise section of this report.

It is considered that the planting solution would help to screen the acoustic fence and provide a visually attractive boundary between the print works and the residential site.

Green Spaces

As discussed above, Condition 15 (Level of Open Space) of the outline consent set out the level/target of open space for Phase 2. Parameter Plan 2, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase. The proposed scheme for OS2 spaces are in the locations identified in the aforementioned documents. The green spaces to the east and north west of the Officers' Mess Gardens would essentially form an extension to the gardens and much of this space would retain the existing trees on site. The design parameters in the approved documents specified these to be informal open spaces with retained mature trees planting. Two additional Common Oak trees are proposed to enhance the space.

The strip of open space to the east of Plot N (west of the NHHT houses) will form a 'pocket' park as envisaged in the approved 'Revised Public Realm and Open Space Strategy', which are incidental areas of open space retained for informal recreation and casual play. The majority of the existing trees would be retained on this parcel of land with the removal of one Category C Wild Cherry tree to allow for the development of Apartment Block B. Two Field Maple trees are proposed within this open space to mitigate the loss. Parkland character has been enhanced with additional tree, hedge and ornamental planting along the edges. Timber benches have also been provided for seating. A new footpath is to be provided through this pocket park, linking the main estate road to the other houses and flats to the south of the site, improving the connectivity and movement of the development.

Play space

Play provision in the form of toddler's 'doorstep play' is proposed in the area adjacent to the retained lime trees and the southern Community Street in accordance with the Design Code and the Open Space Strategy. Timber play and natural elements such as logs and boulders are proposed adjacent to a footpath and this area is well overlooked. It is well landscaped to provide an attractive green space among the houses and the parking courts nearby. Amended plans were received to revise the plant species around the play area to make it more suitable for young children.

No formal neighbourhood play provision is proposed as a part of Phase 2 due to its close proximity to a Local Area of Play in the Panoramic Park and the Central Park within the Millbrook Park Masterplan. The details submitted satisfy Conditions 48 (Design of Open Space) and 52 (Children's Play Space).

Trees

This phase along with the northern parts of Millbrook Park have a large number of existing trees that have been identified to be retained to maintain the 'green edges' to the site. Most of the trees that are to be felled in Phase 2 have already been approved at previous stages. Parameter Plan 2 at outline stage had indicated the trees that are to be lost, followed by the approval of Condition 53 (Protective Fencing Around Trees). The permission for the advanced infrastructure works for Phase 2 had earmarked those trees to be removed to facilitate the main estate road. These approvals have therefore established those trees to be felled and retained prior to the submission of this reserved matters application.

The idea at the time of the outline application was that though those trees had been earmarked to be lost, the exact position of buildings in relation existing trees could not be confirmed at the outline planning process and precise details would be established at detailed application. This reserved matters application now proposes a further loss of 8 No. trees within Phase 2 (the felling of 61 trees were already approved under the above approvals).

The trees below are in addition to those approved to be removed (5 of these trees are located within Plot L):

One Horse Chestnut (T141) located in the area that will provide the parking barn A.

One Red Oak (T159), one Field Maple (T161) and one Atlantic Cedar (T162) forming a group of trees covered by a Tree Preservation Order (G2) to the north of the Officers' Mess to allow for the development of Plot 16. Whilst it would not be desirable to lose these TPO'd trees, it should be noted that existing trees to the rear of the Officers' Mess would need to be removed in any case if the infrastructure on the Illustrative Masterplan was implemented as drawn.

Plot L as shown in the Illustrative Masterplan would have been immediately south of IBSA House boundary with the vehicular access road located to the south linking the future phase 3 development. As such, those trees in the location of the access road would be at risk if the link road was constructed as indicated on the Illustrative Masterplan. As discussed previously, the relocation of Plot L is considered to be a better design solution to safeguard those trees behind the Officers' Mess building and create a quieter environment for the residents. Due to the relocation of Plot L, it is therefore accepted that the 3 No. TPO trees would have to be removed to accommodate Plot 16.

One Whitebeam (T170) to the north east of the Officers' Mess, which would be impacted by the residential parking court.

One Weeping Willow (T94) near the junction of the internal estate road and the internal road leading south. It is noted from the illustrative Masterplan that this Weeping Willow would be in a position that is very close to the internal Community Street and its RPA would be impacted.

One Scots Pine (T180) located along the access road leading to the Officers' Mess residential parking court. This is accepted given that the Illustrative Masterplan and the approved Officers' Mess Site Plan at outline stage had indicated that the location of the access road would go over this tree. This access road cannot be repositioned without harming the adjacent larger trees.

One Wild Cherry Tree (T44) to allow for the development of Apartment Block B.

All the above trees are either Category B or C trees. The applicant sought to retain as many trees as possible on site and unfortunately detailed layout considerations made this very difficult. The position of the trees conflicted with the arrangements of the blocks on the parameter plans and Illustrative Masterplan and did not allow for a layout that would safeguard many of those trees to the rear of the Officers' Mess. The reconfiguration of Plot L is a better design solution, which safeguards the more mature trees to the rear of the Officers' Mess. In mitigation, the landscaping proposals include the provision of approximately 97 new trees, including semi-mature trees along access roads, in areas of the communal parking courts, within the open space areas, along the boundary edge of Bittacy Hill and IBSA House and at the Bittacy Hill entrance. The species have been selected to ensure their long term contribution and the majority follow the Street Tree species outlined in the Design Code. Revised plans have also taken on board the Tree Officer's comments and more appropriate tree species are now proposed, particularly

to the IBSA boundary which includes a mix of species to offer adequate screening.

Tree pit details have been submitted to show adequate soil volume for the new trees.

Protection of existing trees

The applicant has submitted an Arboricultural Implications Assessment report and accompanying plans to indicate the protection measures for the retained trees. The RPA encroachments to retained trees are mainly attributable to pavements and road-widening and it is proposed to require a no-dig/low-dig construction method and permeable paving surface in these areas. A Method Statement that expands on the recommendations outlined in the Arboricultural Impact Assessment Report is recommended as a pre-commencement condition.

Negotiations made with the applicant has resulted in the relocation of lighting columns away from existing trees.

Boundary treatment and planting

Hedge and ornamental planting is proposed throughout with interest created through changes in height, species, detailing of the gate and fence posts and variations to the treatments at key locations. The planting strategy for the site responds to the residential sub-character areas.

The front boundary treatment comprise a mix of low timber picket fence, 1m high metal railing or private planted frontage and is considered appropriate for the street type and character of the dwellings. Adequate boundary treatment is also provided for rear gardens allowing for privacy to be maintained for residents.

Maintenance

Areas of public open space, estate roads and parking court areas are to be transferred to the Millbrook Park Residents Management Company (RMC1) for ongoing maintenance, in accordance with the approved Estate Management Framework approved pursuant to Condition 10 of the outline consent (ref H/01219/12). The submitted Landscape Management Plan provides specifications for replacement planting and identifies site specific management requirements for establishment period (years 1-5) and management beyond this period should be reviewed.

Hard areas

A simple, robust palette of materials is provided in accordance with the requirements of the Design Code and the contrast for different street types and areas help to distinguish between the private and public realm. The materials have also been chosen to respond to the proposed sustainable drainage strategy (SUDs). Street furniture such as benches, litter bins and lighting will be timber and steel in accordance with the Design Code materials matrix. Suitable timber lighting bollards are proposed at 18m centres to deter cars from parking on the grassed verges associated with the Bittacy Hill frontage.

Street lighting locations have been provided, but whilst the proposed lanterns should be able to control light spill to a point, to ensure residents are not effected the exact locations would need to be reviewed with the submission of appropriate lux lines and is recommended that a condition be imposed to request such plans.

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 achieve a verdant Bittacy Hill frontage 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 2 maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking.

All the units have adequate outlook and the stepping down of the houses would allow views down the slope of the site and access to adequate sunlight and daylight. Amended plans were received to revise the double garage behind Plot 24 for the roof to be hipped and thus reducing its physical impact on the future residents. FOG 1BB (Plot 48) was originally proposed within the central parking barn which had a poor outlook and appearance, but has now been relocated and is amalgamated with FOG1BA and is considered a more acceptable solution.

Privacy

Across the majority of the site privacy distances are considered to be in keeping with policy requirements. In particular rear garden distances have been retained at 21m for facing windows to habitable rooms. Revised plans show the relocation of some units to maximise distances and ensure overlooking is minimised. The only significant breach of the minimum distance is Plot 16 overlooking Officers' Mess building at 17m. Nevertheless, there is a steep bank between Plot 16 and the Officers' Mess and combined with the retained mature trees it is not considered to lead to a significant loss of privacy.

There are terraces/balconies proposed to the rear of the terraced houses (units 59 – 68), which is significantly higher than the adjoining NHHT properties to the south. There is at least 16m from these rear balconies to the nearest habitable room window of the NHHT houses, which is positioned at an angle. With the existing trees along the southern boundary and the indirect angle of the NHHT houses, it is not considered that there would be a significant loss of privacy. The majority of the houses along this proposed terrace also face onto the parking court or access road for the NHHT properties and not onto their amenity space.

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.

Type	Area m ²	Occurrences	Habitable Rooms	No. of Units
1BF	F-1BA	62	1	2
	F-1BB	80.74	1	2
	Block A - 1BA	53.4	1	2
				3
2BF	Block A - 2BA	72.6	2	3
	Block B - 2BA	67.4	3	3
	Block B - 2BAv1	70.3	1	3
	Block B - 2BAv2	68.9	1	3
	Block B - 2BAv3	67.4	1	3
	Block B - 2BB	71.4	3	3
	Block C - 2BA	72.9	6	3
	Block C - 2BB	61	3	3
				20
3BH	3BA	112.5	15	5
	3BAv1	112.5	1	5
	3BAv2	116.8	3	5
	3BAv3	116.8	2	5
	3BAv5	159.8	1	5
	3BB	119.8	10	5
	3BBv1	119.8	1	5
	3BBv2	119.8	1	5
	3BC	122.7	8	5
	3BCv1	122.7	1	5
	3BD	134.4	2	5
4BH	4BA	133.4	1	7
	4BAv1	133.4	2	7
	4BAv2	133.4	2	7
	4BAv3	137.8	1	6
	4BC	146.3	1	6
	4BCv1	144.2	4	6
	4BCv2	148.9	1	6
	4BE	132.9	3	7
	4BEv1	144.7	2	7
	4BF	154.3	2	6
	4BF	146.1	2	6
	4BH	157.2	4	6
				25
5BH	5BA	184.3	2	7
	5BAv1	198.1	4	7
	5BB	252.3	3	8
	5BC	229.6	1	8
				10
Total				103

Plots 1 & 2
Plots 22 & 23

Amenity space

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens and a large number of these also have access to either a balcony or a terrace to meet the minimum area requirements specified in the Council's Draft Sustainable Construction and Development SPD. The majority far exceed the required areas.

The draft SPD specifies a 5sqm of space per habitable room for flatted developments. The flats in Phase 2 have between 2 to 3 habitable rooms each and therefore equals to a minimum of 10sqm (for one bed flat) and 15sqm (for two bed flat). Each flat has a minimum of 5sqm of private balcony or terrace space and private communal amenity space is available around the apartment blocks. The total communal space for each block meets the minimum cumulative amenity space. The dwellings would be within 100m radius of the Officers' Mess Gardens as well as the pockets of public open space within this phase and is considered acceptable.

Where balconies are proposed, privacy screens are provided between each house and thus prevent overlooking.

It is considered that alternative amenity spaces would be available to any future occupants of this private sale property and the proposal is acceptable on grounds of private amenity space provision.

4.8 Impacts on amenities of neighbouring and surrounding occupiers and users

Privacy and outlook

The application site shares a boundary with the NHHT houses to the south. As discussed above, due to the configuration, layout and distance of the proposed units in Phase 2 there is no significant harm to the existing residents on the NHHT site.

The houses on the opposite side of Bittacy Hill are at least 35m from the nearest built form. No issues of privacy, outlook or overshadowing to neighbouring residents are envisaged.

Noise disturbance from IBSA House

The upper part of the Central Slope Area adjoins the boundary with IBSA House which consists of offices, a large print works and delivery yard. The print works has the benefit of an unrestricted planning consent and as a result the press can operate on a 24 hour basis.

As explained in the previous sections, two conditions (No. 12 and 57) were imposed on the outline consent with the objective of protecting the amenities of future residents and ensure the continued use of IBSA House. Condition 12 was discharged by virtue of approval H/04018/11 and Condition 57 is yet to be discharged, but forms part of this submission.

Condition 12

Condition 12 reads: "No development except infrastructure works in relation to Phase 1 shall commence unless and until an Acoustic Design Report has been submitted to and approved in writing by the Local Planning Authority. The Acoustic Design Report shall include, in relation to plots A1, A2 and L details of how internal noise standards with reference to BS8233 both internal for noise sensitive rooms (day and night) and external gardens (daytime). The internal and external layouts of the properties shall be designed to

minimise the impact of noise from IBSA House. The relevant parts of the PPG24 assessment also to be taken into account.

The measures required by the report shall be provided prior to the occupation of the relevant phase and thereafter be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of future residents and ensure the continued use of IBSA House in accordance with Policy ENV13 of the Barnet Unitary Development Plan Saved Policies (May 2009)."

It has been pointed that for Condition 12 to be fully discharged, details of development on Plots A1 and A2 are also required, which are located in Phase 3 and adjoins the eastern boundary of IBSA. Since this application delivers Plot L within Phase 2, it is considered appropriate to discharge only part of Condition 12. When Plots A1 and A2 come forward in the Phase 3 reserved matters application, the remaining parts of Condition 12 will need to be approved.

Condition 12 was approved based on a design and noise report by Halcrow (2011) and established the dwelling design layout for Plot L, which proposed habitable room windows (noise sensitive rooms) to face south away from IBSA House to meet the required internal noise standards. The recommendations made (and approved under the discharge of Condition 12) were for the following mitigation measures to be incorporated:

- i) Habitable rooms where possible, to face away from IBSA House, or the dwellings to be installed with mechanical ventilation heat recovery system
- ii) Appropriate glazing/ventilator specifications
- iii) Gardens adjacent to IBSA boundary enclosed by acoustic fence (2.5m high).

The reconfigured design and layout for Plot L consists of habitable rooms facing the IBSA House boundary as the existing vehicular access would be reused. Given these changes, this condition is to be reconsidered and 're-discharged'. It has already been accepted that the reuse of the existing vehicular access road would be sensible as the external amenity space would no longer adjoin IBSA House and thus residents enjoy a quieter outdoor environment. As a result of this change, the front elevation of these houses would need to be designed to address the street and it is inevitable that there would need to be some habitable room windows to present an acceptable frontage.

External noise levels

It was originally proposed to erect a 2.5m high acoustic fence along the garden boundary of Plot 1, which would have been sufficient to provide attenuation to achieve adequate ambient noise levels screening the vehicular movements linked to IBSA House. The recommendations

approved in the original Halcrow report were for an acoustic barrier for the whole of the boundary along IBSA House. Whilst the gardens now no longer back onto IBSA House (with the exception of Plots 1 and 17), it was suggested to the applicant that this acoustic fence be extended across the length of the northern boundary to provide further attenuation as there are some external amenity spaces that have a line of sight of the noise source (such as Plots 3-9 and 19). The acoustic fence would also minimise noise intrusion to the ground floor habitable rooms to Plots 10-16. All garden areas will achieve the 55dB(A) criteria for outdoor space recommended by the World Health Organisation.

The Environmental Health Team was originally concerned that noise measurements were taken at ground level so may not accurately reflect the noise climate at first and second floor levels. It could be noisier at height if there is plant at a higher level on or on top of the IBSA building. The applicants' acoustic advisers reconfirmed that predicted noise levels from the rooftop plant would be 49dB(A) and 52dB(A) at night and therefore would not be considered dominant.

Internal noise levels

It was originally proposed to have mechanical ventilation for rooms facing IBSA House on the northern boundary, along with special glazing to achieve good internal noise levels, but the mitigation relies on employing mechanical ventilation "with the assumption that windows will be kept closed". This meant that if people opened their bedroom or living room windows or any other window fronting IBSA, the noise levels will be greater than those specified in Barnet's Supplementary Planning Document. It therefore relied on people not opening their windows in order to achieve suitable internal noise conditions. Officers did not consider this to be an acceptable solution. Following negotiation with the applicant, some of the habitable rooms in the northern plots have been relocated to face the south towards the Officers' Mess. Where there are habitable rooms facing IBSA House, side windows are proposed to the front bedrooms. These side windows (oriel windows) are treated with apertures to angle them away from IBSA House. Glazing is proposed on both sides of these windows but only openable on the aspect facing away from IBSA House, which allows for natural ventilation (should residents choose to turn off the mechanical ventilation). Side facing rooflights are also proposed to allow for natural ventilation without direct line of sight onto IBSA House. The above solutions would increase the distance, screening and the degree of directness attenuation to noise emissions from IBSA House. All bedrooms now have an openable window that does not face towards the boundary and thus residents would have a choice in terms of the method of ventilation.

Further amendments have also been received to Plots 1 and 2, which is closest to the IBSA House boundary. The first floor living rooms now have a second window facing away from IBSA House, thus allowing for natural ventilation without direct line of sight of the noise source. The bedrooms on the second floor now have angled windows to give both outlook and ventilation and minimising noise intrusion. The angled windows are considered to have an acceptable appearance and would

not make the elevations cluttered. It should be noted that Plots 1 and 2 are configured to have their flank walls facing IBSA boundary and therefore does not directly look onto the service yard.

The above mitigation measures would be expected to provide an improvement to noise intrusion and the Environmental Health Team has agreed to the solutions proposed.

The objection from IBSA House states that no allowance has been made for any increase in IBSA activities in the future (and therefore higher noise levels). They are concerned that the Council would be introducing residents next to an existing facility that is likely to cause noise disturbance and there is the chance that residents will complain to the Council at which point will be statutorily obliged to investigate under the Environmental Protection Act 1990, and IBSA would potentially have to take steps to reduce noise levels. However, this is in potential conflict of the NPPF. In paragraph 123 it states that development often creates noise, yet existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes to nearby land since they were established. Nevertheless, no formal planning application has been submitted for future expansion and at this stage it is only speculative and therefore the scheme should be determined based on the existing environment and situation. A balance should be struck however to protect not only the interests of the business at IBSA House, but also the provision of much needed housing in Barnet and the proposed mitigation measures should achieve the ideal noise environment to reduce any significant conflict.

Compliance with Design Code

IBSA House has also commented that the scheme does not meet the 'Must Do' items specified in the Design Code. 'Must Do' items form the key principles of the regulatory framework and are mandatory, which should be adhered to during the design and implementation process. IBSA House has highlighted that the minimum separation distance between residential units and the IBSA boundary of 5m and the design principle of habitable rooms facing away has not been adhered to.

Officers acknowledge that these two 'Must Do' items have not been met in this proposed scheme, but the Code broadly adopts an approach which allows for flexibility and encourages design innovation. Whilst it would be preferable that these be conformed to, should the scheme achieve the same optimum objective but via justifiable alternative means (which has been demonstrated above), it is not considered that these 'Must Do' items should be strictly applied. Since the alternative methods are considered acceptable to provide a satisfactory living accommodation for future residents and to protect the existing business interests of IBSA House, the fact that it does not meet the 'Must Do's would not warrant a grounds for refusal in this exceptional circumstance. Again, it should be reiterated that the principles set out in the Design Code are not intended to be prescriptive and should not prohibit suitable innovative design solutions.

Robustness of report

IBSA considers that the submitted acoustic report does not accurately capture and assess the noise generated by their activities and is therefore not as robust as the original Halcrow report (2011). IBSA has therefore commissioned their own acoustics report. Essentially, the conclusions in the report submitted by Clement Acoustics (the applicant) are different to that approved and this was also noted by the Environmental Health Officer.

The applicant's rebuttal noise statement (in the Design and Access Statement Addendum, received 26th Feb) compared average measured noise levels for the three reports – Halcrow (for original Condition 12 discharge); Sandy Brown Associates (submitted by IBSA) and Clements Acoustics (the applicant's survey). It was demonstrated that the measurements undertaken by the applicant with the loudest average levels would lead to a more onerous and robust glazing assessment. The Council's Environmental Health team has accepted this. A partial discharge of Condition 12 relating to Plot L is therefore acceptable.

Landscape buffer Condition 57

Condition 57 of the outline consent reads: *"No development within Blocks A1, A2 and L of the scheme as shown on Parameter Plan 4 (Scale) or within 50m of the boundary of IBSA House shall begin unless and until details of the proposed boundary treatment and landscape buffer with IBSA House have been submitted to and approved in writing by the Local Planning Authority.*

The approved boundary treatment shall be provided in accordance with the approved details prior to the occupation of any of the units in the relevant phase and thereafter maintained for the life of the development.

Reason:

To protect the amenities of future residents and to ensure the continued use of IBSA House in accordance with policy ENV13 of the Barnet Unitary Development Plan Saved Policies (May 2009) and policy MHE6 of the adopted AAP".

This condition in part overlaps with Condition 12, but is specifically about boundary treatment and a landscape buffer. The reason for this condition is the same as 12, which is to protect the amenities of future residents and ensure the continued use of IBSA House. Likewise, this application shall partially discharge Condition 57 as Plots A1 and A2 shall be delivered under Phase 3.

Environmental Health has confirmed that landscaping/trees do very little to attenuate noise and therefore the objective of the condition is predominantly to visually screen the fencing and the print works. The landscaping section of this report had discussed how the indicative section in the Design Code (under 5.2.5) shows a 5-9m landscape buffer between the boundary and the rear gardens of residential properties (another 'Must Do' requirement). IBSA has raised concerns that the distance between their boundary and some plots (namely Plots 1 and 17) at a maximum of 4m and at times only 1m would not be compliant with the Design Code and hence the separation would not be enough to protect both IBSA and future residents' amenities. Officers note

that the separation distance for Plots 1 and 17 have not been achieved, but there are no flank windows on Plots 1 and 17 that face onto IBSA House and therefore do not have a direct view of the site. Amended plans demonstrate a mix of tree species and shrub planting and have been added to the gardens of Plots 1 and 17. The trees along the gardens of Plots 1 and 17 supplied with a girth of 18cm-20cm (and therefore a height of approximately 4.5-5m) would be sufficient to provide a visual screen. The species selected are mainly for 'upright' trees which would grow up to a height of 8m when fully mature (25 years) thus retaining its 'barrier' effect. Following negotiation with the applicant, a small number of conifers have been added to the gardens of Plots 1 and 17, which should retain its 'screening effect' during the winter months. Whilst the scheme does not give a true 'physical' separation of 5m minimum as desired by the Design Code, the landscaping is considered to give a sense of perceived separation, which distinguishes the two uses. Therefore, whilst the scheme does not meet the 'Must Do' outlined in the Design Code in respect of the boundary with IBSA, it does not warrant a refusal in itself.

In summary, with the mitigations proposed the scheme would provide satisfactory noise levels and living accommodation for future residents and protecting the continued use of IBSA. Conditions 12 and 57 stipulate that the measures including landscape buffer and acoustic fence is managed and maintained for the lifetime of the development. A partial discharge of Condition 57 relating to Plot L is therefore acceptable.

4.9 Transport, parking and highways matters:

Access

The access points have already been established and the internal estate roads (the 'Green Lanes' and 'Community Streets') have been laid out in accordance with the Illustrative Masterplan. The use of the permeable block paving for parking courts and shared surfaces and dressed aggregate for footways are in compliance with the Design Code. The 'movement hierarchy' anticipated in the Design Code will be achieved.

Pedestrian Facilities

Access and movements for pedestrians were established as part of the outline application and the 'Pedestrian favoured streets' shared surfaces are supported in this phase within the Design Code.

Pedestrian permeability with the surrounding area would be strengthened by the pedestrian links at Bittacy Hill edge. Additional pedestrian footpaths have been provided linking the north of Phase 2 to the south.

Details to discharge Conditions 26 (Pedestrian and Vehicular Access Points), Condition 27 (Details of Estate Roads) and Condition 29 (Internal Access Roads) are satisfactory. Condition 29 requires the internal access roads to be constructed and in place before any dwelling is occupied.

Parking

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 scheme provides 162 allocated parking spaces with 8 visitor

spaces. The visitor parking is based on 0.1 space per unit. The overall parking ratio is 1:1.58, which is very close to the average ratio of 1.16 spaces per unit set out in the outline stage.

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)

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

The original submitted scheme did not achieve the best parking layout with some areas capable of being allocated parking spaces, but not outlined on the plans as such. There are spaces outside of garages that are adequate for parking and it is likely that residents would be inclined to park there. The applicant has since amended this to show dedicated parking spaces in certain locations and is considered a better solution. The number of visitor spaces (unallocated) has therefore been reduced to 8 across Phase 2, which is in line with the Design Code.

The parking courts and parking barns have been designed to allow for direct access into the rear gardens of the properties. Where this is not practicable, the route to the rear gardens have been minimised as much as possible. The manoeuvring of vehicles along the access roads and parking courts are acceptable.

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, in particular on the shared through route which is essential for traffic movements and the free flow of traffic.

Residents raised concerns over traffic, but mitigation measures set out under the outline permission should ensure that the local highway network is not significantly impacted. The level of parking in this phase and the parking management strategy should minimise any on-street parking in the surrounding roads.

This reserved matters application also proposes to discharge Condition 91 (Officers' Mess Parking Details). As part of the outline consent, full planning permission was also granted for the change of use of the existing Officers' Mess building to 10 flats and a doctor's surgery. At the time of approval, the layout of the residents and visitor's parking for the Officers' Mess had been broadly set out and Condition 91 requested further details. 10 parking spaces have been provided and meets the standards for one and two bedroom flats.

12 visitor spaces have been shown to the east of the Officers' Mess and a condition is recommended to ensure one disabled space is provided.

Accessibility and Inclusivity

Ten houses within Phase 2 are wheelchair accessible or easily adaptable, 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 to these northern houses are in close proximity to their entrance points. Amended plans have addressed Highways concerns relating to hedges blocking the parking spaces.

The topography of the site is challenging with some of the north-south streets having gradients of 1:10 in the worst case and others which are less steep with gradients of between 1:15 – 1:20. These are not ideal for wheelchair users, but all houses are designed to provide level thresholds at the main entrance. Many of the dwellings do not meet Lifetime Homes Standards in terms of external environment due to the topography, but the internal layouts of all dwellings are designed to the Lifetime Homes Standards design criteria. Condition 70 states that where the scheme cannot achieve the standards due to site specific conditions evidence shall be submitted. In this instance, given the steep topography and it meets the standards internally, this is considered satisfactory to meet Condition 70. Level access is provided to the Officers' Mess Gardens. The scheme has followed principles of inclusivity and accessibility.

Sustainable travel

Secure cycle storage is provided either within rear gardens or within the on curtilage garage space. Cycle storage for the apartment blocks are provided within the communal areas. An external store for Block B is on the opposite side of the street within close proximity and a condition requiring details of cycle storage for Block C is recommended. The provision of 1 cycle space per one and two bedroom dwellings and 2 spaces per three, four and five bedroom dwellings is in accordance with the Design Code and is considered acceptable. The Design Code also recommends 10% cycle spaces to be provided for visitors within the street and a condition can be imposed.

Electric charging points have been provided either in the garage or in the courtyard and meets the minimum required in the London Plan 2011 (1 in 5 spaces (both active and passive) to encourage the uptake of electric vehicles.

Waste Management

The majority of the dwellings have their refuse/recycling storage provided on plot and hidden within the porch area. The communal refuse storage for apartment blocks are located within close proximity to the entrances. Swept paths were re-run with the correct size refuse vehicle. The main internal estate road and other roads serving this development are not proposed to be offered for adoption. Nevertheless, the roads and other shared surfaces on this development must be constructed to withstand the largest type loads of vehicles proposed to enter/exit these areas. An indemnity condition (No. 34) has been included on the outline application for all phases.

Street lighting

The provision of adequate and well designed lighting will influence potential criminal behaviour and should help to reduce the risk of crime and fear of crime for those people living, visiting and working within this latest phase of the Mill Hill East development. The Holophane Conus column street light is proposed and the lanterns suggested for use, do seem to be able to control light spill to a point, but the Council's Street Lighting Engineer would like a detailed lighting scheme submitted to and approved (including lux lines). It is also noted that there are some areas that would benefit the installation of more street light (such as the parking barn and areas around Apartment Block C). The condition requesting the detailed lighting scheme shall include siting appearance and lighting levels achieved throughout the site.

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. The Construction Management Plan submitted for this reserved matters application sets out the arrangements that will be implemented to ensure the environmental issues are managed and minimum impact on the surrounding environment by this development including noise disturbances, vibration, dust, smoke, plant emissions and traffic.

The submitted report follows the principle set out in the site-wide Construction Management Plan and addresses the requirements of the actions. Access into the site will be from the existing access to Bray Road from Bittacy Hill and this is considered an acceptable route.

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 reserved matters application has not submitted any information to discharge the remainder of Condition 63, but an informative shall be imposed to remind the applicant of this requirement prior to commencement.

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

Sustainable design and construction

Phases expected to be commenced prior to the end of 2013 have been designated to meet Code for Sustainable Homes Level 4 (Phase 1, 1A, 2A

and 3) with post 2013 phases to meet expected revised 'Zero Carbon' government definition, and the Fabric Energy Efficiency Standard.

The application is accompanied by a Sustainability Statement, Energy Strategy and Code for Sustainable Homes Pre-Assessment. The applicant is committed to achieving Code for Sustainable Homes Level 4 (i.e. 25% reduction in CO² emissions over the Part L 2010 of the Building Regulations), as is required by London Plan policies and Condition 80 (Code for Sustainable Homes) of the outline consent. This is mainly achieved by implementing high building fabric specifications and energy efficient measures. The submitted information is considered sufficient to meet the requirements of Condition 80 which can be discharged in relation to Phase 2.

Condition 88 (Solar Photovoltaic Panels) of the outline consent requires the provision of 10,000m² of Photovoltaic panels across the development prior to the occupation of the 1,500th unit at Millbrook Park. 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.

Each individual phase of development has been summarised with efficiency standards and BREEAM ratings, along with the renewable or sustainable energy provision relevant to each phase. As Phase 2 is to the north and is not to be connected to the District Heating Network, the targets were to be met through adhering to the Mayor's Energy Hierarchy proposing an energy efficient building fabric and photovoltaic panels (PV). The approved strategy calculated the amount of PV for each phase based on the buildings achieving an average improvement over Part L of 13% through fabric efficiency measures. As a result a further 12% improvement over Part L was envisaged through the implementation of 589m² of PV for Phase 2.

The applicant has submitted an updated energy strategy with this application outlining two options to meet the proposed targets:

- i) satisfy the targets through implementation of high building fabric specifications and energy efficiency measures alone;
- ii) satisfy the targets through implementation of lower building fabric specifications with provision of PV panels.

Whilst the approved overarching energy strategy does require the installation of PVs to Phase 2, the applicant has demonstrated that the implementation of an enhanced building fabric in combination with high efficiency building services alone achieves an improvement of 25.77% over the Part L 2010 baseline. This satisfies the Mayor's Energy Hierarchy:

- 1 Be lean: use less energy (fabric efficiency standards)
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

This proposal is more consistent with the Mayor's Energy Hierarchy where being lean is the priority. The applicant has acknowledged that the

overarching energy strategy requires the provision of PVs and has investigated how the panels could be accommodated across Phase 2. The applicant has argued that due to the phase layout (both by their orientation and complexities in their roof designs), there is insufficient roof space to accommodate this amount of PV panels because: many of the dwellings do not have a southerly roof aspect and the potential roofs that face the road would incur aesthetic issues. The applicant's investigation into the use of PVs has concluded that circa 400m² of panels could practically be installed for Phase 2. The large number of PV panels would have a significant visual impact particularly on this higher part of Millbrook Park where the roofscape would be highly exposed in many directions. Therefore it is accepted that the priority is to 'be lean' and use less energy through high building fabric specifications and satisfies planning policies in respect of sustainable design.

It is noted that there is a requirement to comply with the approved energy strategy under Condition 79 and the need to provide for some PVs to contribute towards the 10,000m² target by the 1500th dwelling under Condition 88. It is also considered important that this should not compromise the other later phases, but for the reasons outlined above, instead of fixing the number of PVs at this stage a condition has been recommended requiring additional details in relation to this aspect of the proposal. It is then possible to review the appearance, specification and amount of PV for Phase 2.

Water resource

The drainage strategy for Phase 2 is developed from the principles identified in the approved site wide drainage strategy produced by Halcrow pursuant to Condition 43 (Drainage Strategy, H/04340/11, April 2012) of the outline consent.

The surface water drainage system to serve Phase 2 will follow best practice using Sustainable Urban Drainage Systems (SUDS) to attenuate and treat runoff from roofs, roads, car parks and other permeable areas. Waterbutts, pervious pavements and geocellular storage structures are proposed to reduce the impact of surface water runoff from the new development. Discharge rates for the surface water should be restricted to those identified in the approved Halcrow site wide drainage strategy. Due to the phase boundary changes, it is important to ensure that the total runoff leaving the wider site has not increased, and to demonstrate any alterations to discharges from the individual outfalls. Runoff from Phase 2 should be limited to 89.2 litres per second (l/s) up to the 1 in 100 year plus climate change event. Nevertheless, during detailed design and agreement with Thames Water, the total discharge now equals 96l/s (with two outfalls). Whilst this does not strictly accord with the discharge rate set out in the approved site wide drainage strategy for Phase 2, the applicant has demonstrated to the Environmental Agency that the total runoff leaving the wider site has not increased and overcomes their previous concerns. There is therefore no objection raised to this change. The rest of the discharge rates for the other phases have not changed.

Further information and calculations regarding the volume of attenuation to be provided has been provided to demonstrate that the volume is sufficient and the EA is satisfied.

Condition 82 (Greywater/Rainwater Recycling Target) of the outline consent requires a minimum of 10% of rainwater to be collected on site and used to provide for irrigation needs of the development. Condition 83 (Greywater/Rainwater Recycling Provision) requires the submission and approval of details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings of the phase and this should include a reconciliation plan or table showing how the provision complies with the 10% target fixed by Condition 82.

The applicant has submitted a statement (titled 'Response to Conditions 82 and 83' February 2013) which sets out the applicant's commitment to meeting the requirements of the conditions. A methodology was eventually agreed to work out how the 10% threshold is reached. Through the installation of 250litres (L) waterbutts in all houses with gardens and 350L waterbutts in the communal gardens of each block of flats, the actual percentage collected would be 16.9% exceeding the minimum 10% set out in Condition 82. A reconciliation table has been submitted and it is anticipated that this is a 'live' document which would be updated with each submission of a reserved matters application. Condition 83 can therefore be discharged insofar as the information relates to Phase 2 only.

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. Furthermore, an updated habitat survey was submitted to support the Phase 2 advanced infrastructure application (H/00642/12), which confirmed that no further ecological constraints have emerged since the outline planning permission was granted.

Based on the recommendations in the Environmental Statement and the EMMP, trees should be retained if possible around the Officers' Mess and consideration should also be given to the opportunity to install bird and bat boxes. Whilst there will be loss of trees as part of this development, additional trees would be planted and bat boxes are to be mounted on the roof top of the two houses on Bittacy Hill entrance. Bird boxes are proposed in the retained trees on site. The boundary vegetation would be retained as much as possible and augmented. The landscaping proposals including tolerant seed mixes with wildflowers will encourage wildlife and the mitigation measures are considered acceptable. In planning working practices for the site, the EMMP shall provide guidance and framework during any habitat clearance.

Natural England was consulted and made no comments to the scheme as submitted. There are therefore no significant ecological issues raised in this proposal.

Green 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 does not provide any green or brown roofs as the traditional form of development with its pitched roofs would conflict with the practical requirements of its installation. Since the development in the later phases could contribute to the 10% target (as shown on the reconciliation table), the lack of provision in Phase 2 is acceptable in this instance and Condition 85 can be discharged.

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.

The Phase 2 development will offer inclusive design for safe and easy use for all. Many of the dwellings do not meet Lifetime Homes Standards in terms of external environment due to the steep topography, but the internal layouts of all dwellings are designed to the Lifetime Homes Standards design criteria.

Furthermore, all houses are designed to provide level thresholds at the main entrance. Ten units have been provided that are designed to be wheelchair accessible or easily adaptable.

The use of a shared surface (combined road and pavement) in appropriate places will create a continuous public realm to assist navigation through the development.

The use as residential has been established at outline stage and it would not prejudice existing or future users/residents in the surrounding area. The areas of open spaces are publicly accessible and have level access.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities.

6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code. The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. It would provide for much needed quality family housing that would have a good standard of accommodation including outlook, privacy and access to daylight.

The traditional design of the development is appropriate for the Central West Slopes Character area, which also provides for variety and legibility. The materials and form relates well to the locally listed Officers' Mess building. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.

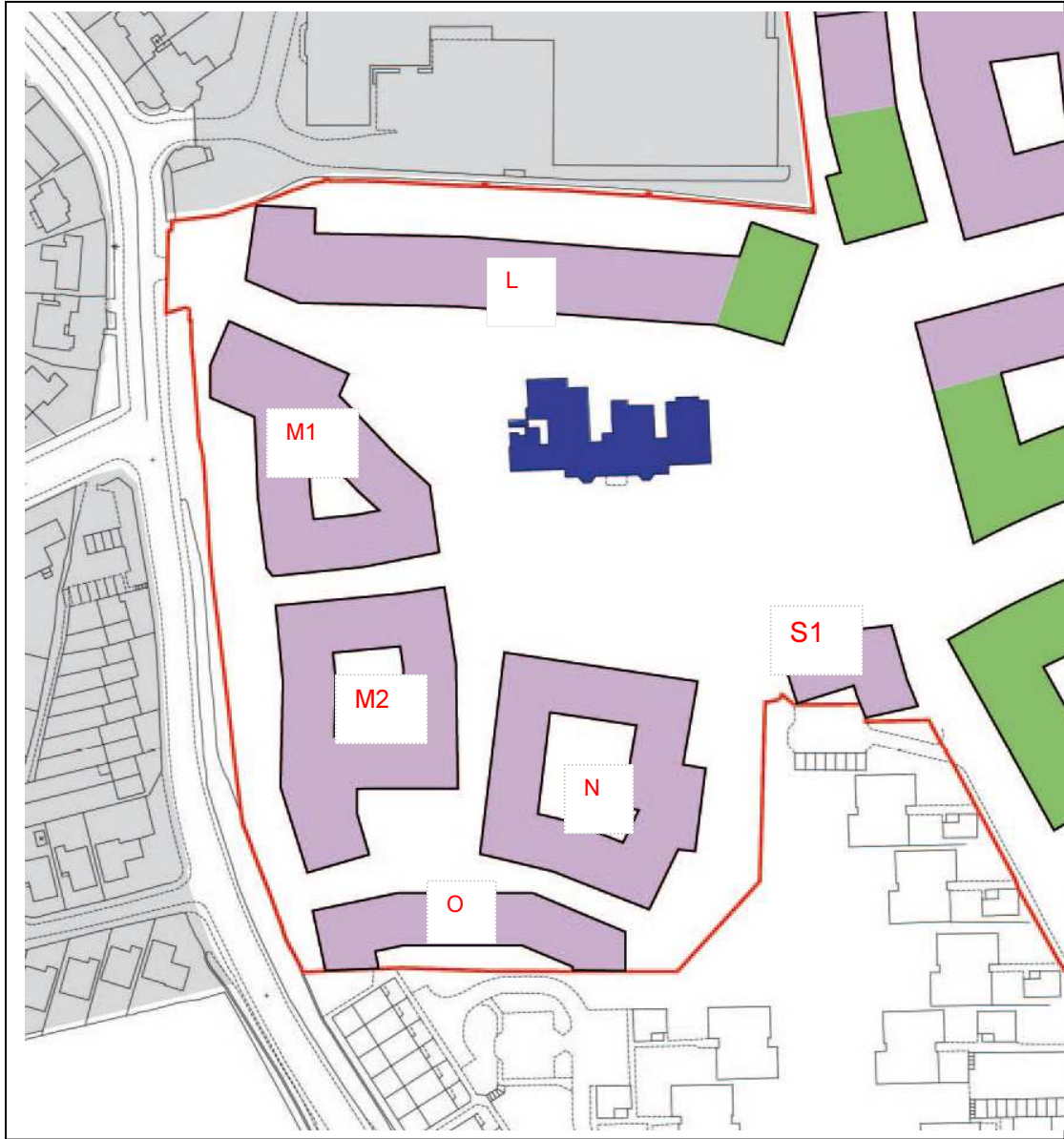
The mitigation measures proposed in relation to potential noise disturbance from IBSA House activities are considered appropriate for Plot L. The landscape buffer would provide an adequate visual screening.

A large number of new trees and the landscaping scheme would mitigate the additional loss of the existing trees, contributing to the 'green edge' in this part of Millbrook Park site. The accessible public open spaces proposed would provide for quality green recreational spaces for existing residents nearby and future residents of the development.

The application also satisfies the requirements of Conditions 8, 12 (partially), 26, 27, 29, 48, 52, 57 (partially), 70, 80, 83 and 91 of the outline consent.

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

Appendix 2 - Plot breakdown in Phase 2



Appendix 3 - Site layout



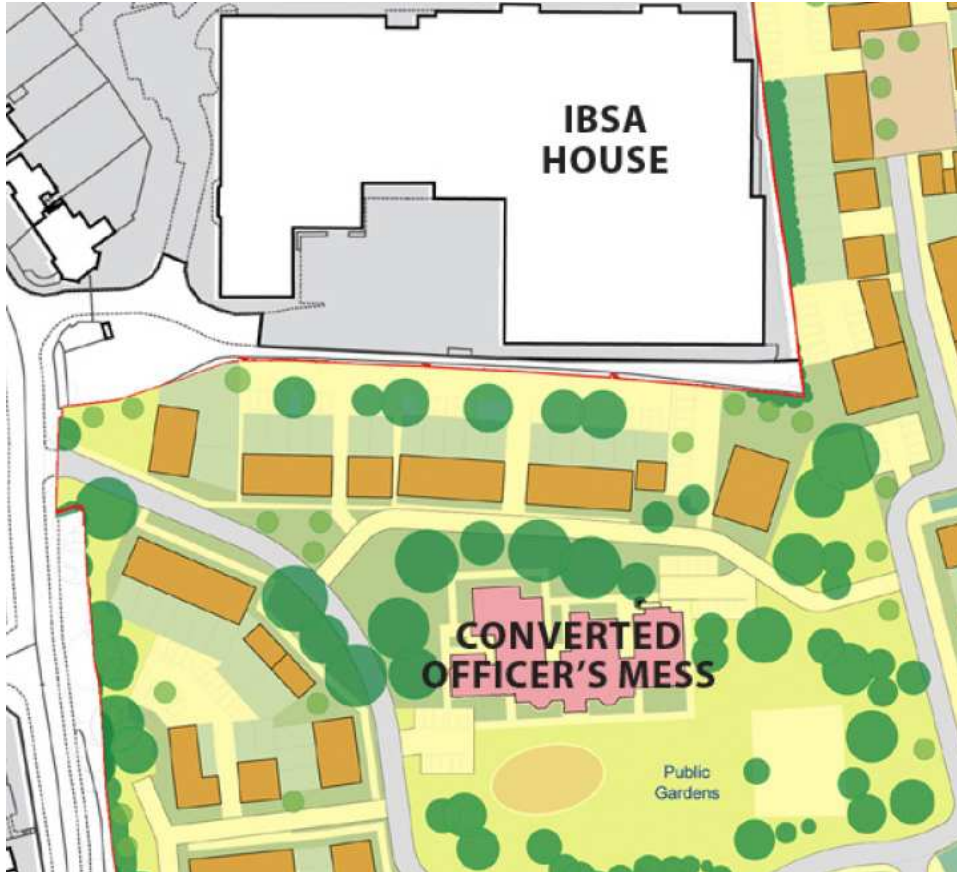
Appendix 4 - Open Space in Phase 2



C – Officer' Mess Gardens 0.68Ha

G - Open Space to north/south of Officers' Mess 0.29 Hectares.

Appendix 5 - Plot L and vehicular access road on Outline Illustrative Masterplan



Appendix 6 - Plot L and vehicular access road as proposed



APPENDIX 7 - KEY POLICY CONTEXT

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010, this informative summarises the local planning authority's reasons for granting planning permission for this development and the relevant development plan policies taken into account in this decision.

In summary, the Local Planning Authority considers that the proposed development should be permitted for the following reasons:

The reserved matters details submitted would result in a residential development with a high quality appearance and would create a residential environment that meets the amenity requirements of future occupants of the family homes proposed. The proposals are broadly in accordance with approved Parameter Plans of application ref HH/04017/09 and are considered to generally follow the principles established within the Design Code approved under application ref H/04565/11 whilst complying with the development plan including the specific policies of the Mill Hill Area Action Plan 2009. The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The submission is therefore considered to satisfactorily address reserved matters of: Layout, Scale, Landscaping and Appearance for Phase 2 of Outline permission H/04017/09. It satisfies Conditions 8, 12 (partially), 26, 27, 29, 48, 52, 57 (partially) and 70, 80, 83 and 91 in relation to Phase 2 of the outline permission.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant and agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case formal pre-application advice was sought prior to submission of the application.

A summary of the development plan (London Plan 2011), Barnet Core Strategy 2012, Development Management Policies DPD 2012 and Mill Hill East Area Action Plan (2009) policies relevant to this decision is set below:

London Plan (July 2011) Policies

Policy	Content Summary
1.1 (Delivering the strategic vision and objectives for London)	Strategic vision and objectives for London including managing growth and change in order to realise sustainable development and ensuring all Londoners to enjoy a good and improving quality of life.
2.13 (Opportunity Areas and Intensification Areas)	Boroughs should support the strategic policy directions for the opportunity areas and intensification areas and seek to optimise residential and non-residential output and densities,

	provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.
3.3 (Increasing housing supply)	Boroughs should seek to achieve and exceed the relevant minimum borough annual average housing target. For Barnet the target is 22,550 over the next 10 years with an annual monitoring target of 2,255.
3.4 (Optimising housing potential)	Taking into account local context and character, design and public transport capacity, development should optimise housing output for different types of location within the relevant density range and this is set out in density matrix table associated with this policy.
3.5 (Quality and design of housing developments)	Housing developments should be of the highest quality internally, externally and in relation to their context and wider environment, taking account of the policies in the London Plan. The design of all new housing should incorporate the London Plan minimum space standards and enhance the quality of local places, taking account of physical context, local character, density, tenure and land use mix and relationships with and provision of spaces.
Policy 3.6 (Children and young people's play and informal recreation facilities)	New housing should make provision for play and informal recreation based on the child population generated by the scheme and an assessment of future needs.
3.7 (Large Residential Development)	On those sites of over five hectares or capable of accommodating more than 500 dwellings should be progressed through an appropriately plan-led process to co-ordinate, where necessary, provision of social, environmental and other infrastructure and to create neighbourhoods with a distinctive character, sense of local pride and civic identity. The planning of these areas should take place with the engagement of local communities and other stakeholders.
3.8 (Housing choice)	Londoners should have a genuine choice of homes that they can afford and which meet their requirements, including: <ul style="list-style-type: none"> • New developments should offer a range of housing sizes and types. • All new housing should be built to Lifetime Homes standard. • 10% of new housing is designed to be wheelchair accessible, or easily adaptable for wheelchair users.
3.9 (Mixed and balanced communities);	Communities mixed and balanced by tenure and household income should be promoted across London.
3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)	The maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes. However, individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for reappraising the viability of schemes prior to implementation should be taken into account in negotiations.

<p>5.1 (Climate Change Mitigation); 5.2 (Minimising carbon dioxide emissions);</p>	<p>Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy.</p> <p>The Mayor will seek to ensure that developments meet the following target for CO₂ emissions, which is expressed as year improvements on the 2010 Building Regulations:</p> <p>2010 to 2013: 25% (Code for Sustainable Homes level 4);</p> <p>Major development proposals should include a comprehensive and appropriately detailed energy assessment to demonstrate how these targets are to be met within the framework of the energy hierarchy (Be lean, be clean, be green).</p>
<p>5.3 (Sustainable design and construction)</p>	<p>Development proposals should demonstrate that sustainable design standards are integral to the proposal, considered from the start of the process and meet the requirements of the relevant guidance.</p>
<p>5.7 (Renewable energy)</p>	<p>Within the framework of the energy hierarchy proposals should provide a reduction in expected carbon dioxide emissions through the use of on site renewable energy generation where feasible.</p>
<p>5.11 (Green roofs and development site environs)</p>	<p>Major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.</p>
<p>5.12 (Flood risk management)</p>	<p>Proposals must comply with the flood risk assessment and management requirements of set out in PPS25.</p>
<p>5.13 (Sustainable drainage)</p>	<p>Development proposals should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. Drainage should be designed and implemented in ways that deliver other policy objectives of the London Plan, including water use efficiency and quality, biodiversity, amenity and recreation.</p>
<p>5.14 (Water quality and wastewater infrastructure)</p>	<p>Development proposals must ensure that adequate wastewater infrastructure capacity is available in tandem with the development.</p>
<p>5.21 (Contaminated land)</p>	<p>Development of brownfield land shall not result in significant harm to human health or the environment, Appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination.</p>
<p>6.3 (Assessing effects of development on transport capacity)</p>	<p>Development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network.</p>

6.9 (Cycling); 6.10 (Walking)	<p>Proposals should provide secure, integrated and accessible cycle parking facilities in line with in minimum standards and provide on-site changing facilities for cyclists.</p> <p>Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.</p>
6.13: (Parking)	<p>The maximum standards in the London Plan should be applied to planning applications and developments should also provide electrical charging points, parking for disabled people and cycle parking in accordance with the London Plan standards. Delivery and servicing needs should also be provided for.</p>
7.1 (Building London's neighbourhoods and communities)	<p>Development proposals should be designed so that the layout, tenure, and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces), the Blue Ribbon Network, local shops, employment opportunities, commercial services and public transport. Development should also enable people to live healthy, active lives; should maximize the opportunity for community diversity, inclusion and cohesion; and should contribute to people's sense of place, safety and security. The design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood.</p>
7.2 (An inclusive environment)	<p>Development proposals should achieve the highest standards of accessible and inclusive design and supports the principles of inclusive design. It should be designed so that it can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances.</p>
7.3 (Designing out crime)	<p>Development proposals should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.</p>
7.4 (Local character)	<p>Development proposals should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. Buildings, streets and open spaces should provide a high quality design.</p>
7.5 (Public Realm)	<p>Development should make the public realm comprehensible at a human scale, using gateways, focal points and landmarks as appropriate to help people find their way. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose.</p>
7.6 (Architecture)	<p>Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. Buildings and structures should a be of the highest</p>

	architectural quality and development should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
7.8 (Heritage Assets and Archaeology)	Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural. Development that affects the setting of listed buildings or conservation areas should be of the highest quality of architecture and design, and respond positively to local context and character.
7.15 (Reducing noise and enhancing soundscapes)	Development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals. It should also reduce noise by separating new noise sensitive development from major noise sources wherever practicable through the use of distance, screening, or internal layout.
7.19 (Biodiversity and Access to Nature)	Development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.
7.21 (Trees and woodlands)	Existing trees of value should be retained and any loss as a result of development should be replaced. Wherever appropriate the planting of additional trees should be included in developments.

Barnet's Local Plan Policies (September 2012)

Policy	Content Summary
CS NPPF (National Planning Policy Framework – presumption in favour of sustainable development)	Take a positive approach to proposals which reflects the presumption in favour of sustainable development and approve applications that accord with the Local Plan, unless material considerations indicate otherwise. Where there are no policies relevant to the proposal or the relevant policies are out of date permission should be granted, unless material considerations indicate otherwise.
CS1 (Barnet's place shaping strategy – the three strands approach)	As part of its 'Three Strands Approach' the council will: <ul style="list-style-type: none"> - Concentrate and consolidate growth in well located areas that provide opportunities for development, creating a high quality environment that will have positive impacts. - Focus major growth in the most suitable locations and ensure that this delivers sustainable

	development, while continuing to conserve and enhance the distinctiveness of Barnet as a place to live, work and visit.
CS4 (Providing quality homes and housing choice in Barnet)	<p>Aim to create successful communities by:</p> <ul style="list-style-type: none"> - Seeking to ensure a mix of housing products that provide choice for all are available. - Ensuring that all new homes are built to the Lifetime Homes Standard and that the wider elements of schemes include the relevant inclusive design principles. - Seeking a variety of housing related support options. - Delivering 5500 new affordable homes by 2025/26 and seeking a borough wide target of 40% affordable homes on sites capable of accommodating 10 or more dwellings. - Seek an appropriate mix of affordable housing comprising 60% social rented housing and 40% intermediate housing.
CS5 (Protecting and enhancing Barnet's character to create high quality places)	<p>The council will ensure that development in Barnet respects local context and distinctive local character, creating places and buildings with high quality design.</p> <p>Developments should:</p> <ul style="list-style-type: none"> - Address the principles, aims and objectives set out in the relevant national guidance. - Be safe attractive and fully accessible. - Provide vibrant, attractive and accessible public spaces. - Respect and enhance the distinctive natural landscapes of Barnet. - Protect and enhance the gardens of residential properties. - Protect important local views. - Protect and enhance the boroughs high quality suburbs and historic areas and heritage. - Maximise the opportunity for community diversity, inclusion and cohesion. - Contribute to people's sense of place, safety and security.
CS7 (Enhancing and Protecting Barnet's Open Spaces)	<p>The Council will create a greener Barnet by:</p> <ul style="list-style-type: none"> - protecting open spaces, including Green Belt and Metropolitan Open Land. - ensuring that the character of green spaces of historic significance is protected. - meeting increased demand for access to open space and opportunities for physical activity, by tackling deficiencies and under provision. - - securing additional on-site open space or other open space <p>improvements in the identified growth areas including 8 ha of new provision at Brent Cross – Cricklewood, 5.5 ha of new provision at Mill Hill East and 5 ha at</p>

	<p>Colindale.</p> <ul style="list-style-type: none"> - securing improvements to open spaces including provision for children’s play, sports facilities and better access arrangements. - ensuring that development protects existing site ecology and makes the fullest contributions to enhancing biodiversity.
<p>CS9 (Providing safe, efficient and effective travel)</p>	<p>Developments should provide and allow for safe effective and efficient travel and include measures to make more efficient use of the local road network.</p> <p>Major proposals should incorporate Transport Assessments, Travel Plans, Delivery and Servicing Plans and mitigation measures and ensure that adequate capacity and high quality safe transport facilities are delivered in line with demand.</p> <p>The council will support more environmentally friendly transport networks, including the use of low emission vehicles (including electric cars), encouraging mixed use development and seeking to make cycling and walking more attractive for leisure, health and short trips.</p>
<p>CS12 (Making Barnet a safer place)</p>	<p>The Council will:</p> <ul style="list-style-type: none"> - Encourage appropriate security and community safety measures in developments and the transport network. - Require developers to demonstrate that they have incorporated community safety and security design principles in new development. - Promote safer streets and public areas, including open spaces.
<p>CS13 (Ensuring the Efficient Use of Natural Resources)</p>	<p>The Council will seek to minimise Barnet’s contribution to climate change and ensure that through the efficient use of natural resources the borough develops in a way which respects environmental limits and improves quality of life.</p> <p>The Council will promote the highest environmental standards for development and through the SPDs. The Council will expect all development to be energy-efficient and seek to minimise any wasted heat or power.</p> <p>The Council will be a water efficient borough and minimise the potential for fluvial and surface flooding by ensuring development does not cause harm to the water environment, water quality and drainage systems subject to local geology and ground water levels. Development should utilise Sustainable Urban Drainage Systems (SUDS) in</p>

	order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible.
Development Management Policies	
DM01 (Protecting Barnet's character and amenity)	<p>Development should represent high quality design that contributes to climate change mitigation and adaptation.</p> <p>Proposals should be based on an understanding of local characteristics, preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.</p> <p>Development should ensure attractive, safe and vibrant streets which provide visual interest. Proposal should create safe and secure environments, reduce opportunities for crime and minimise fear of crime.</p> <p>Development should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. Lighting schemes should not have a demonstrably harmful impact on amenity or biodiversity. Proposals should retain outdoor amenity space.</p> <p>Trees should be safeguarded and when protected trees are to be felled the Council will require suitable tree replanting. Proposals will be required to include landscaping that is well laid out; considers the impact of hardstandings on character; achieves a suitable visual setting; provides an appropriate level of new habitat; makes a positive contribution to the to the surrounding area; contributes to biodiversity (including the retention of existing wildlife habitat and trees); and adequately protects existing tress and their root systems.</p>
DM02 (Development standards)	Development will be expected to demonstrate compliance with relevant standards, supported by the guidance provided in the Council's Supplementary Planning Documents.
DM03 (Accessibility and inclusive design)	Developments should meet the highest standards of accessible and inclusive design.
DM04 (Environmental considerations)	<p>Developments are required to demonstrate their compliance with the Mayor's targets for reductions in carbon dioxide emissions within the framework of the energy hierarchy.</p> <p>Where decentralised energy is feasible or planned development will provide either suitable connection; the ability for future connection; a feasibility study or a contribution to a feasibility study.</p>

	<p>Proposals should be should be designed and sited to reduce exposure to air pollutants and ensure that development is not contributing to poor air quality. Locating development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise not normally be permitted. Mitigation of noise impacts through design, layout and insulation will be expected where appropriate.</p> <p>Development on land which may be contaminated should be accompanied by an investigation to establish the level of contamination. Proposals which could adversely affect ground water quality will not be permitted.</p> <p>Development should demonstrate compliance with the London Plan water hierarchy for run off, especially in areas prone to flooding.</p>
DM06 (Barnet's Heritage and Conservation)	<p>All heritage assets will be protected in line with their significance. All development will have regard to the local historic context.</p> <p>Proposals involving or affecting Barnet's heritage assets should demonstrate the following:</p> <ul style="list-style-type: none"> - the significance of the heritage asset - the impact of the proposal on the significance of the heritage asset - the impact of the proposal on the setting of the heritage asset - how the significance and/or setting of a heritage asset can be better revealed - the opportunities to mitigate or adapt to climate change - how the benefits outweigh any harm caused to the heritage asset
DM08 (Ensuring a variety of sizes of new homes to meet housing need)	<p>Development should provide, where appropriate a mix of dwelling types and sizes in order to provide choice.</p> <p>Barnet's dwelling size priorities are 3 bedroom properties the highest priority for social rented dwellings, 3 and 4 bedroom properties the highest priority for intermediate affordable dwellings and 4 bedroom properties the highest priority for market housing, with three bedroom properties a medium priority.</p>
DM16 (Biodiversity)	<p>The council will seek the retention and enhancement, or the creation of biodiversity for new developments.</p>
DM17 (Travel impact and parking standards)	<p>The Council will :</p> <ul style="list-style-type: none"> - Ensure that the safety of all road users is taken into account when considering development proposals. - Ensure that roads within the borough are used appropriately according to their status.

	<ul style="list-style-type: none"> - Expect major development proposals with the potential for significant trip generation to be in locations which are (or will be) highly accessible by a range of transport modes. Developments should be located and designed to make the use of public transport more attractive. - Require a full Transport Assessment where the proposed development is anticipated to have significant transport implications. - Require the occupier to develop, implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets. - Expect development to provide safe and suitable access arrangements for all road users. - Require appropriate measures to control vehicle movements, servicing and delivery arrangements. - Require, where appropriate, improvements to cycle and pedestrian facilities. - Parking will be expected to be provided in accordance with the following per unit maximum standards: <ul style="list-style-type: none"> i. 2 to 1.5 spaces for detached and semi-detached houses and flats (4 or more bedrooms). ii. 1.5 to 1 spaces for terraced houses and flats (2 to 3 bedrooms). iii. 1 to less than 1 space for developments consisting mainly of flats (1 bedroom). - Residential development may be acceptable with limited or no parking outside a Controlled Parking Zone only where it can be demonstrated that there is sufficient on street parking capacity.
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Mill Hill East Area Action Plan (AAP) 2009

Policy	Content Summary
MHE 2 (Housing)	<ul style="list-style-type: none"> • Mix of housing types including a significant proportion of family housing. • A target of 50% affordable housing • A net average density of 85dph. <p>Development to be built to lifetime homes standards.</p>
MHE6 (Community Facilities, Shops and Services: Officers' Mess),	<p>Officers' Mess – To be retained and converted to a new use which will respect and reflect the heritage of the building. Grounds and Gardens to be retained.</p> <p>Retention of the war memorial in situ or its sensitive relocation in the local area</p>
MHE7 (Parks and Public Open Space)	<p>Provision of around 5.5 hectares including:</p> <ul style="list-style-type: none"> • 4 new local parks; • Retained woodland;

	<ul style="list-style-type: none"> • Sports pitches <p>In addition contributions will be sought to improve existing open space and may include:</p> <ul style="list-style-type: none"> • works to local footpaths • improvements to Bittacy Hill Park
MHE8 (Children's Play Space)	Provision on site based on assessment of need
MHE9 (Protection of Green Belt and Biodiversity)	<p>No development within Green Belt and development adjacent to Green Belt will be required to enhance the visual amenity of the area.</p> <p>Ecological surveys required before development can commence to ensure appropriate mitigation measures.</p> <p>Planting of native species to encourage biodiversity</p>

MHE10 (Making the Right Connections)	<p>Development based on a new network of streets linking to the surrounding area.</p> <p>Street design to promote place making.</p> <p>Delivering the following strategic elements:</p> <ul style="list-style-type: none"> • A new east/west link between Bittacy Hill and Frith Lane which is suitable for use as a bus route; and • A high street running north/south to Mill Hill East station, suitable for use as a bus route
MHE12 (Sustainable Transport)	<p>Sustainable Transport – To include:</p> <ul style="list-style-type: none"> • A bus route between Bittacy Hill and Frith Lane; and • Improvements to Mill Hill East Underground station, station forecourt and bus interchange <p>Preparation of a public transport strategy and contributions towards the provision of public transport.</p> <p>Direct and safe walking/cycling routes across the development.</p>
MHE13 (Parking)	<p>Residential parking to vary across site dependent upon proximity to public transport and unit size. UDP standards will be taken as a maximum and a lower car parking ratio encouraged.</p> <p>Provision of travel plans to include measures to reduce car usage.</p> <p>Residential and non residential parking to be at levels consistent with adopted council policy and Annex 4 of the London Plan.</p>

<p>MHE14 (Creating a Sustainable Development)</p>	<p>Residential development to achieve a minimum of Code Level 4.</p> <p>Commercial and community buildings to achieve a BREEAM excellent rating.</p> <p>Construction materials to achieve a rating of A+ to D in the BRE Green Guide.</p> <p>Sustainable Urban Drainage Systems (SUDS) to be used.</p> <p>Use of green and brown roofs in particular on the school.</p> <p>Provision of grey water recycling.</p> <p>20% of all energy requirements to be met through renewable technologies.</p> <p>Provision of an energy strategy to include a feasibility study for provision of district heating.</p> <p>50% of waste to be recycled or composted.</p> <p>Provision of a minimum of 0.5 hectares of land for sustainable infrastructure.</p>
<p>MHE15 (Design)</p>	<ul style="list-style-type: none"> • Creation of gateway near station with shops and offices around a new public square with enhanced pedestrian crossing; • Creation of high quality local high street linking square to centre of site; • Creation of three residential character areas that are responsive to the suburban character and setting of development: Green Belt edge, Central Slopes, Southern Hub; • Aligning parks and buildings and using site topography to create a series of panoramic views from public spaces but also to limit views into the site. • Community facilities and public transport stops to be within 5 minutes walk distance of most residents.
<p>MHE16 (Delivering Design Quality)</p>	<p>Development will be required to demonstrate a high level of quality in urban design, architecture and landscape design.</p>
<p>MHE17 (Conserving Built Heritage)</p>	<p>Development affecting locally listed buildings and structures should seek to safeguard their special character, appearance and setting</p>
<p>MHE18 (Delivering the AAP)</p>	<p>A comprehensive approach will be required to development to the site to ensure a high quality of design, an integrated layout and the timely delivery of</p>

2. 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.
3. If the development is carried out it will be necessary for any existing redundant vehicular crossovers to be reinstated to footway level by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
4. The applicant must submit a separate application under Section 184 of the Highways Act (1980) for the proposed vehicular access which will need to be constructed as a heavy duty access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.
5. 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.