LOCATION: Phases 9a & 9b, Millbrook Park, Frith Lane, London, NW7 1PX

REFERENCE: 17/7662/RMA

Received: 4 December 2017
Accepted: 13 December 2017

WARD(S): Mill Hill

Expiry: 14 March 2018

APPLICANT: Barratt London

PROPOSAL: Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phases 9a and 9b of the Millbrook Park development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 355 units in the form of 145 x 1 bedroom flats, 191 x 2 bedroom flats, 9 x 3 bedroom flats, 6 x 3 bedroom houses and 4 x 4 bedroom houses, the provision of 400 sq.m of A1 retail space, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 49, 52, 69, 70, 76, 80, 81, 83 and 85.

RECOMMENDATION 1

The Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

RECOMMENDATION 2: 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:

   A-PL-9-(03)-001 - Existing Site Location plan
   A-PL-9-(03)-002 - Existing Site plan
   A-PL-9-(03)-099 - Site plan Level -1
   A-PL-9-(03)-100 - Site plan Level 00
   A-PL-9-(03)-101 - Site plan Level 01
   A-PL-9-(03)-102 - Site plan Level 02
   A-PL-9-(03)-103 - Site plan Level 03
   A-PL-9-(03)-104 - Site plan Level 04
   A-PL-9-(03)-105 - Site plan Level 05
   A-PL-9-(03)-106 - Site plan Level 06
3. Before the relevant plot of the development hereby permitted is occupied the associated car parking space(s) shown on the plans hereby approved shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

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

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

5. Before the relevant plot of the development hereby permitted is occupied the associated cycle parking and cycle storage facilities shall be installed in accordance with the approved plans and such spaces shall be permanently retained thereafter.

6. No above ground construction shall be undertaken until details of materials to be used for the external surfaces of the buildings and hard surfaced areas, including samples of these materials, have been 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).

7. All hard and soft landscaping shall be carried out in accordance with the landscaping scheme as hereby approved and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.


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).

8. The development shall accord with the provisions contained within the submitted Construction Environmental Management Plan, dated November 2017, except as otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan 2016.
9. A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

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

INFORMATIVE(S):

1. The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 for the Mill Hill East Development dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.

   The costs of any associated works to public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.

1. BACKGROUND TO THE CURRENT APPLICATION

1.1 The Mill Hill East Area Action Plan

Mill Hill East is designated as an Area of Intensification in the London Plan (2011) and as a key growth area in the Barnet Core Strategy (2012). The area covered by this designation includes the former Inglis Barracks; Mill Hill East station; International Bible Students Association (IBSA House); the Council Depot and recycling centre; Bittacy Court; the Scout Camp and former Mill Hill Gas Works (the area now centred around Lidbury Square).

The area was first highlighted as an area which could be redeveloped in the London Plan in 2004. This is primarily as a result of Project MoDEL (Ministry of Defence Estates London) which involves the consolidation and sale of surplus MoD properties around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008 thereby providing an opportunity for redevelopment. The Council recognised that Mill Hill East was an area where more detailed policies were required to guide future development and in 2009 adopted an Area Action Plan (AAP) which covered an area of 48 hectares focused primarily on the former Inglis Barracks site. The aim of the AAP is to seek to ensure that development takes place in a balanced and coordinated manner by setting out a comprehensive framework to guide the delivery of housing, employment, leisure and associated community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

A partnership comprising of a number of the key landowners and developers (the Inglis Consortium) prepared and submitted the outline application in 2009 for the comprehensive redevelopment of most of the area covered by the AAP.

1.2 The outline planning permission
In September 2011 outline planning permission was granted for the redevelopment of Mill Hill East regeneration site (now also known as Millbrook Park). This site covers an area of approximately 33.6 hectares (83 acres) and is located within the Mill Hill ward. The site is bounded to the east by Frith Lane, to the north by Partingdale Lane and to the west by Bittacy Hill (B552). Bittacy Business Park is immediately to the south of the site and Mill Hill East Underground station (Northern Line) lies to the south west.

The site is divided into a number of Development Land Parcels (DLP) or otherwise known as phases. Following approval of the site wide pre-commencement requirements, reserved matters applications will be brought forward for all detailed elements of the development, which would deal with all matters not fully addressed within the outline consent – the ‘reserved matters’ (layout, design, appearance and landscaping). This is controlled by Condition 5 of the outline permission (ref H/04017/09, dated 22nd September 2011).

The current application concerns the development by Barratt London of plots 9a & 9b of the outline consent, located on the southern edge of the wider Millbrook Park Site within the southern hub character area fronting Bittacy Hill to the South, the consented phase 4b site being built out by Prime Place and future phases to the east including the future Public Square.

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;
- Affordable Housing Scheme (Appendix C of this Statement);
- Drainage Strategy;
- Construction Management Plan;
- Arboricultural Method Statement;
- Site Waste Management Plan;
- Sustainability Statement and Code for Sustainable Homes Pre-assessment; and
- Design and Access Statement (incl. Landscape Details and Implementation Plan).

2. MATERIAL CONSIDERATIONS

2.1 Key Relevant Planning Policy


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 2016

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking Standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies most relevant to the determination of this application are as follows:

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).

Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor’s overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Core Strategy (Adoption version) 2012
Development Management Policies (Adoption version) 2012

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

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet’s Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet’s Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources), CS14 (Dealing with Waste).
The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

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

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

The relevant policies for the consideration of this application are: MHE2 (Housing), MHE6, MHE10 (Making the Right Connections), MHE12 (Sustainable Transport), MHE13 (Parking), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE17 (Conserving Built Heritage), MHE18 (Delivering the AAP).

**Approved Design Code**
The approved Design Code pursuant to Condition 4 of the outline consent (ref H/04565/11, 21st Dec 2011) also sets out the guidelines for how the site, its neighbourhoods, open spaces and key amenities could be designed and built. It informs the formulation of individual reserved matter applications related to specific phases of development. Site-wide or phase related reserved matters must be in compliance with the agreed Design Code unless satisfactorily justified and this will be assessed in detail below.
### 2.2 Relevant Planning History

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<thead>
<tr>
<th>Application Reference:</th>
<th>H/04017/09</th>
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<tbody>
<tr>
<td>Case Officer:</td>
<td>Jo Dowling</td>
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<tr>
<td>Proposal:</td>
<td>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.</td>
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<td>Colin Leadbeatter</td>
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<td>Proposal:</td>
<td>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)</td>
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<td>Proposal:</td>
<td>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</td>
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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

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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.

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

| Application Reference: | 16/2719/RMA |
| Case Officer: | Andrew Dillon |
| Proposal: | Reserved matters application seeking approval for advance infrastructure works in relation to Phase 4b of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated 22/9/2011. |
| Stat Start Date | 25/04/2016 |
| Application Type | Reserved Matters |
| Decision | Granted |
| Decision Date | 04/07/2016 |

| Application Reference: | 16/3111/RMA |
### Proposal:
Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4b of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 188 units in the form of 80 x 1 bedroom flats, 89 x 2 bedroom flats, 12 x 3 bedroom flats, 3 x 3 bedroom houses and 4 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58, 63, 69, 70, 80, 83 and 85.

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### Proposal:
Reserved matters application seeking approval for advance infrastructure works in relation to Phase 5 of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated 22/9/11.

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### Proposal:
Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 5 of the Millbrook Park development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 144 units in the form of 38 x 1 bedroom flats, 17 x 3 bedroom flats, x 17 x 3 bedroom houses and 16 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58, 63, 69, 70, 80, 83 and 85.

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<tr>
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</tbody>
</table>

### 2.3 Consultations and Views Expressed

Public Consultation
Correspondence has been received from 1 neighbouring resident objecting to the proposal for the following reasons:

'I wish to object to this application in the strongest possible terms. This proposed block of flats directly opposite mine will utterly compromise the privacy of my front and back garden - as well as that of my neighbours. In particular the size of the building will mean that my front garden is overlooked in an oppressive and intrusive manner. My enjoyment of my gardens will be utterly compromised.

The scale of the building is of great concern. Not only are they extremely large but also very high, it would also be situated on a hill at the highest point above [my road], which will make it appear even higher and more overbearing than it already is.

Finally, works of the scale proposed in this application will horribly disrupt the peace and tranquility of my home and gardens (as well as that of my neighbours) for a considerable time. I urge you to turn down this application.'

Officer Comment
All comments have been taken into account in the determination of the planning application and are addressed in the officer report below. The application accords with the approved parameters and is located over 21m from properties located on the southern side of Bittacy Hill.

Elected Representatives.
No Comments Received.

Residents Associations and Amenity Groups.
1 Letter received from the Mill Hill Preservation Society making the following comments:

‘The Committee of the MHPS met representatives of Barratt London, Tate Hindle architects, and GVA planning consultants to discuss the preliminary proposals for Phase 9 of the Millbrook Park project. This scheme was seen as the “front door” of the development and would be very prominent to people travelling on Bittacy Hill.

The Committee liked the pedestrian route through the development, and generally liked the mews courtyard. A negative was that there was to be no tree planting along the Inglis Way frontage. However, the retention of trees down Bittacy Hill was seen as a plus, and the Committee suggested that this planting should be reinforced, and as much as possible of the hedge line retained. We were displeased to realise that no visitor parking was proposed for this phase. The development as a whole is already showing signs of “parking stress” and the fear is that visitor and occupier parking will migrate to adjoining residential roads.

At the meeting, we commented on the poor articulation of the elevation facing Millbrook Plaza and how inelegantly the building turned the corner to Bittacy Hill. We see from the
submission that the architect has addressed this point and in our opinion the scheme at this location is now much more acceptable.

We would draw attention to the fact that the retail/commercial units are planned to be serviced from the front, there being no rear loading access, and this along with refuse/recycling could become unsightly unless some creative solution is applied. As a new scheme, this problem (that exists elsewhere in the Borough - see The Broadway) needs to be resolved from the outset.

The Committee commented that the design of the houses was not sufficiently different from the apartments, especially with their flat roofs and they looked like smaller versions of the main blocks. It was thought that the gardens of the mews houses were too large as they were significantly overlooked from adjoining flats. The question of green roofs to these overlooked dwellings was suggested. In the mews court itself there was the potential to have some quality hard landscaping details with landscaping to give a sense of place.

Conclusion:
This concludes the points we wish to make. The balance of the site proposals seem reasonable subject to appropriate landscaping and materials being selected - which we presume will be subject to a further planning application. If anything is unclear please be in touch and of course we can be contacted to discuss the proposals further if needed.’

Internal /external and Other Consultations:

Highways

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

Environmental Health

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

English Heritage (Archaeology)

No Objections raised.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings

Site in relation to the outline consent:

This application site submitted for assessment falls within Phases 9a & 9b of the outline consent, measuring 2.17 hectares in site area, located in the southern portion of the wider Millbrook Park development fronting Bittacy Hill to the South, , the consented phase 4b site being built out by Prime Place and future phases to the east including the future Public Square.
The site falls within the Southern Hub character zone. The Design Code advises that with
the Southern Hub Zone housing should be of a higher density housing with heights ranging
from 3 to 6 storeys.

3.2 Description of Proposal

The proposal is to seek approval of matters reserved under outline planning consent ref
H/04017/09 (layout, scale, appearance and landscaping) to redevelop the site predominately
for residential purposes with 400 sq.m of commercial space.

Housing:

The proposals would be for a mix of 1, 2, 3 and 4 bedroom units) providing a total of 355
dwellings as follows:

145 x one bed flats
191 x two bed flats
9 x three bed flats
6 x three bed houses
4 x four bed houses

The proposed properties are set around a perimeter block layout with the proposed houses
located on the central portion of the development fronting the pedestrian route through the
middle of the site with apartment buildings along the northern, southern, eastern and
western portion of the plot. The heights of the development range from 2 & 3 storeys on the
proposed houses and ranging between 4-6 storeys on the proposed apartment blocks, with
the highest 6 storey blocks being located on the eastern edge of the site fronting the public
square in Phase 6 to the East.

Commercial

The proposals comprise of a singular 400sqm Commercial Unit within Phase 9b (Plot EE),
fronting the proposed public square to the east, with the intention that this will be used as a
retail store. Condition 75 of the Outline Application which limited the maximum size of retail
units to 300 sq.m was varied under non material amendment application reference
17/7516/NMA approved on the 11th December 2017 and as such the premises can be
occupied by a single retail operator.

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 Phases 9a and 9b are
as follows:

- 5 – Reserved Matters Details
  Sets out the submission requirements for submission accompanying each reserved matter
  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 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.
4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of constructing 355 residential dwellings and provision of 400 sq.m of commercial space is established by the outline planning consent. Condition 5 (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The reserved matters currently under consideration are:

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

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

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

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

**Access** – The internal road layout was established at outline stage. This current application shows roads in the same location in compliance with the outline parameters for access, although the road through the middle of phases 9a & 9b has been altered to a pedestrian route only and will not be accessible to motor vehicles.

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 has been approved in the clearance of condition 4 of the outline application and forms the guide to the assessment of reserved matters applications. This reserved matters application for phases 9a & 9b is therefore considered within the framework of established broad development principles, Parameter Plans, and a detailed design code.

The applicant has submitted a statement of compliance with this application to describe the proposed development and demonstrates general compliance with the outline planning permission. There are some areas where the application does not conform and the applicant has provided justification for any deviations. These are explained in the sections below.

4.2 Amount of Development

Housing
The amount and mix of development for 355 dwellings in Phases 9a & 9b is in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. 58 units are to be affordable dwellings consisting of 26 properties for social rent (12 x 1 bed flats, 4 x 2 bed flats, 9 x 3 bed flats and 1 x 3 bed house) and 32 intermediate properties (20 x 1 bed, 10 x 2 bed flats and 2 x 3 bed houses) with the rest of the development to be private sale properties.

The proposal accords with the baseline tenure mix required under the S106 and accords with the latest agreed site wide phasing plan. Condition 8 (Housing Mix and Location of Affordable Housing Units) of the outline consent requires the submission of details of
affordable housing, and the proposed submission is considered to accord with this requirement.

There are no planning controls requiring a specific location for affordable units within a phase. However as the proposal involves 2 plots 9a and 9b there is a minor distribution of units between the two plots as shown on the below tables.

As currently approved

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As proposed under current application

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The above redistribution is considered minor in nature and does not alter the quantity of affordable housing proposed or raise any other land use issue.

The application also proposes a minor distribution of general housing between the individual plots. This was the subject of a separate non-material amendment application (17/7668/NMA) which was approved in January 2018. Similar redistributions have occurred in the majority of other phases and are not considered to raise any significant issues. The details of this change is as follows:

Commercial

The proposals comprise of a singular 400sqm Commercial Unit within Phase 9b (Plot EE), fronting the proposed public square to the east, with the intention that this will be used as a retail store.

As previously mentioned condition 75 of the Outline Application which limited the maximum size of retail units to 300 sq.m was varied under non-material amendment application reference 17/7516/NMA approved on the 11th December 2017 and as such the premises can be occupied by a single retail operator.
4.3 **Scale**

Parameter Plan 4 (Scale) sets out the maximum permissible dimensional height and maximum level of storeys throughout the wider Millbrook Park Development. In relation to Phases 9a & 9b the approved storey heights range between 3 and 6 storeys.

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<tr>
<td><strong>Total</strong></td>
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<td><strong>191</strong></td>
<td><strong>9</strong></td>
<td><strong>6</strong></td>
<td><strong>4</strong></td>
<td><strong>355</strong></td>
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The scale of the proposed buildings within these phases accords with the approved building dimensions in relation to width, length and height; however, in three locations the maximum number of storeys has been exceeded. These are as follows:

- On the Western Edge of Phase 9, along Inglis Way, the proposals are for four floors with a set-back fifth storey of accommodation which represents a (part) additional storey to the Parameter Plans.

- The landmark building on Bittacy Hill West is described within the parameter plans as a three-storey building, surrounded by four storey accommodations. However, an increase in
height is proposed to provide a more appropriate response to this key gateway when viewed from Bittacy Hill and leading to the Phase 4b scheme to the north; and

• Along Bittacy Hill, to the East, the development begins to increase in scale, increasing in size to six storeys fronting onto Millbrook Plaza. However, the blocks perpendicular to these only allow for four storeys within the parameter plan.

It is noted that no heights exceed the maximum six storeys identified by the Parameter Plans for this phase and also that whilst the storey height has been increased above the approved, the building remains within the maximum height to ridge in every instance.

The approved design code allows departures from the approved parameters where such departures are justified in planning terms and will result in the delivery of a better-quality scheme. The Local Planning Authority is therefore able to use its discretion to approve minor breaches to approved parameter plans, where justified. The proposed departures are considered acceptable for various reasons which are discussed below under the design section of this report.

Density
The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established with the development providing 355 dwellings at a density of 435 habitable rooms per hectare.

4.4 Layout
Policies CS5 and DM01 require development to be of a high-quality design and should ensure attractive, safe and vibrant streets which provide visual interest. Proposal should also create safe and secure environments, reduce opportunities for crime and minimise fear of crime.

The approved Parameter Plans define ‘development zones’ within which new buildings can be built, which in turn frame ‘corridors’ within which new access roads can be laid out and ‘spaces’ for public open space provided.

The proposed layout accords with these parameters in terms of the general positioning and spatial extent of streets, development zones, access points and areas of open space. There is a minor deviation from the parameters where the secondary street between Phases 9a and 9b has been altered to provide vehicular access to the houses from the north only, with public pedestrian access through, connecting Bittacy Hill and the estate road north of Phases 9a & 9b.

This detailed layout follows extensive design discussions with the LPA and is considered to provide a legible layout in broad accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan with the exception of the afore mentioned changes.

Parking
The application proposes the provision of 366 car parking spaces within this phase. Spaces will be allocated at the ratio of 1 space for each 1 and 2 bed unit, 1.5 spaces per 3 bed flats and 2 spaces for the proposed houses. 10% of parking will be for disabled persons, 20% of
parking spaces are to be provided with electric charging points and a further 20% for future provision and is in accordance with the London Plan.

The majority of the spaces are provided in the form of a secure basement car park built on three levels in the centre of the development accessed from the south-eastern boundary of the site from Royal Engineers Way Parking to the houses will be provided with forecourt car parking spaces and integral garages accessed at ground floor level from the centre of the site. Three visitor spaces are also proposed on street.

Cycle Parking is also proposed within plot for the houses and within communal cycle stores for the apartments at the rate of 1 space for 1 bed units, 2 spaces for 2 and 3 bed units and 4 spaces for 4 bedrooms and above. In total provision for 573 spaces is included in the development.

Access

The Design Code has been approved to enable the delivery of a permeable and legible new neighbourhood. In relation to the development the primary access routes that run along the northern, western and eastern boundaries of Phases 9a and 9b which have already been granted consent under previous Advanced Infrastructure Works applications. The submitted plans also show a pedestrian route running through the middle of the site providing access from south to north through the plot.

Open space

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

Due to the nature of this plot, no public open space is included within this phase. The proposed adjoins the consented Public Square within Phase 6 to the West and is located a short distance from the completed central park to the north.

Crime

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

Levels

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

In relation to Phases 91 and 9b, the existing site slopes from between 7 and 8m from south east to North West. approximately 4m from west to east and approximately 4m north to south. While the proposals involve some levelling of the site, the proposals are designed to take advantage of the levels with the entrance to the car parking being located on the east
elevation of the apartment blocks facing Royal Engineers Way, allowing for podium deck gardens to be constructed on top.

The proposed finished site levels are in accordance with the approved levels strategy as set out in Parameter Plan 6 approved as part of the Outline Planning Approval and the approved Design Code.

4.5 Appearance

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

The National Planning Policy Framework (published 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. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors; securing high quality design goes beyond aesthetic considerations.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment. Architectural design criteria are set out at Policy 7.6.

Policy CS5 of Barnet Council’s policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high-quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments.
The approved design code for Millbrook Park also proposed detailed design guidance for development within this development. The approved design code breaks down the site into three separate character areas, ‘Green Belt Edge’, ‘Central Slopes’ and the ‘Southern Hub’. Phases 9a and 9b are located entirely within the Southern Hub character zone which is expected to be of the highest density (in relation to levels across the wider Millbrook Park site) and envisages designs of an ‘Urban Court’ layout, with apartment buildings ranging between 4-6 storeys set around a landscaped courtyard.

In terms of the scale and design of the buildings, the proposal follows the general design principles envisaged under the design code, with apartment buildings of between 4 and 6 storeys being located around the periphery of the site, with smaller 2 and 3 storey houses located in the centre. In relation to the design of the proposal, the proposed apartments and houses are contemporary in appearance with roof top gardens, and a mixture of recessed and projecting metal post balconies. The proposed buildings will be predominately finished in buff brick with some use of reconstituted stone at upper level along with decorative metalwork around entrances and the proposed houses.

Conclusion for External Appearance

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

4.6 Landscaping

The ‘Revised Public Realm and Open Space Strategy’ approved at outline stage sets out the principles for a landscape and open space strategy for Millbrook Park and provides detailed design guidance for reserved matters applications. The approved Design Code adds another layer of detail and requires a number of landscaping features in Phases 9a/9b.

The current site contains 14 trees along the frontage of the site with Bittacy Hill. These trees have been identified in the previous notification of development approval (Ref: H/04655/11) as ‘to be removed – subject to reserved matters’. As such approval in principle has already been granted for their removal.

Notwithstanding this, the application has reconsidered this, in particularly the landscape benefits which the existing trees and associated hedgerow provide to the visual amenities of the area, and the current reserved matters application proposes the retention of all 14 trees and the majority of the hedgerow, where possible. This is welcomed and is considered a benefit of the scheme.

In relation to the proposed landscaping, the proposals incorporate the formation of two landscaped courtyards serving the proposed apartments. Planting in these areas would include wildflowers, shrubbery and smaller and medium sized tree specimens including edible specimens. Tree planting is also proposed separating the rear gardens of the proposed houses and the communal courtyard areas in order to provide appropriate separation and privacy. Larger tree specimens are proposed along the northern street frontage and also along the southern edge of the site on Bittacy Hill. Ecological enhancement measures such as bat, bird and bug boxes are also proposed.
Hard areas

The application proposes a high-quality palette of materials, taking reference from the Design Code. The palette includes Tegula Block paving, conservation textured slab paving and resin bonded gravel.

Play space

Policy 3.6 of the London Plan states that housing development proposals should make a provision for play and informal recreation for children and young people. According to Housing SPG standard 1.2.2, the development is required to make appropriate play provisions in accordance with a GLA formula and calculation tool, whereby 10 m² of play space should be provided per child, with under-5 child play space provided on-site as a minimum, in accordance with the London Plan ‘Shaping Neighbourhoods: Play & Informal Recreation SPG and ‘Providing for Children and Young People’s Play and Informal Recreation’ SPG’.

The play space provision in this proposal is one that relies on the landscape in order to promote informal natural play for kids below the age of 5. The total provision of playable space is 2219 m² which is in excess of Policy requirements.

Street Lighting

Street lighting locations on the eastern, western, northern and southern sides of the development have already been agreed under previous advanced infrastructure work application consents. Additional lighting is illustrated in the submitted Design and Access Statement.

Conclusion for Landscaping

The landscaping approach is considered to be in accordance with design principles set in the Design Code and parameter plans. It will help to introduce a human scale to the frontages of the proposed buildings and will frame and complement the architectural approach whilst increasing the overall biodiversity of the site’s environment. It complies with Policies CS5 and DM16.

4.7 Amenities of Future Occupants

Dwelling outlook and daylighting

Development plan policy requires that new dwellings are provided with adequate outlook. The layout proposed for Phases 9a and 9b maximize the outlook of occupiers of the new dwellings, with all houses being located on an east west axis. Where possible apartment units are designed to be dual aspect where possible, however in certain circumstances this is not possible due to the size of the layout of the apartment blocks and the agreed unit configuration. In order to ensure that these units receive sufficient light the development incorporates large floor to ceiling windows to maximise the amount of light entering rooms.

Privacy
The layout of the development has been designed to ensure the protection of residential privacy and the avoidance of overlooking between units, through staggered window placement and utilising level changes and landscaping to maximise privacy. The use of a mixture of recessed and projecting balconies further increases the privacy of the units both in relation to adjacent units and external views without the need to use additional privacy screens between residential units.

**Dwelling size**

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The Mayor’s Housing SPG November 2012 includes a wider ranging Minimum Floorspace Table based upon the same standards.

All of the units proposed would have a gross internal floor area which would exceed the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

**Amenity space**

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

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

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

The periphery of the site is delineated by Bittacy Hill to the South, the east west primary link road to the west and internal estate roads to the north and east. The separation distances between the proposed development and existing houses to the south and west are more than 30m which is in excess than the 21 metres required by Policy. In relation to the new build properties being constructed to the north in Phase 4b, some parts of the new development are located 20m away from properties within Phase 4b. However given that the position of the properties comply with the parameters of the outline consent and given that the public interface between the units across a public road it is not considered that the proposal would result in any significant material impact on the amenities of these properties in terms of daylight, sunlight or privacy.

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

**Access**

The access points have already been established under the Outline Consent and the surrounding roads to the north, east and west have been authorised and constructed under earlier reserved matters approvals. In relation to tertiary roads through the site, the outline parameter drawings envisaged a though vehicular route between phases 9a & 9b, albeit
with no access to Bittacy Hill. This has been altered to a through pedestrian tertiary road to be built through the middle of the site and also facing the Panoramic Park. The route in the middle has been altered to a pedestrian/ cycle route only and the road fronting the Panoramic Park has been altered to an access only road with car parking and significant areas of Landscaping in order to create a more sympathetic and pedestrian friendly interface with the park. These proposed changes are considered acceptable, enhancing the overall environment of the scheme without significant affecting movements through the wider Millbrook Park Site. Access to the basement car park is via a single access located on Royal Engineers Way.

**Pedestrian Facilities**

Access and movements for pedestrians were established as part of the outline application, with access available to all sides of the phase. In addition to the vehicular access from the north, a pedestrian path has been created through the middle of the site providing access from the north of the site through to Bittacy Hill. The creation of this pathway is welcomed in creating an additional safe pedestrian route and would help to integrate the proposal into the wider area. Overall it is considered that the proposal would provide a satisfactory pedestrian environment in accordance with the aims of the design code.

**Parking**

Parking Standards set out in the Local Plan Policy DM17 is as follows:

Maximum Standards will be:

(i) 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms)
(ii) 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms) and
(iii) 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)

Condition 23 of the outline consent limits the number of residential parking spaces to 2,522 (plus limited visitor parking) across the whole site.

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

<table>
<thead>
<tr>
<th>No. of units</th>
<th>Parking Ratio Permission</th>
<th>Parking Ratio Design Code</th>
<th>Parking Req.</th>
</tr>
</thead>
<tbody>
<tr>
<td>145</td>
<td>1</td>
<td>1.1</td>
<td>145</td>
</tr>
<tr>
<td>191</td>
<td>1</td>
<td>1.1</td>
<td>191</td>
</tr>
<tr>
<td>15</td>
<td>1.2</td>
<td>1.5/2</td>
<td>18-30</td>
</tr>
<tr>
<td>4</td>
<td>2</td>
<td>2.0</td>
<td>8</td>
</tr>
</tbody>
</table>

| 362-374      |
There is some flexibility in the provision but the total development should not exceed 2522 spaces so that individual phases may contain a higher number of spaces providing that the total number of spaces does not exceed the maximum number.

The application proposes the provision of 366 car parking spaces within this phase which accords with the above standards. Spaces will be allocated at the ratio of 1 space for each 1 and 2 bed unit, 1.5 spaces per 3 beds flat and 2 spaces for the proposed houses. 10% of parking will be for disabled persons, 20% of parking spaces are to be provided with electric charging points and a further 20% for future provision and is in accordance with the London Plan.

The majority of the spaces are provided in the form of a secure basement car park built on three levels in the centre of the development accessed from the south-eastern boundary of the site from Royal Engineers Way Parking to the houses will be provided with forecourt car parking spaces and integral garages accessed at ground floor level from the centre of the site. Three visitor spaces are also proposed on street.

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

A Parking Management Strategy has also been submitted as part of the supporting documents the content of which has been considered by the Council’s Highway Team and considered acceptable.

Accessibility and Inclusivity

Thirty Six apartments units within Phases 9a/9b are wheelchair accessible, which equates to 10% in compliance with Condition 70 (Design to Lifetime Homes Standards and Wheelchair Standards) of the outline consent. The allocated car parking spaces have level access to the wheelchair accessible properties are as far as responsibly possible located in close proximity to their entrance points.

All of the proposed dwellings are designed to comply with the design criteria necessary to meet Lifetime Homes standards and it is considered satisfactory to meet Condition 70. The scheme has followed principles of inclusivity and accessibility.

Cycle Parking

Cycle Parking is also proposed within plot for the houses and within communal cycle stores for the apartments at the rate of 1 space for 1 bed units, 2 spaces for 2 and 3 bed units and 4 spaces for 4 bedrooms and above. In total provision for 574 spaces is included in the development. This is considered satisfactory.

Waste Management

The application supporting documents propose that in relation to the proposed dwelling houses, all waste and recycling facilities will be located within each residential curtilage. In relation to the apartment blocks communal refuse storage is proposed. The positioning of communal refuse stores has been designed so that the majority of stores are located within 10 metres of the street for collection. When this cannot be achieved the bin, stores are
managed and taken to level collection points 10 metres from the street. This accords with Barnet standards.

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. The proposed parking levels are in accordance with the parameters of the Outline Consent and as such have already been agreed in principle by earlier approvals.

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

Contamination

A contamination strategy for the whole site has been dealt with under Condition 63 of the outline consent (ref H/00643/12, approved April 2012). This condition is split into 4 parts and parts i) and ii) which includes desk top studies and site investigation have been approved. Parts iii) of the condition requires the approval of a remediation strategy and part iv) requires a verification to be submitted for each phase.

The Council’s Scientific Services Team have confirmed that the requirements of this condition has been satisfactorily discharged in relation to this Phase.

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

Sustainable design and construction

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

The Mayor’s Energy Hierarchy sets out three methods for achieving reductions in carbon emissions:

1 Be lean: use less energy (fabric efficiency standards)
2 Be clean: supply energy efficiently
3 Be green: use renewable energy
The application is accompanied by an Energy Strategy and Code for Sustainable Homes Pre-Assessment which demonstrates that the proposal would reach the equivalent of Code for Sustainable Homes Level 4 as well as achieving a 49.6% reduction in CO2 emissions as is required by Conditions 79 and 80 of the outline consent. This is through implementing high building fabric specifications and energy efficient measures and partly by the proposed connection to the proposed District Heat Network to the east of the site.

**Water resources, Drainage and SUDs Infrastructure**

The Drainage plan submitted with the application provides details of surface water and foul water drainage.

The applicant has submitted a drainage strategy in support of the application. The drainage strategy incorporates various measures including podium deck landscape storage, storage tanks of water for irrigation of communal gardens, attenuation tanks and a hydrobrake flow control to ensure that runoff does not exceed 49.6 l/s to the Thames Water surface water outlet in Bittacy Hill as required by the approved site wide drainage strategy. Discharges of foul water drainage will discharge to the existing Thames Water sewer also located in Bittacy Hill. Overall the proposed drainage strategy is considered acceptable and consistent with the site-wide drainage strategy approved under discharged Conditions 43, 44 and 46 (permission ref: H/04340/12) attached to the OPP.

**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 wider Millbrook Park application site.

The current application also contains ecological enhancement measures such as the provision of bat, bird and bug boxes along with the provision of wildlife friendly landscaping and planting schemes.

**Green/ Brown Roofs**

Condition 84 (Green/Brown Roofs Target) of the outline consent requires a minimum of 10% of green or brown roofs across the whole of Millbrook Park site. Condition 85 (Green/Brown Roofs Provision) requires details to be submitted and approved demonstrating this provision across the whole site including a reconciliation plan or table showing how it meets the 10% target fixed by Condition 84.

The scheme meets this requirement through the use of podium deck gardens and the roof areas on the residential dwellings in the centre of the site. The inclusion of podium decks has been previously included in brown/ green roof calculations and the development would in itself comply with the requirements of Condition 84 and contribute to the overall provision within the Millbrook Park Development.

5. **EQUALITIES AND DIVERSITY ISSUES**
Section 149 of the Equality Act 2010, which came into force on 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.

6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It largely 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. In those cases where the application departs from the approved Parameter Plans namely in relation to the changes in the approved height parameters these changes are justified by design benefits and are considered acceptable.

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 housing, including affordable housing, that would have a good standard of accommodation including outlook, privacy and access to daylight.

The design of the development is appropriate for the Southern Hub Character area, which also provides for variety and legibility. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.
The application also satisfies the requirements of Conditions 5, 8, 26, 27, 29, 32, 35, 48, 49, 52, 69, 70, 76, 80, 81, 83 and 85 of the outline consent.

It is recommended that the application be **approved** subject to the attached conditions.
SITE LOCATION PLAN: Phase 9a & 9b, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PX

REFERENCE: 17/7662/RMA

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