

	<h2>Policy and Resources Committee</h2> <h3>1 December 2016</h3>
<b>Title</b>	<b>Pentavia Retail Park - Planning Brief</b>
<b>Report of</b>	Cath Shaw - Commissioning Director Growth and Development
<b>Wards</b>	Mill Hill
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Appendix 1: Pentavia Retail Park - Planning Brief Appendix 2: Consultation Report
<b>Officer Contact Details</b>	Harriet Beattie – Principal Planning Officer 0208 359 7131 <a href="mailto:harriet.beattie@barnet.gov.uk">harriet.beattie@barnet.gov.uk</a>

<h2>Summary</h2>
<p>The Planning Brief sets out the Council’s vision for the sustainable mixed use development of the former Pentavia Retail Park site. The Planning Brief focuses on the following key objectives :</p> <ul style="list-style-type: none"> <li>• a sustainable mixed use development, including residential, with a range of new affordable homes that contribute to housing choice;</li> <li>• new employment space to serve the needs of modern businesses, in particular small to medium sized enterprises;</li> <li>• new outdoor amenity space and landscaping;</li> <li>• new and ancillary small-scale ‘non-destination’ retail and leisure uses;</li> <li>• new and ancillary community space such as a nursery;</li> <li>• exemplary standards of sustainable design and environmental quality that respond to the challenging environmental context of the location; and</li> <li>• improvements to existing transport infrastructure and creation of new pedestrian and cycle links.</li> </ul> <p>The Planning Brief has been subject to a 6 week period of public consultation. Upon adoption the Planning Brief will guide development proposals for this site.</p>

## **Recommendations**

- 1. That the Committee note the responses and agree the Council responses in the Consultation Report attached at Appendix 2.**
- 2. That the Committee adopt the Pentavia Planning Brief attached at Appendix 1.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 Surrounded by the A1, M1 and Midland Mainline, the former Pentavia Retail Park presents an opportunity to create a sustainable mixed use development on a challenging site.
- 1.2 In order to shape the future of this site a draft Planning Brief has been produced. This sets out the key parameters to consider in determining the future of the site reflecting its out of town centre location and site history. It also highlights the opportunities it provides for the delivery of new homes and employment space that supports small to medium enterprises together with ancillary retail and leisure uses.

### **2. REASONS FOR RECOMMENDATIONS**

- 2.1 Producing a Planning Brief is vital to ensure that any future development of the former Pentavia Retail Park site comes forward in line with Council priorities and delivers sustainable development.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The alternative option is to not produce a Planning Brief. Failure to produce a Planning Brief could result in a less strategic response to any future development of the site. This may also result in Council priorities not being achieved.

### **4. POST DECISION IMPLEMENTATION**

- 4.1 The Planning Brief has been subject to a period of public consultation and revised in light of the comments received. The adopted Planning Brief will be a material consideration in the determining future planning applications on this site.

### **5. IMPLICATIONS OF DECISION**

#### **5.1 Corporate Priorities and Performance**

- 5.1.1 The Pentavia Retail Park Planning Brief helps to meet Corporate Plan 2015-20 strategic objectives in ensuring that Barnet is a place:-

- of opportunity, where people can further their quality of life – *the draft Brief provides guidelines for ensuring that development will enhance the appearance of this site. It supports the provision of a good mix of uses including residential, employment and ancillary retail and leisure as well*

*as a range of housing types that provide housing choice.*

- where people are helped to help themselves, recognising that prevention is better than cure – *the Planning Brief supports provision of employment floorspace that meets the needs of modern businesses.*

## **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 The cost of producing the draft Planning Brief is being met by the prospective developers. The Planning Brief has been produced by Regional Enterprise (Re) on behalf of the Council.

## **5.3 Social Value**

5.3.1 The Planning Brief sets out the parameters for the delivery of a mixed use development. Through the delivery of a new suburban mixed and balanced community in Mill Hill, future development will secure social, economic and environmental benefits.

5.3.2 Social benefits will be secured through the delivery of a mix of housing unit sizes and tenures including affordable housing.

5.3.3 Economic benefits will be delivered through the provision of modern business space that addresses the needs of small and medium enterprises.

5.3.4 Environmental benefits will be delivered through provision of soft landscaping on the site and design solutions that together utilise a range of mitigation measures to address the existing high levels of noise and air pollution.

## **5.4 Legal and Constitutional References**

5.4.1 Constitution Responsibilities for Functions Annex A sets out the terms of reference of the Policy and Resources Committee including authority to “Approve and adopt Local Development Scheme, Statement of Community Involvement, Supplementary Planning Documents and Planning Briefs

5.4.2 Site specific Planning Briefs provide an opportunity to bridge the gap between the provisions of the Local Plan and the requirements of any future planning application for the site.

5.4.3 Planning Briefs should be consistent with and provide guidance, supplementing the policies and proposals of the Local Plan. Planning Briefs cannot contradict, rewrite or introduce new policies.

5.4.4 Whilst Planning Briefs can have a number of functions, such as promoting development of a site; addressing particular site constraints and/or further interpretation of local plan policies it must be noted that a Planning Brief is not a full Development Plan Document and although a material consideration in any planning application it carries limited weight.

Section 6.5 of Responsibility for Functions, Council Constitution defines a key decision as one which:

- will result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- is significant in terms of its effects on communities living or working in an area comprising two or more wards.

## **5.5 Risk Management**

5.5.1 A consequence of failing to produce a Planning Brief for the Pentavia Retail Park site may lead to a less strategic response to the development and result in Council priorities not being achieved.

## **5.6 Equalities and Diversity**

5.6.1 The Brief helps implement policy set out in the Local Plan Core Strategy. Adopted in 2012 the Core Strategy was subject to an Equalities Impact Assessment (EqIA).

5.6.2 Only at the time of the planning application, will sufficient detail with which to analyse the equalities impact be available. In line with corporate policy the Council is committed to comply with the 2010 Equalities Act and Barnet's Equalities Policy, therefore equalities implications will be assessed at the planning application stage.

5.6.3 We have, however, considered the borough equalities data outlined in the Barnet Community Cohesion and Equalities Data Summary, and this has informed our recognition of the needs of the Mill Hill area, and adjoining Colindale.

5.6.4 This mixed use development should provide choice through a range of units by size, type and tenure. It should also provide choice for businesses in terms of access to a range of employment spaces; these objectives are set out in the attached planning brief.

5.6.5 The brief further sets out risks and challenges associated with redevelopment of the site (particularly environmental and access challenges) in order to identify barriers that need to be overcome. This is in order to ensure vulnerable people living within a mixed use redevelopment of the site will not become socially excluded. By setting out these key site challenges, the brief reduces the risk of a planning application being considered without sufficient attention to the site specific equalities risks.

## **5.7 Consultation and Engagement**

5.7.1 The Council carried out a public consultation exercise on the draft Planning Brief for a period of six weeks.

5.7.2 The Brief was published online and advertised in the local paper. A public

event in Mill Hill was held on 5<sup>th</sup> October to provide the opportunity for people to discuss the proposals with officers and provide feedback. A separate meeting was also arranged with the Mill Hill Neighbourhood Forum on 19<sup>th</sup> September. The consultation responses from the public event and written responses is summarised in Appendix 2. This appendix also outlines the amendments made to the brief as a result of the consultation.

Below is a summary of the issues raised:

### **Impact on traffic**

- Impact on Bunns Lane and surrounding local road network
- Overspill parking
- Should not restrict development of adjoining sites
- Transport Assessment should accord with TfL

### **Pollution and noise**

- Existing noise and air pollution makes site unsuitable for residential development
- Green buffers would have a negligible impact on pollution mitigation
- Impact of light pollution on University of London Observatory
- Increase in pollution resulting from greater traffic and congestion from the redevelopment of the site

### **Affordable Housing**

- Evidence should be provided to show housing need
- Wording regarding affordable housing not strict enough

### **Impact on Local Services**

- Detrimental impact on local services including surgeries and nurseries which are already under strain
- Detrimental impact on local transport services which are also under strain

### **Mass of building and impact on character**

- Should comply with London Plan standards
- Limit should be set on height of proposed buildings
- Future development should be in keeping with Mill Hill
- Visibility of new development and impact on views

### **Other appropriate uses**

- Leisure uses are desirable
- Retail park serves important retail function for Mill Hill

6. **BACKGROUND PAPERS**

6.1 [Barnet Local Plan Core Strategy](#), September 2012

6.2 [Barnet's Statement of Community Involvement](#), July 2015

6.3 Policy and Resources Committee, 1 September 2016, item 9, Pentavia Retail Park – Draft Planning Brief  
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8729&Ver=4>