

LOCATION: Phase 6b, Millbrook Park (Former Inglis Barracks) NW7 1PX

REFERENCE: 19/5827/FUL

Received: 30 October 2019

Accepted: 30 October 2019

WARD(S): Mill Hill

Expiry: 29 January 2020

APPLICANT: Poly UK

PROPOSAL: Full Planning Permission for Phase 6B, associated with the Millbrook Park development, for the erection of 2 linked buildings 6 storeys in height comprising 82 residential units (Use Class C3), 615sqm (GIA) of employment space (Use Class B1), together with associated plant, car parking, cycle parking, refuse stores, servicing areas and associated hard and soft landscaping

APPLICATION SUMMARY

Agenda Item 8 (Millbrook Park Phase 6b) of the Planning Committee meeting of the 14th January 2020 was deferred by members for the applicant to provide additional information in relation to the root zone of the adjacent trees in the scout camp and to provide a construction method statement demonstrating how the proposed basement would be constructed while safeguarding the adjoining trees.,

The original officer planning report to the 14th January 2020 is included as Appendix A, along with the Addendum to this Committee which is included as Appendix B. Together these reports set out the full officer assessment of the proposal.

The applicant has subsequently submitted the following documents on the 7th February to address the issues covered in the Committee deferral:

- A Survey of the Tree Roots utilising ground penetrating radar; and
- A Statement on the Construction Methodology for the Basement.

The Council's Arboricultural Officer was consulted on these documents who has provided the following comments:

'The tree root investigation by Peter Barton Associates appended (Appendix 7) to the Thompson Ecology Millbrook Park Phase 6B , Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement For BuroHappold Engineering Project No.: VBHE107/006 February 2020. Found two tree roots over 20mm in diameter associated with a G1 a group of elm trees, which will succumb to Dutch Elm Disease in due course.

No other tree roots over 20mm in diameter where located along the proposed pile line that was scanned by the radar system. The report reasons that tree roots would not flourish in compacted heavy clay soils. The top soil (30 to 40mm) has already been removed from the area during the site clearance works, prior to the making of

the TPO. It is likely that most of the tree roots growing in this area were located in the top soil.

With regard to the suggestion that finer roots at depth may be impacted, I suspect that if there are any roots they will be marginal to the overall tree support system. If there were tree roots found at frequency or an abundance of roots greater than 20mm diameter found at depth along the boundary, further investigations would need to be undertaken. This was not the case, even close to the larger ash trees, therefore no further ground works studies are necessary.

Tree protection shows T14 and G1 category U trees, to be removed to facilitate the development. This is not the case, removal is required for risk management reasons, the plans need to be amended to avoid confusion.

6.7.1 The ground protection proposed between the pile line and boundary needs further consideration, scaffolding boards over woodchip, may not meet current safety standards. A more robust system must be considered such as interlocking ground mats.

An ivy fence is proposed for the boundary treatments, this must be incorporated into the method statement.

Subject to the above amendments being incorporated into the method statement, no further comments.'

The applicant has subsequently submitted an updated Method Statement on the 13th February containing the following amendments in line with the arboricultural officer's comments.

1. Clarification that the tree category U trees are recommended for removal for risk management reasons. The plans have been amended to avoid confusion as per corresponding text in 5.3.1.
2. Clarification for alternatives system for ground protection at 6.7.1
3. Incorporation of the method of installation of the Ivy fence at 6.9.

The additional comments appear to demonstrate that the installation of the Ivy fence would not further affect the retained trees on the scout camp. Amended updated comments from the Council's Arboricultural Officer will be provided in the Addendum.

Additional Correspondence

Copies of the submitted documents have been shared with the Barnet Borough District Scout Council. They have submitted additional correspondence raising the following issues:

1. *The Planning Condition 30 requires a 'no excavation zone' of 1.2m between the boundary fence and any building work carried out. The temporary or permanent sheet piling works to enable the 6.5m basement walls to be built, as shown in the Bennett report will encroach at the very least, half a metre into that prohibited zone.*

2. Only brief and non-specific reference is made to the machinery and other equipment necessary to install the sheet piling, which will need to be positioned in the approximately 700mm gap between the sheet piling and the boundary fence. The ground surface in this area and the tree roots below are likely to be hugely impacted during the Phase 6b works.

3. The ground Radar investigation not only avoided recording any tree roots under 20mm diameter but further avoided the main issue by surveying the ground 1.5 to 2m away from the boundary fence i.e. well inside the permanent works scheduled as part of Phase 6b. This seems in direct conflict to the requirement outlined in your email to Clive Hailey dated 22.01.2020.

Officer Comment

The Council's Arboricultural Officer agreed the scope of the investigation and assessed the proposal and advised that they are satisfied with the additional information provided and consider that the proposal can be adequately constructed without damaging trees in the adjoining scout camp. Additional comments from the Council's arboricultural officer in relation to the scout comments will be reported in the addendum.

Conclusion

It is considered that the reason for deferral has now been satisfied and that the information which has been submitted in relation to both the root survey and the basement construction method statement demonstrate to the Council's satisfaction that the proposal would not adversely affect trees on the adjoining scout camp. As such the Officer Recommendation is that the application is Approved subject to the Heads of Terms and Conditions as recommended in the original Committee Report included as Appendix A.

