

LOCATION: Phase 4c, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ
REFERENCE: 15/06898/RMA **Received:** 11 November 2015
WARD(S): Mill Hill **Accepted:** 16 November 2015
Expiry: 15 February 2016

Final Revisions:

APPLICANT: Taylor Wimpey (North Thames)

PROPOSAL: Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4c of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 89 units consisting of 12 x 1 bedroom apartments, 24 x 2 bedroom apartments, 16 x 3 bedroom houses, 24 x 4 bedroom houses, 13 x 5 bedroom houses together with details to discharge the requirements of: Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Homes standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).

RECOMMENDATION: Approve Subject to Conditions

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

Reason:

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - 2000

Existing Site Levels - 2001

Masterplan – 2002 A

Proposed Site Plan - GF entry level- 2003 A

Proposed Roof Plan- 2004 A

Proposed Boundary Plan- 2005

Proposed Car Parking/ Cycle Plan 2006

Proposed Waste Storage and Collection Plan 2007

Proposed Street Elevations 1 2009 B
Proposed Street Elevations 2 2010
Proposed Street Elevations 3 2011 B
Thireleby Road end house view – Opt A 2021
Thireleby Road end house view – Opt B 2022 A
View from open space to Block B 2023
Planting area corner Block B 2024
Thireleby Road end house view – Opt C 2025
Schedule of Accommodation 2020
Block A Plans 1 2100 B
Block A Plans 2 2101 B
Block A Plans 3 2102 B
Block A Elevations 2103 A
Block B Plans 1 2104 A
Block B Plans 2 2105 A
Block B Elevations 2106
Block C Plans and Elevations 2107 A
3 Bed Type 1 2110
3 Bed Type 3 2111 A
3 Bed Type 3 Plots 35 and 36 2112 A
3 Bed Type 3 Plot 21 2113
3 Bed Type 3 Plot 42 2114
3 Bed Type 5 Plot 7 2115 A
3 Bed Type 5 Plot 10 2116 A
3 Bed Type 5 Plot 11 2117 A
3 Bed Type 7 2118
4 Bed Type 2 2119 A
4 Bed Type 2 Plots 8 and 9 2120
4 Bed Type 4 2121
4 Bed Type 4 Plot 23 2122
4 Bed Type 4 Plot 24 and 30 2123
4 Bed Type 5 2124 A
4 Bed Type 7 2125
5 Bed Type 1 2126 A
5 Bed Type 2 2127 A
5 Bed Type 3 2128
5 Bed Type 4 2129
5 Bed Type 5 2130
5 Bed Type 6 2131

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

3. Before the development hereby permitted is occupied the car parking spaces shown on Drawing No. AA5387-2006 submitted with the planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

4. Before the development hereby permitted is occupied Electric Vehicle Charging Points (ECVP) as shown on the submitted Drawing No. AA5387-2006 shall be provided including a minimum of 28(20% of approved parking spaces) as Active ECVP and a minimum of 28(20% of parking spaces) as passive EVCP in accordance with the London Plan Parking Standards. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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

5. Before the development hereby permitted is occupied the cycle parking spaces shown on Drawing No. AA5387-2006 submitted with the planning application shall be provided shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

6. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to adoptable standards. The applicant is expected to sign a Waiver of Liability and Indemnity Agreement to indemnify the Council against any claims for damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

7. Notwithstanding the details shown on plans otherwise hereby approved and prior to development commencing details, including samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

8. All hard and soft landscaping shall be carried out in accordance with the 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 ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

9. The development shall be carried out in strict accordance with the provisions and tree protection methods outlined in the submitted Arboricultural Method Statement by aspect arboriculture dated November 2015.

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).

10. The development shall accord with the provisions contained within the submitted Construction Management Plan by Taylor Wimpey dated November 2015, except as otherwise agreed in writing by the Local Planning Authority.

Reason:

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

11. Privacy panels shall be provided to all balconies and roof terraces in accordance with the agreed details and shall thereafter be 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).

12. The development shall be carried out in accordance with the approved Landscape Management and Maintenance Plan and the management and maintenance regimes shall be reviewed on an annual basis for a minimum period of 5 years as set out in the approved document.

Reason: To secure opportunities for the enhancement of nature conservation value of the site in accordance with policy CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

13. Details of proposed bat and bird boxes shall be submitted and approved by the Local Planning Authority. The bat and bird boxes shall be installed in accordance with the agreed details prior to the occupation of the development and thereafter maintained.

Reason: In the interest of nature conservation and in accordance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

14. A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

15. 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).

INFORMATIVE(S):

- 1 The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.
- 2 The 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.
3. The applicant is advised that the refuse stored within the lower ground floor will need to be brought to ground level for collection.

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 including Barnet Council (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 September 2011).

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

- Plot Development Schedule
- Planning Statement including Affordable Housing Scheme
- Drainage Strategy
- Construction Management Plan
- Arboricultural Method Statement
- Landscape Management Plan
- Energy Strategy and Code for Sustainable Homes Pre-assessment
- Noise Assessment; and
- Design and Access Statement

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: March 2015 2.13 (Opportunity Areas and Intensification Areas), 3.3 (Increasing Housing Supply), 3.4 (Optimising housing potential), 3.5 (Quality and design of housing developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.7 (Large Residential Development), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities), 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.11 (Green roofs and development site environs), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1

(Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 2012

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources), CS14 (Dealing with Waste).

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Relevant Development Management DPD Policies: DM01 (Protecting Barnet's Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet's Heritage and Conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing Need), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

Mill Hill East Area Action Plan (AAP) 2009

The Mill Hill East Area Action Plan (AAP) was adopted by the Council in 2009 and forms part of Barnet's Local Plan containing policies relevant to the determination of planning applications in the area. The AAP forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE2 (Housing), 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	Outline Application
Decision	Granted
Decision Date	22/09/2011

Application Reference:	H/04655/11
Case Officer:	Colin Leadbeatter
Proposal:	Demolition of existing buildings within the curtilage of the Millbrook Park development (formerly Inglis Barracks) as approved under outline application reference H/04017/09 (Approved September 2011)
Stat Start Date	12/11/2011
Application Type	Prior Notification (Demolition)
Decision	Granted
Decision Date	20/12/2011

Application Reference:	H/00480/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 1A of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated:

	22/9/2011
Stat Start Date	07/02/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	19/04/2012

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

Application Reference:	H/03057/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for landscaping works to Officers' Mess Gardens (including associated infrastructure works) for Phase 2 (public open space OSI) of Mill Hill East development, pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space)
Stat Start Date	13/08/2012
Application Type	Reserved Matters
Decision	APC
Decision Date	23/10/2012

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

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

Application Reference:	H/03904/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 2 of Mill Hill East development pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 103 dwellings comprising 3 x one bed flats, 20 x two bed flats, 45 x 3 bed houses, 25 x four bed houses and 10 x five bed houses. Approval of layout and landscaping works to Phase 2 public open space (OS2), together with details to discharge the requirements of: Conditions 12 (relating to Plot L only); 57 (relating to plots within Phase 2 only); and 8,26, 27, 29, 48, 52, 70, 80, 83, 85 and 91 all in relation to Phase 2 only.
Stat Start Date	08/10/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	28/03/2013

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

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

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

Application Reference:	H/00668/13
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for construction of associated advanced infrastructure works and landscaping associated with Phase 3 (public open space OS4) of Mill Hill East development to create 'Panoramic Park' and advance infrastructure works in relation to Phases 3, 4a, 4b and 5, pursuant to Conditions 5 and 5b of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space). Ground re-profiling works to Phases 10, 11 and part of Phase 7.
Stat Start Date	12/02/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	22/04/2013

Application Reference:	H/03441/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval for

	Phase 3a (Central Community Park) and advanced infrastructure works in relation to phases 3a, 8, 9, 10 and 11 of Millbrook Park (Mill Hill East) pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirement of condition 5 (Reserved matter details), 25 (East-West and North-South links), 26 (Pedestrian and vehicular access points), 48 (Design of open spaces) and 52 (Children's play spaces).
Stat Start Date	06/08/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	13/02/2014

Application Reference:	H/03860/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3 of Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 138 units 7 x 5 bedroom houses, 41 x 4 bedroom houses, 47 x 3 bedroom houses, 26 x 2 bedroom apartments and 17 x 1 bedroom apartments together with details to discharge the requirements of: Conditions 5 (Reserved matter details), 8 (Affordable housing), 12 (Noise Survey along Boundary with IBSA House), 26(Access points), 27 (Details of Estate Roads), 29(Internal access roads), 35 (Petrol/oil interceptors), 48(Open space), 52 (Children's playing space), 57 (Boundary treatment/buffer), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling),85 (Green/brown roofs).
Stat Start Date	28/08/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	12/11/2013

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

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

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

2.3 Consultations and Views Expressed

Public Consultation

Neighbours Consulted: 177

Replies: 18

Neighbours Wishing 1

To Speak

At the time of writing eighteen letters have been received all in objection to the scheme from neighbouring residents on the following grounds (in summary):

- Proposed buildings too close and high in relation to existing properties in will result in loss of light and privacy along with security.
- A full BRE Daylight Sunlight test should be undertaken.
- Length of gardens should be increased to improve separation.
- Proposed development out of scale with the locality.
- Density of scheme too high.
- Impact of development exacerbated due to changes in levels which results in buildings being a storey higher.
- Properties in (the Annington Homes development) have previously flooded. Proposal would exacerbate this due to the changes of level and increase risk of flooding.
- Trees should be planted at the rear of the gardens to screen the development.
- Existing and future construction disturbance from Taylor Wimpey, including location of contractor car park behind houses.
- Noise and Vibration from Construction.
- Proposed development fails to provide any shops or leisure services, these should be provided in this area along with a park instead of houses.
- Loss of open view and sunlight.
- Developer has failed to take into account opposition by existing residents.
- Occupiers misled about scale of development when they bought their houses.
- Parking levels insufficient.
- Unclear whether properties will have their own back fences.

Officer's response:

The density of the development of this plot along with the position and height of proposed properties is already established under the outline planning permission. The line of terraced properties facing the existing properties in Thirley Road have been designed to minimise their impact by lowering the height of the properties at the rear and sinking the ground level of the development. Amendments have also been made to the scheme pushing back the position of part of Block A and the houses to the north to minimise the impact of the development as well as the introduction of angled windows to safeguard privacy. Privacy distances of 21m are proposed which is in compliance with Local Plan Policy. The proposal complies with the 25 degree test. Advice contained within the BRE publication 'Site Layout Planning for Daylight and Sunlight' advises that if a proposal passes the 25 degree code test then the impact on daylight will be within acceptable limits and there is no need to conduct additional tests. The proposed drainage from the site is considered acceptable. Issues of noise and vibration and construction noise are controlled by other legislation, however notwithstanding this a construction management plan has been submitted with the application, which includes measures to minimise disturbance. The proposal incorporates dedicated car parking spaces within the development, in line with the parking rations approved under the Outline Consent. It

is therefore considered that sufficient parking is provided on site to prevent overspill parking in nearby roads.

Residents Associations and Amenity Groups.

1 Letter received from the Mill Hill Preservation Society dated 24th April 2015 making the following comments:

- The Mill Hill Preservation society consider that the application generally is better than that of Phase 4A, and acknowledge the site is difficult with some steep slopes and odd shapes. The Preservation Society aware that views out of and into the adjoining housing by Annington Homes (Ridgemont) is an important factor. The Preservation Society notes that the housing mix and percentage of affordable homes is in line with the Design Code. Also the requirement for two landmark buildings in this phase has been met. Notwithstanding these comments the Preservation Society express concerns regarding the houses to the north of Block A fronting the Panoramic Park along with the buildings to the south including Block B which the Preservation Society consider the architecture and roof form need to be altered to provide more presence to these buildings. The preservation society also consider that the development should contain more mature trees.

Officer Response:

The Comments from the Mill Hill Preservation Society are noted. In relation to some of the detailed design comments, the Council does not concur and consider the design of the houses stepping down the hill and the lower profile design of Block C as being appropriate in their context providing a clear step down the slope of the site, while minimising the scale of development from existing properties. Landscaping conditions are attached requiring details of proposed species which would include details of the maturity of any planting.

Internal /external and Other Consultations:

Highways

The Council's Highway Officer has confirmed no objection to the proposal subject to the attachment of appropriate conditions. Detailed comments are incorporated into officer report below.

Environmental Health

The Council's Environmental Health Team have not raised any objections to the proposal.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings

Site in relation to the outline consent:

This application site submitted for assessment falls within Phase 4c of the outline consent, which is in the northern eastern part of the Mill Hill East regeneration area (also known as Millbrook Park) and covers an irregular shaped area approximately 1.75 hectares (Ha) in size. The site is bounded by Partingdale Lane to the north, the approved Phase 4a Site to the west also built out by Taylor Wimpey, the existing residential housing within the completed Countryside Annington Homes Scheme to the east and the consented Panoramic Park to the South west and the Phase 1 development to the south being built out by Countryside.

The site falls predominantly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height. Development within the central slopes east character zone allows a higher density of development although predominately limited to 3 storeys with some 4 storey elements.

Physical features:

The site contains significant changes in levels north to south and west to east with the transition in gradients particularly steep adjacent to the eastern boundary of the site with the Ridgemont Development.

The site will be accessible via the future internal road network to Bittacy Hill and Frith Lane to the west, south and east. The site has a public transport accessibility level (PTAL) of 2. Mill Hill East underground station is approximately 800m to the south of the site. The 221 and 240 bus routes run along Bittacy Hill with stops located between 320 and 340 metres from the application site

3.2 Description of Proposal

The proposal is to seek approval of matters reserved under outline planning consent ref H/04017/09 (layout, scale, appearance and landscaping) to redevelop the site for residential purposes. An Environmental Impact Assessment Screening Opinion for this phase has been submitted separately which is currently under consideration (application ref 15/06901/ESR).

Housing:

The proposals would be for a mix of 1, 2, 3, 4 and 5 bedroom units) providing a total of 89 dwellings as follows:

12 x one bed flats
24 x two bed flats
16 x three bed houses
24 x four bed houses
13 x five bed houses

The above includes 12 affordable housing units with the following mix:

Affordable Rented

4 x two bed flats
1 x three bed houses
4 x four bed houses

Intermediate

2 x two bed flats
1 x three bed houses

The proposed apartments are located along the southern eastern edge of the plot, including the larger four storey Apartment Building in Block A which measures 4 storeys in height with a recessed top storey pop out mirroring the design of the apartment building in the adjoining phases at 4a. A smaller four storey Apartment Building (Block B) is also proposed at the southern edge of the site fronting the Panoramic Park to the west. A three storey affordable housing (Block C) is located slightly to the east adjoining the Annington Properties. The apartments are interspersed with short housing terraces which step down in line with the significant changes in gradient in this portion of the site. These houses measure between 3 and 4 storeys in height.

The rest of the development consists a mixture of short terraces, semi-detached and detached houses which are between 2.5 and three storeys in height. The housing density is greatest on the southern portion of the site and lowest along the northern boundary with Partingdale Lane similarly to the adjoining phase in 4A. Internal access roads and footpaths to the properties are proposed.

Landscaping:

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.

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. In relation to Phase 4a the outline planning approval it was envisaged that this would be in the form of pocket parks located throughout this phase providing an anticipated total of 0.35 hectares including both phases 3 and 4. This was subsequently increased to 0.42 hectares as a result of a shortfall in an earlier phase. Phase 3 has already delivered 0.28ha, and the approved Phase 4a development provided 0.1825ha of public open space. As a result of which there is no requirement for Public Open Space within this Phase. Notwithstanding this a small portion of open space fronting plots 19 and 20 which is welcomed.

The application also proposes associated hard and soft landscaping works across the site. The landscape included along the Partingdale Lane frontage will include the introduction of new tree and hedgerow planting along the rear of the proposed houses to plug the existing gap and 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 4c are as follows:

- 5 – Reserved Matters Details

Sets out the submission requirements for submission accompanying each reserved matters application.

- 8 – Housing Mix and Location of Affordable Housing Units

This requires prior to commencement of the development details of the proposed amount and mix of relevant residential development within that Phase and the proposed Affordable Housing Scheme to be submitted and approved.

- Condition 26 – Pedestrian and Vehicular Access Points

This requires details of access points, estate roads and footways to be submitted and approved.

- Condition 27 – Details of Estate Roads

This requires details of lighting, pedestrian facilities, crossing points, cycle facilities, signing, bus stops/shelters, bus standing/layover facility, bus driver facilities, highway improvements and estate road layout and gradient.

- Condition 29 – Internal Access Roads

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 32 – Shared Footways/ Cycleways

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 35 – Petrol/ oil interceptors

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

- Condition 48 – Design of Open Space

This requires details on the construction of any communal open space and should be in accordance with the principles and parameters contained within Parameter Plan 2, Landscape (A6157/2.1/04) and the Revised Public Realm and Open Space Strategy (MHE/OPA/5.1).

- Condition 52 – Children’s Play Space

This requires details of children’s play areas to be submitted and approved and shall be provided within 12 months of the first occupation of any dwelling located within that phase.

- Condition 69 – Noise from Plant

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

- Condition 70 – Design to Lifetime Homes Standards & Wheelchair Standards

This condition requires all residential units to be built in accordance with Lifetime Homes Standards. Furthermore 10% of the units shall be designed to be fully wheelchair accessible.

- Condition 80 – Code for Sustainable Homes

A statement to be submitted to demonstrate measures incorporated to achieve a minimum standard of Code for Sustainable Homes Level 4 (with a minimum level of Code Level 6) by 2016.

- Condition 83 – Greywater/Rainwater Recycling Provision

This requires details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings to be submitted and approved.

- Condition 85 – Green/Brown Roofs Provision

This requires details to demonstrate the provision of Green or Brown roofs into each of the buildings to be submitted. Details shall also include a reconciliation plan or table showing how the proposed provision complies with the 10% target fixed by condition 84.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of constructing 89 residential dwellings and provision of public open space is established by the outline planning consent. Condition 5 (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The reserved matters currently under consideration are:

Scale – the height, width and length of each building proposed in relation to its surroundings.

Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

Appearance – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

Landscaping – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

Access – The internal road layout within this phase was established at outline stage. This current application shows the internal estate roads in the same location in compliance with the outline parameters 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
- Technical and Infrastructure Strategy
- Revised Phasing and Delivery Strategy

Design Code

In addition to the above a site wide design code was approved in 2011 pursuant to 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 4c 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 several areas where the application does not conform and the applicant has provided justification for any deviations. These are explained in the sections below.

Deviation from outline

Application as Submitted

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 F2, K1, K2 and R falls within Phase 4c.

As submitted the number and mix of units for the Phase 4c reserved matters application is as per the s.106 accommodation schedule attached to the Outline permission. The proposed total number (89) and mix of units is as per the approved DS when plots F2, K1, K2 and R are added together. However, the application deviates from the schedule at a plot-by-plot level as a response to detailed design work. It is the distribution of the units across Phase 4c that is different to the approved schedule. The applicant has submitted a separate s.96a application to amend the DS under ref 15/06894/NMA and the details are summarised in the following table contained within the Planning Statement submitted in support of the application.

Table 6.1 - Proposed Housing Amount and Mix

	Private	Intermediate	Social Rent	Total
1 bed flat	12	0	0	12
2 bed flat	18	2	4	24
3 bed house	14	1	1	16
4 bed house	20	0	4	24
5 bed house	13	0	0	13
Total	77	3	9	89

As seen above, it is the location of the dwelling types within Phase 4c that is changed and does not alter the number, the mix of apartment and house types or size of the units. 12 units are to be affordable dwellings (both rented and intermediate) in accordance with the S106 Agreement and the rest to be private sale properties. Due to the detailed design work, the distribution of units has altered as illustrated in the amended plot schedule above.

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.

Amendments of the 8th February 2016

Amended Plans were submitted on the 8th February 2016, reducing the depth of the ground, first and second floors of the north western corner of Block A by approximately 2.5m and the cutting back of the fourth storey roof elements of the houses at plots 43, 44 and 45 to the north of Apartment Block A. The fenestration to the rear facing windows in this section of Block A was also altered to angled windows allowing angled views over the communal space of the apartment block, but not the

rear gardens of the existing properties contained within the Annington Development to the north east.

4.2 Amount of Development

Housing

The amount and mix of development for 89 dwellings in Phase 4c is substantially, in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. 12 units are to be affordable dwellings (both rented and intermediate) and the rest to be private sale properties. Condition 8 (Housing Mix and Location of Affordable Housing Units) of the outline consent requires the submission of details of affordable housing, and the proposed submission is considered to accord with this requirement.

Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established, with the development as a whole providing 89 units within this phase.

Public Open Space

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. In relation to Phase 4a the outline planning approval it was envisaged that this would be in the form of pocket parks located throughout this phase providing an anticipated total of 0.35 hectares including both phases 3 and 4. This was subsequently increased to 0.42 hectares as a result of a shortfall in an earlier phase. The Phase 3 permission delivered 0.28ha and the approved Phase 4a development provided 0.1825ha of public open space. As a result of which there is no requirement for Public Open Space within this Phase. Notwithstanding this a small portion of open space fronting plots 19 and 20, which is welcomed.

The application also proposes associated hard and soft landscaping works across the site. The landscape included along the Partingdale Lane frontage will include the introduction of new tree and hedgerow planting along the rear of the proposed houses to plug the existing gap and to reinforce the Green Edge. The proposal is therefore considered in accordance with Condition 15.

4.3 Scale



Parameter Plan 4 (Scale) indicates a 3 storey maximum permissible height for the northern section of the phase 4c area with a 4 storey maximum covering the southern section of the site. The majority of properties are in accordance with the above parameters.

However in relation to the apartment building identified at Block A a recessed top fifth storey is incorporated throughout the building which does not strictly comply with the approved parameters. The inclusion of such a structure was considered acceptable during the consideration of the earlier application in connection with the development at Phase 4a, where the space was not considered to constitute a storey as no separate accommodation was formed with this volume which was predominately designed to allow for access to the front terrace for amenity purposes. Similar considerations apply to the current application, and the design of the roof form helps to carry over the architectural form of the adjoining phase. Visually the top roof form element is well set back on all sides and would be of limited visibility from close views and is considered appropriate in this instance. Blocks B and C do not contain this feature due to the location of these buildings which would result in a greater visual prominence.

Officers consider that the proposals substantially accord with the scale parameter plan, and the guidance contained within the Design Code.

The ridge heights throughout Phase 4c are within the maximum heights as set out in the scale parameter plan. The proposal also complies within the required width and length parameters (minimum and maximum) stipulated within Parameter Plan 4.

As highlighted above, Millbrook Park outline planning consent is split into 4 character areas (as shown on Parameter Plan 5) as follows:

Green Belt Edge – low density houses, green character

Central Slopes - medium density, mix of houses and apartments up to 4 storeys in height

Southern Hub – highest density, predominantly apartments up to 6 storeys in height.

Mixed Use/retail/community – mixed uses around public square and new primary school.

The approved Design Code for the scheme further splits the Central Slopes Character Zone into East (CZE) and West (CZW) character zones.

The site falls partly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height of a 'garden housing layout' comprising of smaller blocks composed of detached, semi-detached and terraced houses and the occasional small apartment buildings. Development within the central slopes east character zone can accommodate a mixture of 'garden housing' and higher density 'garden court' style housing involving medium density development providing a block perimeter layout including the use of communal parking courts.

The design and layout of the scheme predominately follows the above parameters with lower density suburban houses located on the northern portion of the site, backing onto the rear of properties in Thirleby Road within the Annington Scheme to the east and Partingdale Lane to the north. The higher density form of development including the four storey houses and apartment buildings are located in the southern section of the site, in positions where they do not directly face any of the existing houses in the Annington Development. The position of these properties have to some extent been cut back beyond what is allowed within the approved parameters in circumstances where concerns existed in respect of the relationship of the new development and existing properties.

Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established, with the development as a whole providing 89 units within this phase.

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. Proposals 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 broad accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan 1.

The primary distributor road named 'secondary general' on the approved parameter plans runs along the southern perimeter of the phase which roads branch off giving access to both the adjoining Phase 4a Development and the northern portion of the development plot. These roads will link through to the wider Millbrook Park Estate Road network connecting through to Bittacy Hill to the south and west and Frith Lane to the East. The proposed layout is in compliance with the parameter plans and the Illustrative Masterplan.

Site Boundaries

Within Phase 4c there are two key primary site boundaries, these being the relationship with Partingdale Lane to the North and the relationship to the Annington Homes site to the east.

Partingdale Lane

The relationship with Partingdale Lane is crucial in marking the transition from the development to the rural green belt edge to the north. The proposed houses along the northern boundary are predominately low density detached properties set back from the edge of the site. There is limited planting along the existing boundary with Partingdale Lane, with the boundary currently being marked by the site hoardings of the site. The application proposes the provision of a landscaped buffer strip beyond the rear fence line of the houses, where new hedgerow and planting is proposed. The space will be managed by the management company rather than individual property owners which provides for a greater degree of protection from future pressure to remove these trees in the future.

Annington Homes Development

The development of Phase 4c represents the first occasion that a Reserved Matters Application has directly adjoined existing houses located outside of the boundaries of the Outline Planning Permission in this case the Annington Housing Scheme, for which reserved matters approval was granted in 2004.

The Outline Planning Approval included an indicative masterplan which shows a line of houses backing onto the existing house and flats in Thirleby Road, with apartment blocks located at right angles beyond this, with development plots continuing further to the south and south east. The current Reserved Matters Application predominately follow this layout, with some minor changes to plot position. The layout of the scheme results in a predominate development layout by which the backs of proposed houses back onto the backs of existing houses, which is welcomed. The design of the properties has also been designed to limit as far as is possible the impact of the development on existing house, by including gaps between buildings, hipped back roofs and sunken rear gardens. Overall it is considered that the interface with the existing housing has been appropriately and successfully achieved. Detailed consideration of the design of the properties and issues of neighbouring amenity are discussed in detail later in this report.

Parking

Parking throughout the development is either on plot, on street in close proximity to the dwellings or in underground car parks in relation to the Apartment Blocks A and B. Access to the basement car park will be secured and all surface car parking areas are overlooked in accordance with secured by design principles.

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 includes new roads and the footpaths. The proposed layout follows the layout indicated on the approved parameter drawings. And is considered to provide for a legible and permeable development. The scheme also allows for the potential of a future pedestrian linkage to be formed to the Annington Scheme, however as this development is not under the same ownership it is not possible to form an actual connection.

Crime

The proposed layout predominately follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages.

Levels

Phase 4c has relatively gentle changes of levels at the top of the site, with significant changes of levels along the eastern and southern edge of the site dropping down to the Annington Properties. Level Changes range from a drop of 4 metres on the top portion of the site to a 9.8m drop on the southern portion. The applicant has dealt with the changes through the use of split levels with basement access to the rear garden on the northern section of the site, and the houses on the southern section and through the use of podium deck car parks on the apartment buildings. Level Access to all buildings is maintained in accordance with the Equality Act 2010 with all dwellings achieving lifetime house standards. The proposal is also in accordance with the approved levels parameter plan and the Design Code and is therefore considered acceptable.

4.5 Appearance

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

As discussed, Phase 4c is located within both the GBE and CSE character zones and as such it is necessary for the scheme to provide for a subtle transition between

the more dense form of housing development in the southern part of the development and the lower density form of development on the northern part of the site.

The development consists of several separate development typologies including Green Belt Edge, Northern Square, Central Street, Transition Area, the Panoramic Park Frontage, the Southern Court and the Corner Apartments.

Green Belt Edge

The houses towards the Green Belt Edge are of a looser form to development in the southern portion of the site, following the form established in the adjoining Phase 4a. The design of these houses is based on traditional forms with crisp contemporary detailing. Traditional elements such as pitched roofs, projecting bays and chimneys are employed to reinforce the residential character of the place and to create a sense of rhythm along the streets.

Northern Square

The properties in the Northern Square which cover the remainder of the Green Belt Edge frontage with Partingdale Lane, follow a similar form to the rest of the properties in the Green Belt Edge, with slight differences to mark the sensitivity of this frontage, with the properties set back from the road, to enable the provision of a landscaped hedgerow, with lower eaves height to lower the impact of the properties. Parking is provided in the form of a shared surface courtyard, which includes landscape planting.

Central Street

The central street is the main road running northwards from the Panoramic Park to the South the north of the site fronting Partingdale Lane. The housing proposed consists of a several stretches of terraced properties on both sides of the road. The housing proposed is of a traditional design incorporating some contemporary architectural detailing. However due to the changes of level from east to west, the houses backing onto the Annington scheme have split levels between the front and the rear of the properties with garden access at lower ground floor level, with the first floor pulled further back from the rear boundary. The eaves height of the properties is also lower at the rear than the front of the properties with sloping pitched roofs to minimise the impact of the properties on the Annington Properties to the East.

Transition Area

This concerns a relatively short stretch of three houses just to the south of the Central Street, which faces the approved development at 4a. Three houses are proposed in this section, which are three storeys in height with roof top terraces,

projecting bays and large format picture windows. The design of these properties mirror those located across the road within Phase 4a and is considered acceptable.

Panoramic Park Frontage

The Panoramic Park frontage is one of the more significant element of the proposal in terms of the visual presence of the development. The development along this frontage adjoins the Crescent shaped five storey apartment building contained within the adjoining Phase 4a. The development does not directly try to copy the design of this building, although elements of this building are provided in the form of the top recessed roof of Apartment Block A which helps to provide a visual continuity between the phase. The Apartment Building along with Block B Located further down the slope by a series of four and three storey town houses which step down the site, providing visual breaks in the frontage while allowing the development to step down the hill. While the concerns of the Mill Hill Preservation Society are noted, the design of the houses is considered appropriate in this instance providing a contrast with the straight eaves lines of the apartment buildings and allowing the development to gracefully move down the hill and it is considered that this frontage achieves an appropriately high standard of design in what is a challenging terrain in terms of levels.

Corner Apartments.

Carrying on from the remainder of the Panoramic Frontage, Block B is located on the southern portion of the development facing the Panoramic Park to the West. This building is four storeys in height, with the primary façade facing the Park, with a return wing which drops down in height to three storeys where it adjoins the houses contained within the Annington Scheme. The design of Block B is more simple in its architectural form to Block A which is considered appropriate in this location at the bottom of the slope, marking the transition of the development into adjoining phases and development.

Southern Court

The Southern Court concerns the heavily steeped area in the south east corner of the site, further to the east of the Panoramic Park Frontage to the west. The proposals envisage a series of stepped houses down the slope, with split levels similar to the properties proposed on the Central Slopes. A small three storey apartment block is proposed beyond this (Block C) which will house some of the affordable housing units. Car Parking to the apartments and the houses will be in the form of a shared surface courtyard similarly to the Northern Court. The design of this element is arranged so that the impact of the proposal on the amenities of the Annington Residents to the north, south and east is minimised as far as is possible given the constraints of the site.

Conclusion for External Appearance

The mixture of the traditional form of the properties located within the green belt edge, northern square and central streets with the more contemporary form of the apartment blocks and houses in the southern portion of the site is considered appropriate to this location and also provides for variety and legibility. It is considered that the architectural approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

Material Specification

The Design Code stipulates that a warm red brick GBE character area while either warm red or buff coloured bricks may be used in the CSE character area. The Design code also specifies that the material palette along the Partingdale Lane frontage should include clay plain tile or natural slate roofs, high performance timber windows and black coated aluminium rainwater goods.

The scheme proposes two different material patterns for the development.

1. The Panoramic Park Key, Central Slopes and Transition Areas.

The materials proposed in this phase are Plain Tiles/ natural Slate, timber or aluminium fascias and soffits. Black/ grey aluminium rain water goods. A mixture of light buff stock bricks and rusticated red/ brown stock, reconstituted stone banding, dark grey frame windows. Projecting metal surround. Planked external doors, prefabricated projecting porches, dark grey composite doors and light grey cladding panels.

2.. Green Belt Edge

Plain brown tiles and blue/ grey slate, timber fascia and soffits, black aluminium rain water goods, rusticated stock bricks, light grey framed windows, planked external doors and prefabricated projecting porches.

While no specific details concerning issues such as the make of brick and the colour finish of the windows has been provided, the broad material approach outlined in the submission is considered acceptable according with the principles of the design code. Conditions are attached requiring physical samples to be provided prior to the commencement of the development.

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 3.

Partingdale Lane frontage

The Design Code advises that the existing boundary vegetation should be reinforced to maintain and strengthen the positive vegetated edge and that additional boundary treatment such as metal railings should be installed ensuring no disturbance to trees and hedgerows.

The proposal advises that a new hedgerow and planting will be provided along a dedicated landscaped strip along Partingdale Lane. This is considered to accord with the principles outlined in the Design Code and is considered acceptable.

Green Spaces

As discussed above, Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space for Phases 3 and 4a. 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. No open space is required within this phase, however a small area of open space is provided in front of plots 19 and 20 which is welcomed.

Trees

This Phase contains a group of trees in the north east corner of the site fronting Partingdale Lane. These trees consist of an Oak, 4 false Acacia trees and a Cherry Tree. In addition to this a Norwegian Maple which was previously indicated as being present in this location is no longer in situ on the site. With the exception of one of the false Acacia, the remainder of the trees have been marked as to be removed 'subject to Reserved Matters Approval' and as such are not required to be removed. The remaining false Acacia tree which was previously indicated as to be retained, is now proposed to be removed under the current application along with the other existing trees in this corner. The reason for this is due to the size of the specimen within a proposed residential garden and due to the propensity of the specimen of having brittle branches which could result in branches falling on future occupants.

In mitigation for the removal of the existing trees 63 new trees, 318 native hedges and 1662 shrubs are proposed to be planted throughout this phase. This is considered acceptable in this instance and the removal of the False Acacia along with the other trees previously indicated as to be removed is considered appropriate in this instance due to the nature of the tree in question and the replacement planting proposed.

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).

Positions of street lights along the southernmost street have been approved under application ref. H/00668/13 (the advance infrastructure works application). In accordance with condition 9 of this consent, the approved positioning of street lights will be revisited following approval of this application.

A condition is also suggested requiring the provision of a detailed lighting plan prior to the commencement of development for this phase.

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 enhance the Partingdale Lane 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 4a maximizes the outlook of occupiers of the new dwellings, with all houses being located on a north south or east west axis. All of the proposed apartment buildings are either dual aspect or southern facing and it is considered that all units will receive adequate levels of daylight and sunlight.

Privacy

Across the majority of the site privacy distances are considered to be in keeping with policy requirements with rear to rear distances meet or exceed the minimum policy requirement of 21m and the window to flank wall of 12.5m. Front to front distances are lower dropping to a minimum of 15m, however this reflects the relationship of houses facing one another across a street which accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas and similar separation distance have been accepted on earlier phases and is considered acceptable. In these circumstances the relationship achieved is considered to be acceptable without compromising privacy levels.

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 exceeds the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Amenity space

The approved Design Code requires the provision of 10 sq.m of amenity space for a 1 bed flat, 15 sq.m for a 2 bed flat, 40-55 sq.m for a 3 bed house, 55-85 sq.m for a 4 bed house and 85 sq.m for a 5 bed house.

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens with some of the houses also having roof terraces. The proposed flats will all have access to a private amenity area, in the form of a balcony, roof terrace or patio along with access to shared amenity areas. The following reconciliation table has been submitted in support of the application which demonstrates that the proposal comfortably exceeds the relevant minimum requirement.

Table 6.5 - Design Code Amenity Space Standards

Unit Details		Amenity Space Requirement		Amenity Space Provision
Unit Type/Size	No. of Units	Design Code Standard (sqm)	Design Code total Requirement	
1BF (3-4 habitable rooms)	12	15-20sqm	730sqm	1,735sqm (of which 406sqm is private amenity space)
2BF (3-6 habitable rooms)	24	15-30sqm		
3BH (5-9 habitable rooms)	16	55-85sqm	1,180sqm	1,339sqm private amenity space
4BH (6-10 habitable rooms)	24	70-85sqm	1,980sqm	2,349sqm private amenity space
5BH (9 -11 habitable rooms)	13	85sqm	1,105sqm	1,583sqm private amenity space
Total	89	-	4,995sqm	7,007sqm

4.8 Impacts on amenities of neighbouring and surrounding occupiers and users

Properties within the Annington Homes Development

The development of this phase, represents the first time that one of the development parcels have directly adjoined existing housing located outside of the part of the Millbrook Park Site covered by the Outline Planning Permission, in this case the completed Annington Homes development authorised under an earlier reserved matters permission in 2004. Compared to the existing arrangement, where open views over a large expanse of open space, the outlook from the rear of properties within the Annington Development will undoubtedly be worse. However there is no right to a view in Planning and account needs to be taken of the parameters approved under Outline Planning Approval H/04017/09, the approved parameters of which allows for a line of properties running down the boundary with the rear boundaries of properties within the Annington Development with apartment buildings and other development to the south and east.

The proposed development follows the approved parameters in general terms in relation to the position of the development in relation to the adjoining Annington Scheme and in relation to the approved maximum building parameters.

Notwithstanding this the Council and developer have sought to ensure that the development complies with the appropriate Council guidelines in relation to Daylight, privacy and sense of enclosure through the design process. The line of houses contained within the Central Street are designed so that the first floor of the development is sited over 21m from the adjoining rear elevation in Thirleby Road. The balconies located at first floor to these properties also contain a fixed planted area along the rear to minimise loss of privacy. The properties are also stepped downwards at the rear, with sloping pitch roofs and gaps provided at roof level to minimise the impact upon the existing properties. The Council is satisfied that the development along this road would not result in significant loss of daylight, sunlight or privacy to these properties. It is also not considered that the proposal would be overbearing in its relationship, due to the mitigating design features incorporated in the scheme.

The Council did have concerns in relation to the relationship of Apartment Block A in conjunction with the 4 houses to the north on the rear garden area of the southern most house on Thirleby Road. As a result of these concerns amendments have been made to the scheme including the setting back of the first, second and third floors of the development by approximately 2.5m and the introduction of angled windows to avoid overlooking of the rear garden area. The upper roof levels of plots 43, 44 and 45 have also been cut back at the rear. Overall it is considered that the proposed amendments has satisfactorily addressed concerns relating to sense of enclosure and privacy in relation to this block and it is considered that the relationship between the properties is considered satisfactory.

Phase 4a Development

The development adjoins the Phase 4a development of Millbrook Park to the east, across existing and proposed estate roads. There are no back to back relationships between the phases. The front to front separation distances when they do occur are at distances of between 12 and 15m, however this reflects the relationship of houses facing one another across a street which accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas. These figures are also comparable to distance separations between properties on the earlier Phase 4a development and are considered acceptable. In these circumstances the relationship achieved is considered to be acceptable without compromising privacy levels.

4.9 Transport, parking and highways matters:

Access

The access points have already been established and the main internal estate roads have been laid out in accordance with the Illustrative Masterplan. The use of the permeable block paving for secondary streets and private driveways is in

compliance with the Design Code. The 'movement hierarchy' anticipated in the Design Code will be achieved.

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 existing outline permission for the development was approved with the following average parking allocation.

For 1bedroom units = provision of 1.0 parking space per unit

For 2bedroom units = provision of 1.0 parking space per unit

For 3bedroom units = provision of 1.2 parking space per unit

For 1bedroom units = provision of 2.0 parking space per unit

The table below shows the parking requirement for the proposed development.

No. of units	Types	Parking Ratio	Parking Req.
12	1b	1.0	12
24	2b	1.0	24
16	3b	1.2	19.2
37	4b+	2	74
Total			129.2

A total of 141 parking spaces are proposed comprising 133 allocated parking spaces and 8 unallocated parking spaces for visitors.

28 parking spaces are being provided with Electrical Vehicle Charging Points (ECVP). Further 28 parking spaces have been identified for the future installation with ECVP which is in accordance with TfL Parking Standards.

Approximately 2500 overall parking spaces were proposed as part of the regeneration proposal as part of the outline planning approval and 141 parking spaces fall within this overall parking provision. Therefore the parking provision shown on Drawing No AA5387-2006 submitted with the planning application is in accordance with the parking strategy approved at the outline planning approval.

Accessibility and Inclusivity

The submitted planning documents advise that 10% of units will be built to wheelchair standards which is in compliance with Condition 70 (Design to Lifetime Homes Standards and Wheelchair Standards) of the outline consent. The allocated car parking spaces to these properties are in close proximity to their entrance points.

Cycle Parking

Cycle Parking and Storage Facilities

The Outline Planning Approval envisaged that each phase of the development is to include the provision of cycle parking facilities in accordance with the following standards:

- One/Two bed units: 1 space per unit
- Three/Four/Five bed units: 2 spaces per unit

142 cycle parking spaces have been identified on the submitted drawings. Cycle parking is proposed in dedicated cycling sheds in relation to the houses and shared secured cycle storage in relation to the apartments. This is considered acceptable in accordance with Policy Requirements.

Waste Management

Household recycling and refuse waste collection facilities have been designed in accordance with the requirements set out in London Borough of Barnet's guidance note; 'Information for developers and architects, Provision of household recycling and refuse waste collection services.'

The submitted plans show the proposed location for refuse bins and the direction they will be taken on collection day. In principle, the majority of houses and the affordable flats will have a dedicated location for refuse storage and residents will bring these forward to the front boundary on collection day and empty bins will be retrieved by residents and stored in their original location.

For the Apartment Buildings in Blocks A and B the refuse storage and collection will be operated by a management company. The storage is located within the basement areas of these blocks. Collection points are provided outside in designated locations.

Turning circles and vehicular tracking diagrams have been included in the application proposal demonstrating that refuse lorries (and emergency vehicles) can adequately access the development. 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 and visiting within this latest phase of the Mill Hill East development.

Positions of street lights along the southernmost street have been approved under application ref. H/00668/13 (the advance infrastructure works application). In accordance with condition 9 of this consent, the approved positioning of street lights will be revisited following approval of this application. A condition is also suggested requiring the provision of a detailed lighting plan including lux lines prior to the commencement of development for this phase. Similar Conditions were attached to the earlier phases of development.

Conclusion for Transport, Parking and Highways

In summary, the application provides for adequate parking without harming the local highway network and promotes sustainable modes of travel and complies with Policies CS9 and DM17.

4.10 Environmental issues

Construction management

A Construction Management Plan for the whole of Millbrook Park was approved pursuant to Condition 17 of the outline consent (ref H/04183/11). The document incorporates the view that succinct method statements will be required for each reserved matters application. A Construction Management Plan has been submitted in support of this reserved matters application sets out the approved construction routes to and from the site and arrangements that will be implemented to ensure the environmental issues are managed and the impact on the surrounding environment by this development is kept to a minimum with regards to noise disturbances, vibration, dust, smoke, plant emissions and traffic.

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 on a phase by phase basis 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 the commencement of development. A similar informative was attached to earlier phases.

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

Sustainable design and construction

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 (35% improvement over the Part L 2013 Target Emission Rate), 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 4c.

An overarching energy strategy for the whole of Millbrook Park was submitted and approved pursuant to Condition 79 of the outline consent (ref H/00560/12). The approved strategy outlines how a centralised energy supply to the south of the site will be delivered, and a decentralised supply to the north. The south of the site will be served by a District Heating Network provided by a single Energy Centre while the north of the site is expected to adhere to the Mayor's Energy Hierarchy by utilising an energy efficient building fabric and where applicable photovoltaic panels (PV).

The Mayor's Energy Hierarchy sets out three methods for achieving a minimum 35% reduction in carbon emissions:

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

The submitted energy strategy proposes a combination of fabric first, in which the insulation of the buildings is improved, along with PV panels on the roof of the apartment building potentially with a CHP plant within the apartment building which will achieve a greater than 35% improvement over the Part L 2013 Target Emission Rate which accords with the Mayor's Energy Hierarchy. It is therefore considered that Condition 79 can be satisfactorily discharged in relation to Phase 4c.

Water resource

The drainage strategy for Phase 4a 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 4a 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. Thames Water have confirmed no objections to the proposed drainage strategy and the proposal is considered satisfactory in this regard.

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 advises that the scheme incorporates measures for harvesting rainwater and a reconciliation table has been submitted showing that 11% of rainwater will be captured and reused. This exceeds the 10% target required by Condition 82 and it is considered that Condition 83 can therefore be discharged insofar as the information relates to Phase 4c 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.

No specific survey has been submitted with the current application, although the proposed new hedgerows and tree would enhance the biodiversity potential of the scheme.. The advanced Infrastructure Planning Consent for this phase (Ref: H/00668/13), includes a requirement for details to be provided concerning the provision of bat and bird boxes, however as the proposal involves the removal of the existing trees in this Phase it is considered appropriate to attach a similar condition to this reserved matters application. The proposed landscaping proposals which are discussed in more detail along with the proposed mitigation matters are considered acceptable.

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 application proposes 1090 sq.m of green and brown roofs throughout the phase which is equivalent to 13.2% of the total roof area of the phase. This complies with the requirements of Conditions 84 and 85 and it is considered that these details can be discharged as so far as they relate to this phase.

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 the above legislation. Issues concerning level access and disable parking are addressed in sections 4.4 and 4.9 of this report.

6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code.

The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality family housing that would have a good standard of accommodation including outlook, privacy and access to daylight.

The mixture of the traditional form of the properties located within the green belt edge and the more contemporary form of the apartment blocks and houses facing the Panoramic Park is considered appropriate to this location and also provides for variety and legibility. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.

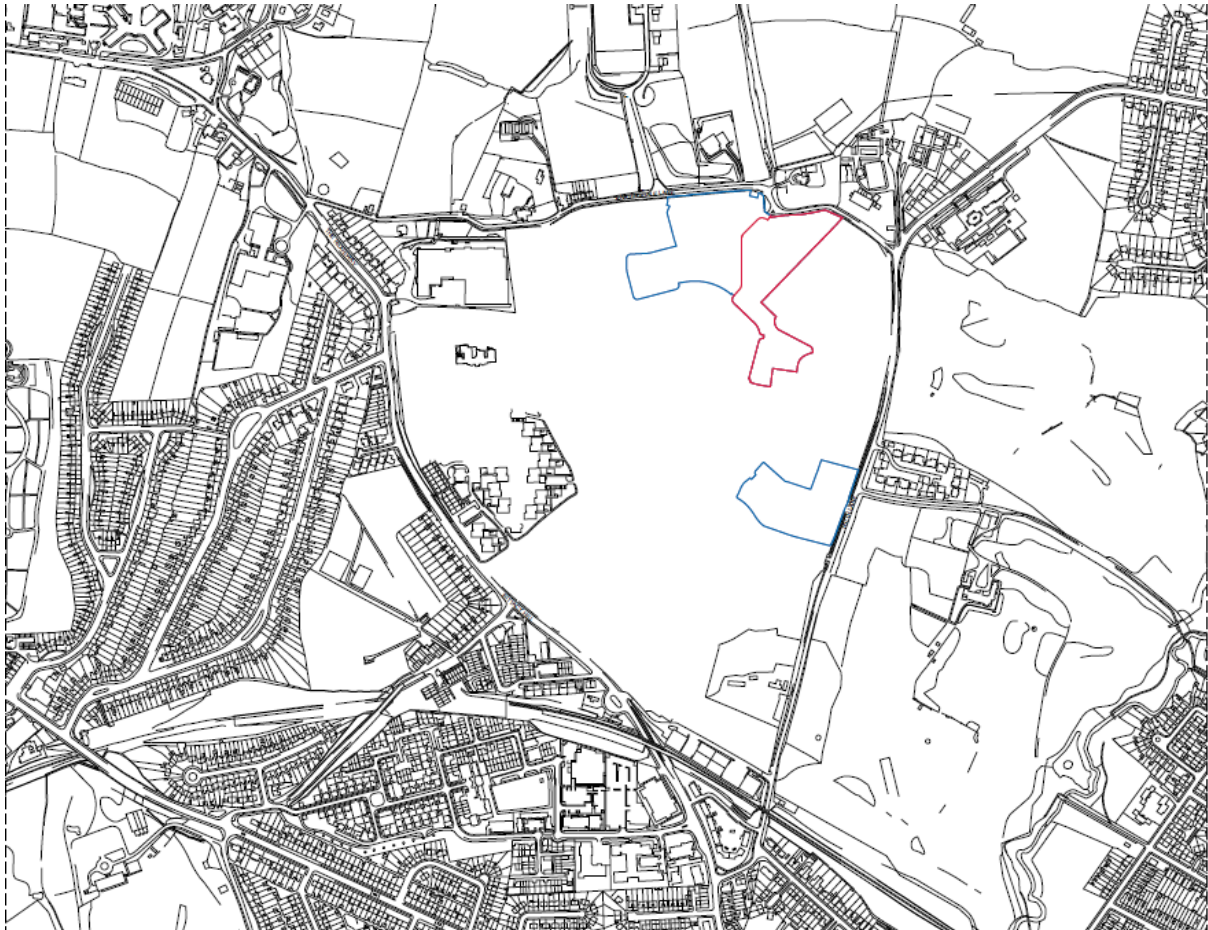
A large number of new trees and the landscaping scheme would mitigate the loss of the existing trees in the north east corner of the site, contributing to the 'green edge' in this part of Millbrook Park site.

The application also satisfies the requirements of Conditions 5, 8, 12, 26, 27, 29, 32, 35, 48, 52, 57, 69, 70, 80, 83 and 85 of the outline consent.

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

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

REFERENCE: 15/06898/RMA



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