

LOCATION: Pentavia Retail Park
Watford Way
London
NW7 2ET

REFERENCE: 20/5933/FUL Validated: 29.12.2021

WARD: Mill Hill Expiry: 30.03.2021

APPLICANT: Gleave Partnership Limited

PROPOSAL:

Erection of a storage and distribution warehouse (Use Class B8) with ancillary offices, associated vehicle parking, van storage, pedestrian and vehicular access, landscaping and associated infrastructure works

RECOMMENDATION

Recommendation 1

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of seeking to secure the following, subject to any changes as considered necessary by the Head of Development Management:

1. Legal Professional Costs Recovery

The Council's legal and professional costs of preparing the Agreement and any other enabling arrangements will be covered by the applicant

2. Enforceability

All obligations listed to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

3. Indexation

All financial contributions listed to be subject to indexation.

4. Employment and Enterprise

The applicant would be expected to enter into a Local Employment Agreement to provide the employment outcomes in line with the Employment and Skills SPD, which is calculated based on the scheme value. The LEA shall include a local labour target of 40%.

An in lieu contribution of £10,000 would be secured for every apprentice not delivered and an in-lieu contribution of £5340 would be secured for every other employment outcome not delivered.

5. Carbon Reduction Contribution

In order to contribute towards the London wide net zero target, the applicant would be required to mitigate the regulated CO2 emissions, through a contribution to the borough's offset fund. This contribution would be predicated on the formula set out within published GLA guidance as follows - CO2 emitted from the development (tonnes) per year) minus (CO2 target emissions (tonnes) per year) x £1800.

6. Transport, Highways and Public Realm

Footway Widening

Existing footway/cycle way along A1 to be widened to improve safety.

Grahame Park Way Railway Underpass

Grahame Park Way railway underpass enhancement scheme or commensurate financial contribution to be made.

M1 Footbridge

M1 footbridge improvement scheme or commensurate financial contribution to be made in agreement. This shall be in agreement with Highways England as part asset owner.

Bunns Lane

Bunns Lane railway bridge and M1 underpass improvement scheme or commensurate financial contribution to be made.

A1 Pedestrian Underpass

A1 pedestrian underpass to south at Tithe Walk improvement scheme or commensurate financial contribution to be made.

Bunns Lane A1 Underpass

Bunns Lane A1 underpass enhancement scheme or commensurate financial contribution to be made.

Bunn's Lane/Pursley Road/Page Street

Commensurate financial contribution towards junction enhancements – Bunn's Lane/Pursley Road/Page Street roundabout improvements.

Grahame Park Way Crossing

Enhanced pedestrian crossing facilities on Grahame Park Way (south of mini roundabout with Bunn's Lane/close to the Orion Primary School) or commensurate financial contribution to be made.

Travel Plan contributions – Strategic Level Workplace Travel Plan

Contribution towards the improvements to the full list of substandard walking and pedestrian facilities identified in the (scaled down) Active Travel Zone Assessment (ATZ), in Section 5 of the Transport Assessment and 'Pentavia Retail Park, Mill Hill, Summary of Responses to TfL Comments, 194663-44/N05 October 2021' The pedestrian and cycle improvements detailed within this note and included within the plan at Appendix F will be funded by the developer.

7. Monitoring Contribution

A Section 106 Monitoring contribution equal to 2% of the sum of the financial contributions shall be secured.

Recommendation 2

That upon completion of the agreement specified in Recommendation 1, the Service Director Planning & Building Control or Head of Strategic Planning to approve the planning application reference 20/5933/FUL under delegated powers, subject to the conditions set out within this report.

That the Committee also grants delegated authority to the Service Director Planning & Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The London Plan

The London Plan (2021) published 2nd March 2021 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. This document replaced the London Plan 2016.

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012.

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF) (2021).

The NPPF is a key part of reforms to make the planning system less complex and more accessible. 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 which are considered to accord with the development plan.

The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

PLANNING ASSESSMENT

1.0 Site Description

- 1.1 The application comprises of Pentavia Retail Park, located between the M1 and A1 (Watford Way) within Mill Hill. The site has an area of approximately 3 hectares and currently in situ is out of centre retail park which is in a mostly vacant state having previously been occupied by a mix of retail and restaurant uses. The existing buildings on site are mostly low rise, varying between 1 and 2 storeys in height.
- 1.2 The site is sandwiched in between the A1 Watford Way to the east, which forms part of the Transport for London Road Network (TLRN), and the M1 motorway to the west. To the south of the site is an operational vehicular petrol station which has an access and egress from the A1. To the north of the site is an area of green space

which buffers the site from a cul-de-sac of three storey residential dwellings and Bunns Lane which runs southeast-northwest beneath both the M1 and A1. There is a significant land level drop from the site down to Bunns Lane.

- 1.3 Existing vehicular access to the site is from a mini roundabout to the south of the site which connects to the access road for the petrol station and the A1. There are existing pedestrian routes which connect with the wider locality via a bridge across the M1 and via the Bunns Lane underpass to the south-east and north-east of the site respectively.
- 1.4 The site is not subject to any other Local Plan designation, nor is it located within a conservation area and there are no listed buildings on site. It should be noted that the Watling Estate Conservation Area is located approximately 0.3km away to the west, beyond the M1 and Midland Mainline railway. The Mill Hill Conservation Area is located more distantly at approximately 0.8km from the site. The Public Transport Accessibility Level (PTAL) of the site ranges from a 1a to 1b (poor).

2.0 Proposed Development

- 2.1 Permission is sought for the erection of a storage and distribution warehouse (Use Class B8) with ancillary offices, associated vehicle parking, van storage, pedestrian and vehicular access, landscaping and associated infrastructure works
- 2.2 All of the existing buildings on the site would be demolished to facilitate the development although the demolition itself does not form part of the application and consent is sought through a separate application.
- 2.3 The development would involve the erection of a storage and distribution warehouse of approximately

3.0 Relevant Planning History

- 3.1 The following planning history is considered to be relevant to the consideration of the application.
- 3.2 Permission was granted in 1988 for the construction of two non-food retail warehouses within Class A1 of the Town and Country Planning (Use Classes) Order 1987, together with a garden centre, petrol filling station, (including Class A1 use and car wash,) restaurant; partial demolition (application ref: W00408A).

- 3.3 W00408C - Variation of conditions 2,3,10, 11, 12 and 13 of permission HQ/W00408A for constrn of 2 non-food retail warehouses within Class A1 of the Town and Country Planning (Use Classes) Order 1987, together with garden centre, petrol filling station. (Approved July 1989).
- 3.4 14/08075/FUL - Demolition of the existing Class A3 unit and partial demolition, recladding and extension of the existing Class A1 retail units and creation of Class A3 floorspace reconfiguration of vehicular access, staff parking and customer car parking. Associated hard and soft landscaping to public spaces, new ramped pedestrian access. (Approved April 2016).
- 3.5 15/01820/FUL - Demolition of the existing Class A3 unit (Restaurant) and partial demolition, recladding and extension of the existing Class A1 units (Retail) and creation of Class A3 (Restaurant & Cafe) floorspace, Class D2 (Gym) floorspace, reconfiguration of vehicular access, staff parking and customer parking. Associated hard and soft landscaping to public spaces and new ramped pedestrian access. (Approved April 2016)
- 3.6 15/01825/FUL - Demolition of the existing Class A3 unit (Restaurant) and partial demolition, recladding and extension of the existing Class A1 units (Retail) and creation of Class A3 (Restaurant & Cafe) floorspace, Class D2 (Gym) floorspace, reconfiguration of vehicular access, staff parking and customer parking. Associated hard and soft landscaping to public spaces and new ramped pedestrian access (SCHEME 2). (Approved April 2016).
- 3.7 Redevelopment of site including the demolition of all existing buildings and construction of 724 new Build to Rent residential units (Use Class C3) along with 949 sqm of ancillary residential facilities, 987 sqm of non-residential floorspace (Use Class A1, A3 and D1) within buildings ranging from 5 to 15 storeys, a new pedestrian access off Bunns Lane, open space, landscaping, car parking, acoustic mitigation and highway / pedestrian improvements (Environmental Statement Received).
- 3.8 The aforementioned application was subsequently amended as follows: Internal reconfiguration of the development to provide 7 additional residential units, reduction of 708 sqm in the amount of non-residential floorspace (Use Class A1, A3 and D1), increase of 168 sqm in the amount of ancillary residential floorspace along with amendments to the site access, landscaping and external layout.
- 3.9 The Council's Strategic Planning Committee resolved to refuse the application on 25.07.2018 for the following reason:

1. The proposed development, by virtue of its excessive height and scale would represent an over development of the site resulting in a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development within the surrounding area, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore be contrary to policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014) and the Pentavia Retail Park Planning Brief.
- 3.10 Following the resolution to refuse the application, the application was referred to the Mayor of London under Stage 2 referral procedure. On 5 November 2018, the Mayor of London resolved to call in the application for determination and a Stage 3 Public Hearing was held on 25 July 2019 at which the Mayor resolved to approve the application subject to the satisfactory completion of a S106 Agreement.
- 3.11 Before the S106 could be agreed and completed, the application was withdrawn at the request of the applicant through formal letter received on 6th March 2020.
- 3.12 21/1417/PND - Demolition of existing buildings. This application is currently pending consideration.

4.0 Consultations

- 4.1 As part of the consultation exercise, 4038 letters were sent to neighbouring residents, site notices were erected adjacent to the site and a notice was published in the Barnet Press. As a result of the initial consultation exercise, a total of 25 responses were received comprising of 15 objections, 3 letters of support and 7 representations.

Summary of Neighbour Objections

- 4.2 The material planning considerations contained within the representations received from neighbouring residents can be summarised as follows:
 - The development would result in an unacceptable level of HGVs and other vehicles operating out of the site exacerbating existing levels of traffic congestion in the area;
 - Extensive and effective natural screening with semi mature tree planting for carbon offset and visual screening purposes on the Bunns Lane elevation should be provided;
 - There should be greening on the site and its environs to improve SUDS and benefits of biophilia in line with the London plan for urban greening;

- The decked car park should be relocated away from the residential boundary with Bunns Lane to adjacent to the M1 side, mitigating noise, fumes and visual impact;
- A green roof should be provided to the warehouse and extensive living walls to the carpark;
- Construction hours should be limited and eventual operating hours should not be 24/7;
- A CPZ should be introduced to Bunns Lane to stop Amazon workers parking locally and impacting on the neighbourhood;
- A vehicular access to the M1 should be provided in order to alleviate traffic stress;
- The development would negatively impact on health in the area through an increase in pollution caused by hundreds of HGV's and Vans driving in and out every hour all producing high levels toxic diesel emissions;
- The development would result in unacceptable levels of noise and disturbance to local residents;
- The steel palisade fencing (galvanized) on A1 frontage would be unacceptable;
- The development would be harmful to pedestrian safety in the local area, particularly children.

Responses from External Consultees

Transport for London

4.3 An initial consolation response was received from TfL which requested that forecast modelling of the impact of the development on the local network be undertaken. This was subsequently done by the applicant and the modelling was reviewed by TfL under their formal process. Following the audit, a response outlining comments from TfL was received which outlined that there would not be a significant detrimental impact on the local road network as a result of the development. The response also outlined the following:

1. TfL indicated legibility could be improved by provision of Legible London signage.
2. We requested improved footway lighting to help people accessing the site feel safer,
3. The footway into the site on the A1 frontage should be widened to create better provision for pedestrians.
4. Pedestrian/ cycle access to the site from Bunn's Lane is not feasible as set out by the applicant.
5. The applicant didn't include the bus stops on Bunn's Lane in the ATZ and people accessing the site would only use the A1 bus stops, see note about mode shift at bullet 9 and potential bus catchment
6. We're not clear what is secured re: traffic calming on Bunn's Lane. Whilst we welcome reduced road speed, the design of vertical deflection needs to consider the impact on bus users.
7. The applicant proposed increase in cycle provision by 10 above the minimum , which is welcome, and TfL recommend this is secured by condition.

8. Car parking – TfL would prefer lower car parking provision to support mode shift targets in the Policy T1, TfL would accept the level proposed if measures to support mode shift are secured both soft measures through the Travel Plan and physical measures to improve access. As it stands, the approach to encourage mode shift lacks specific measures apart from extra cycle parking.
9. Travel Plan target response is unclear, the 54% car mode share is not in accord with London Plan targets. It worth noting that we expect a significant growth of population within walking and cycling distance of the site, as well as along public transport links. So a target closer to the London Plan targets could be achieved by recruiting locally within Colindale, Grahame Park and Mill Hill East and improving links to site.
10. Note Delivery and Servicing Plan to be secured by condition. They reference this is appended to the submission. I've not seen the appended document. It should include measures to promote use of cargo bikes for last mile deliveries of the site, and provision for electric delivery vehicles. I'm not clear if this is part of the DSP.

4.4 The substantive points raised in the response from TFL are addressed within the main body of the report.

Network Rail

4.5 Network Rail confirmed that they wished to make no representation on the application.

Metropolitan Police – Designing out Crime Officer

4.6 A consultation response was received from the Metropolitan Police DOCO which can be summarised as follows:

- I do not object to this application but as per my comments, would respectfully request your consideration to include a planning condition for the development to achieve SBD accreditation. This would appear achievable from the plans submitted;

Thames Water

4.7 A consultation response was received from Thames Water which can be summarised as follows:

- Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided;
- On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application;
- Informatives should be attached in respect of both points.

Mill Hill Preservation Society

- 4.8 A consultation response was received from the Mill Hill Preservation Society, which concludes as follows:
- It is not unreasonable to state that we support a scheme that is going to bring employment to the locality, but at the same time it is not acceptable to support a scheme where the traffic outcomes may prove unacceptable. It is for this latter reason that we have requested more information from the developer in a meaningful process, not something flimsy that can be brushed aside later;
 - The application needs to provide a clear, unambiguous understanding of the proposal; the end user is known and they operate other similar sites such that there should be a clear knowledge of the intended staffing levels and operation, after all, the layout of the site has been devised around the intended operation - Amazon. This is not a speculative scheme for an unknown operator;
 - Without this level of understanding, it is not possible to ascertain the level of parking (car and cycle) required or properly quantify the level of impact on the adjacent road network. The omission of key information leads us to believe that the impact could be severe if the correct assumptions were entered;
 - On the basis of our concerns, we consider it to be appropriate for the development to make improvements to the two affected roundabouts. Improvements were proposed to Mill Hill Circus roundabout a little while ago but the GLA and TFL shelved them. Accordingly the work has already been undertaken to demonstrate how improvements to this roundabout could be delivered and would offset the likely severe impact on highway safety.;
 - In the event the Council is minded to approve this scheme then MHPS believes the following conditions are required to make the development acceptable:
 1. Hours of operation and, deliveries by HGVs
 2. Number of HGVs on site at any one time and their management
 3. That no more than 96 vans per hour should leave the site
 4. Shift hours
 5. Improvements to Mill Hill Circus Roundabout
 6. That drones should not be used for deliveries without prior planning approval
 7. That 'Click and Collect' is not made available without prior planning approval
 8. Landscaping scheme to minimise visual impact and deliver a net-gain for biodiversity
 9. That the development harnesses the potential to generate renewable energy
 10. Offsite bio-diversity compensation within the locality
 - We trust the planning authority will take these matters into consideration when assessing this application. We further suggest the London Borough Barnet

examine fully the Transport Assessment and make good the deficiencies MHPS has identified.

Responses from Internal Consultees

- 4.9 Cllr Hart (Ward Member for Mill Hill) expressed concern about the height and bulk of the warehouse as well as the visual aspects of the development in general.

Environmental Health

- 4.10 A consultation response was received from the Council's Environmental Health who had no objections to the scheme following the submission of additional material and subject to compliance conditions.

Flood Risk and Drainage

- 4.11 A consultation response was received from the Council's Drainage team who had no objections to the scheme following the submission of additional material and subject to compliance conditions.

Ecology

- 4.12 A consultation response was received from the Council's Ecology team who had no objections to the scheme following the submission of additional material and subject to compliance conditions.

Arboriculture and Trees

- 4.13 A consultation response was received from the Council's Arboriculture officer who advised of no significant arboricultural reasons to object to this application, however requested conditions if the application is likely to be recommend for approval.

Conservation and Design

- 4.14 A consultation response was received from the Council's Conservation and Design team who advised of no in-principle objection to the use, which is much preferable for the site than the approved residential development, and is a continuation of the existing use. It will also not have the height issues that were inherent in that scheme so its impact on views out of Mill Hill CA will be much reduced over that of the approved scheme.

Transport and Highways

- 4.15 A consultation response was received from the Council's Transport and Highways team who had no objections to the scheme following the submission of additional material and subject to conditions and S106 obligations.

PLANNING ASSESSMENT

5.0 Land Use / Principle of Development

- 5.1 The existing site is occupied by comprises one large retail building in the north of the site and a smaller restaurant building to the southern part of the site. The site was previously occupied as a retail park with occupiers including Homebase along with TGI Friday within the restaurant building. All of the units within the site are currently vacant
- 5.2 Core Strategy Policy CS6 relates to the promotion of Barnet's town centres, and the supporting text for the policy outlines that suburban town centres are the economic, civic, retail, leisure and transport hubs of Barnet (paragraph 11.1.1). Policy CS6 comprises numerous aspects, all of which seek to ensure the prioritisation of town centres for town centre uses and a planned approach to retail provision within the borough.
- 5.3 Development Management Policy DM11 goes on to state inter alia that significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be strongly resisted unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan.
- 5.4 Barnet's Local Policy is in line with national policy, with the NPPF stating that new economic growth and development of town centre uses should be focused on existing centres and going on to state that the definition of town centre uses includes retail development, leisure, entertainment facilities such as cinemas, restaurants, pubs, offices and theatres, museums and hotels.
- 5.5 There is existing retail floorspace on the site of approximately 9,053 square metres along with 664 square metres of A3 floorspace which would reduce to 987 square metres of flexible use floorspace in the proposed development (the 558 square metres is inclusive of A4 floorspace). Both retail and food and drink uses are identified as being town centre uses which the aforementioned policy framework seeks to direct to town centres.
- 5.6 The development would remove the retail floorspace from the site which is entirely consistent with the aforementioned policy context and would support Barnet's Town Centre First Approach. It is considered that the development would contribute

towards the promotion of Barnet's network of town centres in accordance with the objectives of Core Strategy Policy CS6 and DMP Policy DM11.

- 5.7 The propose use itself as a B8 (Storage and Distribution) warehouse, due to its function and operation has specific space and infrastructure requirements which this site fulfils. The site does not benefit from any designations or allocations in the Development Plan however there is an adopted Planning Brief from 2016 for the Site which sets out that a residential-led mixed-use scheme could be appropriate for the site. The Planning Brief also recognised that employment floorspace would be appropriate for the site.
- 5.8 Policy DM14 (New and Existing Employment) of the Local Plan states that new industrial/warehousing space should be located in Locally Significant Industrial Sites (LSIS). The policy goes on to state that warehousing uses should be located in close proximity to tier one and two roads and minimise impact on residential areas. Furthermore, proposals for new employment space will be expected to provide on-site servicing for the intended use and include space for waiting for goods vehicles.
- 5.9 Whilst the site is not located in an LSIS, it is located in close proximity to major road infrastructure and away from residential properties to minimise any harm to amenity. On this basis, it is considered that the site is appropriate for its proposed use.
- 5.10 Given the history of the site, it is also relevant to consider whether the proposed development would result in the loss of residential units which would have come forward. The previous application was resolved to be approved by the Mayor of London however was withdrawn prior to any formal decision being issued. The residential units that would have been delivered had the application been approved were therefore never factored into the Council's housing trajectory. There is therefore not considered to be any direct loss of housing as a result of the development.
- 5.11 Having regard to all of the above, it is considered that the loss of the retail use would be consistent with the Council's strategic retails objectives for the borough and that the proposed use is entirely appropriate for the site. The development would result in significant employment benefit for the borough and it is considered that the application is consistent with relevant policy. The principle of development is therefore acceptable.

6.0 Design and Appearance

- 6.1 The proposed development would have a height of 14.58 metres to roof level, and the van storage deck is similar in profile, measuring approximately 15.77 metres at its highest point.
- 6.2 The building materials proposed comprise light coloured horizontal cladding panels in a white grey for the main mass of the warehouse, contrasted with small areas of light blue cladding. The van storage deck located at the north east of the Site will be constructed from a white grey cladding on the external walls, with a contrasting darker grey and light blue cladding proposed on the stair cores.
- 6.3 The form and appearance of the development is very much appropriate for its use and operation. The form of the development follows the function of the site. The height of the development is modest and would ensure that it is not overly dominant within its context. The Council's Heritage and Conservation officers had no objection to the development in terms of views from the adjacent residential areas.
- 6.4 It is also relevant to consider the history of the site including the Planning Brief and the previous application. The Planning Brief sets out that heights of up to 8 storeys may be appropriate (subject to assessment) whilst the previous application was resolved to be approved at a maximum of 16 storeys. The height of the current application would be substantially below that of the previous application and below the broad height parameters set out in the Planning Brief.
- 6.5 It is therefore considered that in terms of its height, scale, bulk and massing the development is acceptable, appropriate for its context and would not have a detrimental impact on the character of the surrounding residential areas.

7.0 Amenity Impact

- 7.1 The development is located a significant distance from the nearest residential properties and its modest height and scale would ensure that there would be no unacceptable harm in terms of daylight, sunlight and outlook.
- 7.2 In terms of noise impact, the site is located in a position which has high levels of ambient noise through the M1 and the A1 road traffic. It is considered that the operation of the site would not add significant levels of noise over and above this baseline. Nevertheless, mitigation is to be provided in the form of an acoustic barrier along part of the northern and eastern boundaries of the site. In addition, a solid

elevation is to be provided to a section of the van deck structure overlooking the HGV delivery yard, to provide additional screening from HGV unloading.

8.0 Sustainability

8.1 London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

8.2 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

8.3 Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

8.4 The application is accompanied by an Energy Statement from WYG which sets out how the development accords to the London Plan energy hierarchy.

Be Lean

8.5 The Energy Statement sets out that the development would incorporate the following in terms of managing energy demand:

- The scheme has excellent Daylight levels, benefitting from wide windows to the offices enable daylight to penetrate further into the rooms.
- The proposed air permeability is a 70% improvement over building regulations.
- The proposed building services are all high efficiency and minimise distribution loss.
- The proposed lighting efficiency for the purpose of this analysis is high efficiency at 100 luminaire lumens per circuit watt.
- The emissions improve upon the Part L 2013 Baseline TER emission rate by 21% (or 15% using SAP2012 carbon factors), which equates to 7 Tonnes CO₂/year (SAP10).

8.6 The Energy Statement sets out that these measures would combine to reduce carbon emissions by 28 Tonnes CO₂/yr.

Be Clean

- 8.7 At the present date, there is no district network available in close proximity of the application site. The closest planned district heating network is within the Colindale Regeneration Area which is located to the south-west of the site. Notwithstanding the absence of implementation plans for the Colindale network at this point in time, connection to any Colindale network from the development would likely be impracticable due to the motorway infrastructure between the two locations.
- 8.8 It is set out that new SAP10 carbon emission figures mean that CHP no longer offers significant carbon reductions and in some cases, when combined with ASHP technology (as this scheme is, see green scenario), CHP can make carbon emissions worse because it is taking load away from the ASHP energy centre. Further, the heat demand and profile of the office and warehouse is not suitable for efficient CHP operation. As such, CHP is not proposed to enable the scheme to meet the 35% carbon reduction required by utilising more advanced technology. However, a carbon reduction has been realised for the 'Be Clean' stage, through efficient LED lighting and controls which equates to 25 tonnes CO₂/year.

Be Green

- 8.9 The development proposes the installation of solar PV panels. The maximum capacity of the extension roof has been utilised and it is expected that 250 sq m of photo voltaic panels could be positioned on the roof of the warehouse (circa 40.6 kWp). This would deliver 40,620 kWh, a further 11% carbon reduction (or 13% carbon reduction for SAP2012). The GREEN energy assessment carbon emissions are 21 Tonnes CO₂/yr.

Summary

- 8.10 All of the measures outlined above combine to give the following site wide regulated carbon dioxide emissions:

	Total Regulated Emissions (Tonnes per year)	Percentage saving
Part L Baseline	35	
Be Lean	28	21%
Be Clean	25	9%
Be Green	21	11%
Savings	14	41%

- 8.11 In summary, the application is largely in accordance with the London Plan energy hierarchy. The domestic elements reduce carbon emissions by 48% whilst the non-domestic elements would reduce carbon emissions by 36%; this exceeds the target set out in current Policy 5.2. Nevertheless, in line with the zero carbon objectives, if permission were granted a financial contribution would be sought with regards to

the Council's carbon offset fund commensurate with the level of shortfall below 100%.

Other Sustainability Matters

- 8.12 In relation to the non-residential floorspace, the Council supports the use of Building Research Establishment Environmental Assessment Method (BREEAM) which is used to measure the environmental performance of non-residential buildings and a standard of 'Very Good' is required in all new non-residential developments. Therefore, if permission were to be granted, a condition would be attached to ensure that the development achieved a minimum standard of 'Very Good' on implementation.

9.0 Transport / Highways

- 9.1 Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Car Parking

- 9.2 The car park comprises 111 car parking spaces including 6 disabled bays, with 20% provision for electric charging vehicles. The London Plan (2021) does not set out specific maximum standards for car parking provisions for B8 employment uses with an appropriate level of parking to be determined on a case-by-case basis.
- 9.3 In this case, the site has a PTAL of 1 and currently has very poor connectivity. The Transport Assessment assumes a 59% modal share for drivers which would equate to 87 staff driving to the site. The level of car parking is predicated on this level of parking but also accounts for shift crossovers when there will be a higher demand for staff driving to site whilst the previous shift is still on site.
- 9.4 LBB and TFL officers have no objection to the level of car parking on site given the relative isolation of the site and its poor PTAL. Officers consider that the priority is ensuring that the accessibility of the site to sustainable modes of transport is also improved alongside the car parking provision. Whilst TFL would prefer a lower level of parking, the level proposed would be considered acceptable if combined with

sustainable transport measures and a travel plan. This is addressed in a subsequent paragraph of this report.

Access

- 9.5 Vehicular access to the site would be solely from the south utilising the existing on and off slip roads from the A1. In terms of pedestrian access, this would also be provided from the south of the site with access from the A1 bus stop and from via the M1 footbridge.
- 9.6 No access is proposed from Bunns Lane as the applicant has stated that for security reasons, a secure boundary is required to the north. The layout of the development is also not suitable to allow pedestrian access from Bunns Lane and across the site to the n=entrance. Whilst in permeability and accessibility terms the lack of an access from Bunns Lane is regrettable, the operational needs of the applicant are recognised.
- 9.7 The key consideration is therefore ensuring that those pedestrian accesses which are provided are of a good quality that would promote walking to the site or through linked trips utilising public transport. In this regard, the existing footway on the A1 would be extended through agreement with TFL to make it safer and more usable for pedestrians. The S106 would also secure improvements to the walking route to the site from the north and west, including improvements to the access ramps to the M1 footbridge, improvements to the railway underpass and crossing point on Grahame Park Way. All of these improvements are considered necessary in order to ensure that the site is accessible to local workers without access to a car.

Cycle Parking

- 9.8 For B8 uses, London Plan Policy T5 requires 1 short stay space per 500m² and 1 long stay space per 1000m². The development proposes 30 secure spaces to the south of the site which would accord with the aforementioned policy standards.

Highway Network Impact

- 9.9 Given the nature of the application and the operation of the storage and distribution facility, the impact of the development on the surrounding highway network is one of the key planning considerations.
- 9.10 For this reason, during the application process it was requested that the applicant undertake modelling of the highway impact and for that modelling to be reviewed by TFL as part of a formal audit process.

- 9.11 The modelling was duly undertaken and submitted to TFL for review and TFL agreed with the applicant's conclusion that the development would not result in a significantly adverse impact on the local network.
- 9.12 The one junction where the development may have more than a negligible impact is at the Bunns Lane / Pursley Road / Page Street roundabouts. The baseline conditions of the junction are such that it is currently at capacity and as such it is particularly sensitive to any material increase, as would be the case with the current development at the assessed peak hours. For this reason, a S106 obligation is secured that would require a contribution towards a remodelled junction that would allow for improvements.

Public Transport Impact:

- 9.13 The Transport Assessment from Velocity has been fully assessed by LPA transport officers as well as TfL and it is considered that the proposed development would not have a significant impact on local public transport, including bus routes, and no contribution is therefore sought.

10.0 Flood Risk

- 10.1 Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".
- 10.2 The application is accompanied by a Flood Risk Assessment which has been fully assessed by the Council's appointed drainage specialists. The methodology of the assessment is accordant with best practice and the results show that the development would incorporate measures that would minimise the likelihood of flooding. A compliance condition would be attached to any permission.

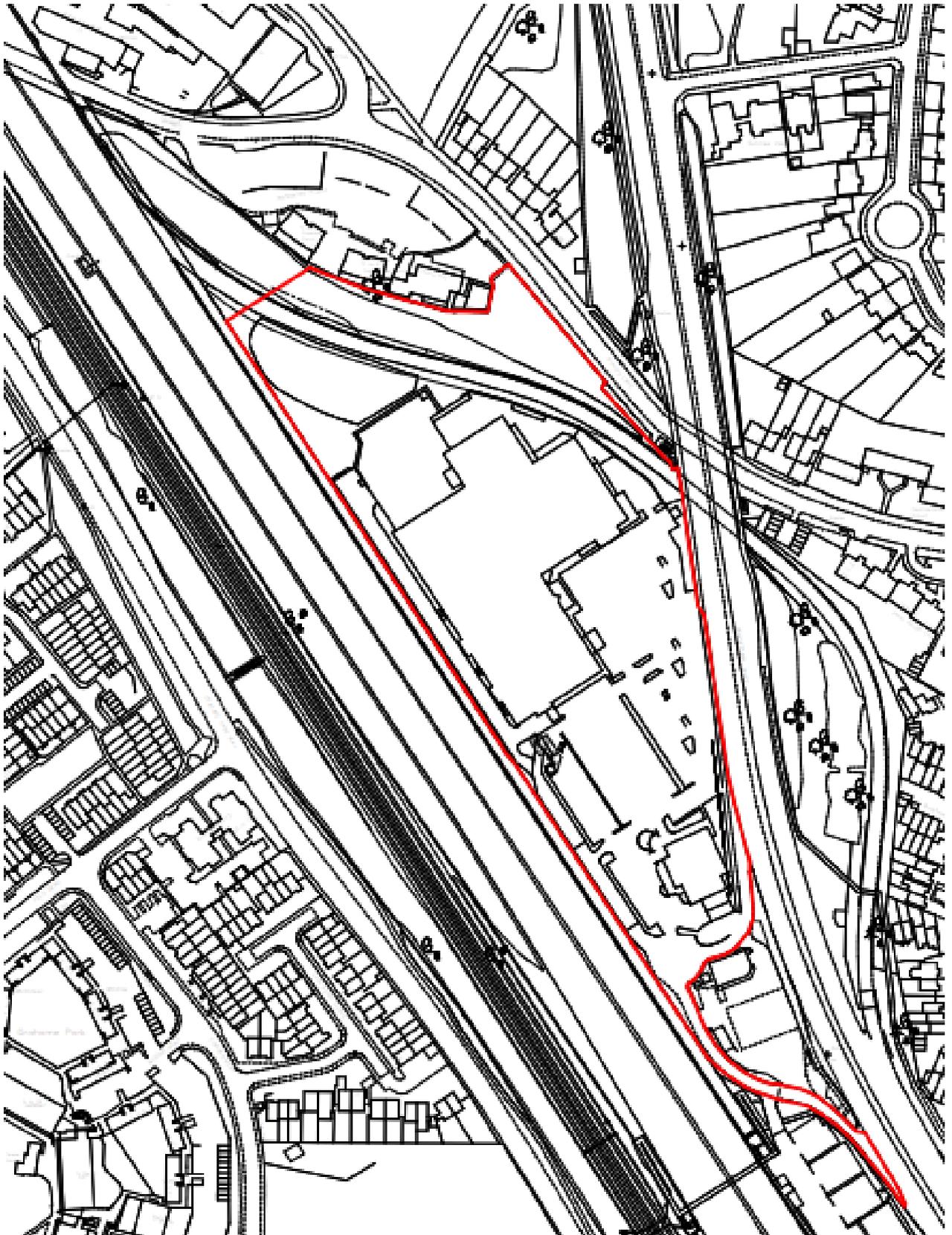
11.0 Crime Prevention / Community Safety

- 11.1 Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.
- 11.2 To this end, the Metropolitan Police were consulted on the application and no objections were received. If permission were to be granted, a compliance condition would be attached to ensure that the development complied with Secured by Design standards.

12.0 Conclusion

- 12.1 The principle of development is acceptable and the removal of the retail premises on site would accord with the Council's strategic policies directing such uses to town centres. The application site is considered appropriate for its proposed use and would have significant benefit to employment in the local area and to the local economy in general. This must weigh heavily in favour of the application.
- 12.2 The height, scale, bulk and massing of the application would not result in any significant harm to local views and its design and appearance is appropriate for its use as a storage and distribution warehouse.
- 12.3 The impacts of the development in terms of transport, air quality, flooding and ecology are all acceptable and are mitigated through conditions and S106 obligations as necessary.
- 12.4 Based on all of the above, it is considered that the application should be approved subject to conditions listed at Appendix 2 and subject to the satisfactory completion of a S106 Agreement.
- 13.0 **RECOMMENDATION: TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO THE SATISFACTORY COMPLETION OF A SECTION 106 AGREEMENT.**

APPENDIX 1 – SITE LOCATION PLAN



Appendix 2 – Conditions

Condition 1 - Time limit

The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

Condition 2 - Approved Plans

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

- Application Form including Certificate of Ownership;
- Planning Statement Rev 02 dated December 2020 prepared by DWD;
- Pre-application Engagement/Analysis Statement dated December 2020 prepared by DWD;
- Community Infrastructure Levy Form prepared by DWD;
- Design and Access Statement (Rev C) prepared by S+SA Architects;
 - Waste Management Strategy Rev # dated December 2020 prepared by S+SA Architects;
- Transport Assessment dated 3 December 2020 prepared by Vectos;
- Travel Plan dated 3 December 2020 prepared by Vectos;
- Car Park Management Plan dated 3 December 2020 prepared by Vectos;
- Delivery and Servicing Management Plan dated 3 December 2020 prepared by Vectos;
- Energy Statement Rev 0.1 dated 2 December 2020 prepared by WYG;
- Landscaping Plan (refs 9552-L-01 Rev D and 9552-L-02 rev D) prepared by FPCR;
- Landscape Environmental Management Plan (dated 27 August 2021) prepared FPCR;
- Arboricultural Assessment dated December 2020 prepared by FPCR;
- Arboricultural Method Statement dated January 2021 prepared by FPCR;
- Preliminary Ecological Appraisal dated December 2020 prepared by Delta Simons;

N



- Invasive Species Report (ref: EBS 3863 SK) dates 1 March 2021 prepared by Ebsford Environmental;
- Heritage Statement Version 2 dated December 2020 prepared by RPS;
- Archaeological Desk Based Assessment dated 3 December 2020 prepared by RPS;
- Flood Risk Assessment dated November 2020 prepared by Enzygo;
- Drainage Statement ref: PL3 dated 16 March 2021 prepared by EIRENG;
- Drainage Maintenance and Management Plan ref: PL1 dated 12 March 2021 prepared by EIRENG;
- Construction Management Plan Issue 2 dated 19 May 2021 prepared by TSL;
- Noise Assessment dated 26 November 2020 prepared by WYG;
- Air Quality Assessment dated February 2021 prepared by WYG;
- External Lighting Lux Levels Plot (ref: 10265-PL-101) prepared by KTA;
- External Lighting Statement (ref: PH/10265/ELR-04) dated August 2021 prepared by KTA; and
- Preliminary Geo-Environmental Risk Assessment dated December 2020 prepared by Delta Simons;
- Environmental Assessment dated January 2021 prepared by Delta Simons;
- Remediation and Verification Strategy dated February 2021 prepared by Delta Simons.

Existing Plans

Title	Plan Reference	Revision
Site Location Plan	P01	C
Existing Site Plan	P02	C
Topographical Survey	P03	C
Existing Site Sections	P04	C
Existing Elevations	P13	#

Proposed Plans

Title	Plan Reference	Revision
Proposed Site Plan	P05	F
Proposed Ground Floor Plan Sheet 1	P06	A
Proposed Ground Floor Plan Sheet 2	P07	A
Proposed First Floor Plan Sheet 1	P08	A
Proposed First Floor Plan Sheet 2	P09	A
Proposed Plant Level Plan	P10	#
Proposed Roof Plan Sheet 1	P11	C
Proposed Roof Plan Sheet 2	P12	C
Proposed Building Elevations Sheet 1	P14	D
Proposed Building Elevations Sheet 2	P15	D
Proposed Van Storage Deck Plans	P16	A
Van Storage Deck Elevations	P17	C
Overall Elevations	P18	D
Proposed Building Sections	P19	A
Parking Deck Sections	P20	A
Proposed Site Sections	P21	C
Proposed External Furniture and Boundary Treatment	P22	C
External Works Design	P23	B
Indicative 3D Massing	P25	B

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in line with Policies DM01, DM02, DM05 of the Barnet Local Plan (2012) and of the London Plan (2021).

Condition 3 – Demolition and Construction Management Plan

Demolition and construction shall be carried out only in accordance with approved document 'Construction Management Plan Issue 2 dated 19 May 2021 (TSL)' unless otherwise approved 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 the London Plan 2021.

Condition 4 – Delivery and Servicing Management Plan

Deliveries and servicing shall be carried out in accordance with approved document 'Delivery and Servicing Management Plan dated 3 December 2020 (Vectos)' unless otherwise approved 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 the London Plan 2021.

Condition 5 – Cycle Parking

Prior to the first occupation, cycle parking and cycle storage facilities shall be provided in accordance with the approved drawings and shall be permanently retained thereafter unless agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Plan and London Cycle Design Standards, 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 and the London Plan 2021.

Condition 6 -Air Quality

Prior to the first occupation of the development, the Air Quality mitigation strategy shall be implemented in accordance with approved document 'Air Quality Assessment dated February 2021 (WYG)' (and Air Quality Note dated 25 May 2021) unless otherwise agreed in writing by the Local Planning Authority.

Condition 7 – Contaminated Land

Prior to the commencement of development, land remediation shall be undertaken in accordance with 'Preliminary Geo-Environmental Risk Assessment dated December 2020 (Delta Simons) and 'Remediation and Verification Strategy dated February 2021 (Delta Simons) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 5.21 of the London Plan 2016.

Condition 8 – Drainage

Prior to the first occupation of the development, the drainage and SUDS strategy shall be implemented in full in accordance with the following documents:

- Technical Note dated 16 March 2021
- Drainage Statement rev PL3 dated 16 March 2021
- Maintenance and Management Plan rev PL1 dated 12 March 2021

The mitigation measures shall thereafter be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April (including the Written Ministerial

Statement of 18 December 2014, Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (such as the SuDS Manual, C753).

Condition 9 – Noise Restriction

The level of noise emitted from the (specify machinery) plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and the London Plan 2021.

Condition 10 – Lighting

Prior to the first occupation of the development, the lighting strategy shall be implemented in accordance with 'External Lighting Statement (ref: PH/10265/ELR-04) dated August 2021 prepared (KTA)' unless otherwise approved in writing by the Local Planning Authority. The lighting shall thereafter be permanently retained.

Reason: In the interests of visual amenity, community safety and to prevent light pollution and adverse impacts affecting the amenity of adjacent residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted 2012).

Condition 11 – Landscaping

Prior to the first occupation of the development, the Landscaping Strategy shall be implemented in accordance with the following documents:

- Landscaping Plan (refs 9552-L-01 Rev D and 9552-L-02 rev D) prepared by FPCR;
- Landscape Environmental Management Plan (dated 27 August 2021) prepared FPCR;
- Arboricultural Assessment dated December 2020 prepared by FPCR;
- Method Statement dated January 2021 prepared by FPCR;

The landscaping shall thereafter be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of good design and to promote urban greening, biodiversity, sustainable urban drainage and to ensure acceptable residential amenity, privacy and play space provision, in accordance with Barnet Local Plan and London Plan (2021).

Condition 12 – Replacement Trees

Any trees, hedges or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of the development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and the London Plan 2021.

Condition 13 – Secured by Design

Prior to the first occupation of the relevant part of the development, certification demonstrating compliance with Secured by Design standards (or any superseding accreditation) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of community safety in accordance with paragraphs 8 and 11 of the NPPF.

Condition 14 – BREEAM

The development shall achieve an 'Very Good' rating under BREEAM UK New Construction 2014 (or such equivalent standard that replaces this) for the Shell/Shell and Core stage and an 'Excellent' rating under BREEAM Refurbishment and Fit-out 2014.

- a) Within 12 months of work starting on the development, unless otherwise agreed in writing, a BREEAM UK New Construction 2014 (or such equivalent standard that replaces this) Shell and Core Interim (Design Stage) Certificate, issued by the Building Research Establishment (BRE), must be submitted, by the developer, and approved in writing by the Local Planning Authority to show that a minimum "very good" rating will be achieved.
- b) Within 3 months of first occupation of the non-residential unit within the development, unless otherwise agreed in writing, a BREEAM UK New Construction 2014 (or such equivalent standard that replaces this) Shell and Core Final (Post-Construction) Certificate, issued by the BRE,

must be submitted, by the developer, and approved in writing by the Local Planning Authority to demonstrate that an “very good” rating has been achieved. All the measures integrated shall be retained for as long as the development is in existence.

c) Prior to commencement of the fit-out of the non-residential unit within the development, unless otherwise agreed in writing, a BREEAM Refurbishment and Fit-out 2014 Parts 3 and 4 Interim (Design Stage) Certificate, issued by the Building Research Establishment (BRE), must be submitted, by the fit-out contractor, and approved in writing by the Local Planning Authority to show that a minimum ‘very good’ rating will be achieved.

d) Within 3 months of first occupation of a non-residential unit within the development, unless otherwise agreed in writing, a BREEAM Refurbishment and Fit-out 2014 Parts 3 and 4 Final (Post-Construction) Certificate, issued by the BRE, must be submitted, by the fit-out contractor, and approved in writing by the Local Planning Authority to demonstrate that an ‘very good’ rating has been achieved. All the measures integrated shall be retained for as long as the development is in existence.

Reason: In the interests of sustainable development and in accordance with London Plan Policies 5.2-5.7.

Condition 15 – Construction Times

No construction works shall occur outside of the following times unless otherwise agreed in writing by the Local Planning Authority:

- 08:00 - 18:00 hours weekdays;
- 08:00 - 13:00 hours Saturdays.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.