



# Pentavia, Mill Hill

London NW7 2ET

Planning Statement

Date: 15/03/19



# PLANNING STATEMENT

PENTAVIA, MILL HILL

# Contents

---

1	INTRODUCTION	1
2	PLANNING APPLICATION DOCUMENTATION	17
3	FACTUAL BACKGROUND	20
4	PROPOSED DEVELOPMENT	29
5	THE BENEFITS OF THE PLANNING APPLICATION	35
6	PLANNING POLICY	42
7	STRATEGIC IMPORTANCE OF PLANNING APPLICATION	48
8	PLANNING ISSUES – HOUSING NEED AND DELIVERABILITY	49
9	PLANNING ISSUES – TALL BUILDINGS	57
10	PLANNING ISSUES – COMMERCIAL FLOORSPACE	66
11	PLANNING ISSUES – OTHER	69
12	SECTION 106 – CIL	85
13	CONCLUSION	86
	Figure 1.1 - 2016 Baseline Site NO <sub>2</sub> Contours	11
	Figure 1.2 - Influence of Building Facade upon Site NO <sub>2</sub> Levels (2026 building fully occupied)	11
	Figure 1.3 -Development Block NO <sub>2</sub> Assessment Locations	12
	Figure 3.1 - Barnet UDP Proposals Map (as amended)	22
	Figure 5.1 -Spatial Accessibility – Baseline	36
	Figure 5.2 - Spatial Accessibility – Proposed	36
	Figure 5.3 - Walking Distance From Site – Baseline	37
	Figure 5.4 - Walking Distance From Site – Proposed	37
	Figure 5.5 - Pentavia, Mill Hill: Service Charges	38
	Figure 5.6 - North Facing Single Aspect Units	39
	Figure 5.7 - Overlooking Analysis	40
	Figure 6.1 - Locally Important Views	45
	Figure 8.1 - Delivery against pan-London Housing and Affordable Housing Targets (Source: London Plan AMR's 11, 12, 13 and 14)	52
	Figure 8.2 -Affordable Housing Delivery Against Core Strategy Affordable Housing Target	52
	Figure 8.3 - 5 year supply Calculation – Local Plan (2012) plus backlog and 20% buffer Local Plan	53
	Figure 8.4 - 5 year supply Calculation – London Plan Target (March 2016) plus backlog and 20% buffer Local Plan	53
	Figure 8.5 - Total Identified 5 year supply in Barnet: Majors consents, allocations, prior approvals, non-conventional supply consent and vacants returned to use	54
	Figure 9.1 - Proposed Building Heights	57

Table 1.1 - Revised Application Affordable Offer	2
Table 1.2 - Revised Application Affordable Housing Offer	2
Table 1.3 - Product Affordability & Eligibility	3
Table 1.4 - Estimated Service Charges	4
Table 1.5 - Employment Recreation	10
Table 1.6 - Definitions of Site Sensitivity – Air Pollution Exposure Categories	10
Table 2.1 - Planning Application Documents List	17
Table 3.1 - Land Uses in Proximity to the Site	22
Table 4.1 - Proposed Building Heights	29
Table 4.2 - Proposed Residential Accommodation	31
Table 4.3 - Proposed Residential Accommodation	31
Table 10.1 - Existing and Proposed Retail Floorspace	67
Table 11.1 - 2017 SHMA findings	69
Table 11.2 - Proposed Residential Accommodation	69
Table 11.3 - Type Mix	70
Table 11.4 - Proposed Average Unit Size	71
Table 11.5 - Outdoor Amenity Space Requirements (Sustainable Design and Construction SPD (2016))	72
Table 11.6 - Playspace	73
Table 11.7 - Site Density	74
Table 11.8 - Site Density	75
Table 11.8 - Residential Car Parking Maximum Standards – London Plan (2016)	80
Table 11.9 - Residential Car Parking Maximum Standards – Draft London Plan (2018)	80
Table 11.10 - Commercial Car Parking Maximum Standards – London Plan (2016)	80
Table 11.11 - Maximum Retail Parking Standards	80
Table 12.1 - GLA CIL Table (For Whole Scheme)	85
Table 12.2 - Barnet CIL Table (For Whole Scheme)	85

## DOCUMENTS

- Document 1: Planning Application Boundary Plan
- Document 2: Relevant Planning History
- Document 3: Marketing Report
- Document 4: Adopted Pentavia Retail Park Planning Brief
- Document 5: Barnet’s Housing Trajectory
- Document 6: Barnet’s Past Housing Completions

# 1 INTRODUCTION

1.1 This planning statement accompanies a detailed planning application (ref:17/8102/FUL) submitted on behalf of Meadow Residential (the 'Applicant') in relation to redevelopment proposals of 3.87 hectares ('ha') of land which comprises the Pentavia Retail Park, Watford Way, Mill Hill, London, NW7 2ET, known as Pentavia, Mill Hill (the 'Site').

1.2 This application seeks detailed planning permission for the following development:

*Redevelopment of site including the demolition of all existing buildings and construction of 844 new Class C3 residential units, along with 885 sqm of ancillary residential facilities, 1,028 sqm of non-residential floorspace (Use Class A1, A3, A4 and D1) within buildings ranging from 4 to 16 storeys, new pedestrian accesses off Bunns Lane, open space, landscaping, car parking, acoustic mitigation and highway / pedestrian improvements.*

1.3 The Mayor of London has decided to act as the Local Planning Authority for the purposes of determining the planning application following a resolution to refuse planning permission by the London Borough of Barnet on 25<sup>th</sup> July 2018.

1.4 The Direction was made by the Mayor of London on 5<sup>th</sup> November 2018 via Article 7 of the Town and Country Planning (Mayor of London) Order 2008 and the powers conferred by Section 2A of the 1990 Town and Country Planning Act.

1.5 As a result of this Direction, the Mayor of London has sought to achieve an increase in the number and range of genuinely affordable homes at the Site. This submission responds to that challenge and provides a detailed response to the London Review Panel. These matters are summarised below and explored in detail within the remainder of this statement.

## Vision

1.6 This development is exemplar. It unlocks a low-density retail park to deliver good growth for future generations. It will shape the future of our city for generations to come. The proposal seeks an increased number and choice of genuinely affordable homes to serve the local community. It will help fix the housing crisis that London faces, and will create a new piece of the City by re-stitching the site back into Mill Hill through green permeable spaces.

## Genuinely Affordable Housing

### An Increase in Housing Numbers and the number of Genuinely Affordable Homes

1.7 The following housing related considerations are of significant importance, and form an integral component of this revised planning application.

- **Housing Numbers:** The scheme will provide 844 much needed new homes. This will optimise the use of an underutilised brownfield site and will contribute positively to meeting local and strategic London wide housing need in accordance with the Development Plan and the Draft London Plan.
- **Housing Types:** The scheme will provide a mix of Build-to-Rent and Conventional Sale housing. The Build-to-Rent homes will be covenanted for rental use to secure a range of benefits including professional on-site management/ maintenance support, fair tenancy terms and faster delivery.
- **Housing Tenures:** The scheme will provide 345 new affordable homes on-site (41% by unit and habitable room). This exceeds the local Barnet policy target (40%) and is compliant with Policy H6 (Threshold Approach) of the Draft London Plan Modifications (2018) which requires 35% Affordable Housing. The provision of 345 new affordable homes will provide a significant contribution to both local and strategic London wide affordable housing need (of which Barnet only met 22% in the last 3 years).
- **Housing Products:** The scheme will provide a mix of genuinely affordable housing products including London Affordable Rent, London Living Rent, Discounted Market Rent and London Shared Ownership compliant with Policy H7 (Affordable Housing Tenure) of the Draft London Plan Modifications (2018).

- **Housing Affordability:** The proposed product terms will ensure the homes are genuinely affordable to a range of eligible local households in accordance with the Mayor's Housing Strategy (2018). The Build-to-Rent homes will be prioritised to local front line key workers (e.g. teachers and nurses).
- **Housing Management:** The housing products have been distributed across the site to enable effective long term management. The Build-to-Rent products will be pepper potted to promote social cohesion. The scheme has also been designed to ensure estate service charges are as affordable as possible, whilst allowing all residents the right to access on-site amenities.
- **Housing Sizes:** The scheme will provide a mix of housing sizes including 123 (15%) 3 bedroom family homes. The mix of unit sizes also take into account growing demand for smaller unit sizes (particularly in Build-to-Rent), the affordability challenges associated with larger homes (particularly in shared ownership) and the positive role 1 and 2 bedroom homes play in providing housing for down sizers and concealed households, as recognised in Draft London Plan Modifications (2018).
- **Housing Design:** All homes have been designed so that they are tenure blind and meet or exceed the design standards set out in the Development Plan and Draft London Plan Modifications (2018).

1.8 These housing changes are summarised in Table 1.1 below.

Table 1.1- Revised Application Affordable Offer

	Barnet Council Refusal 724 Scheme	GLA Stage 3 Scheme 844 Scheme
Overall Affordable Housing	35% - 253 Units	41% - 345 Units
Discounted Market Rent	100% - 253 Units	70% - 131 Units (of BTR)
London Living Rent	NIL	30% - 57 Units (of BTR)
London Affordable Rent	NIL	60% - 94 Units (of Conventional )
London Shared Ownership	NIL	40% - 63 Units (of Conventional)
DMR Discount	80% of OMR	65% - 75% of OMR
Key Worker Priority	No	Yes
Build-to-Rent Covenant	-	15 Year + Clawback
Affordable Housing Covenant	-	Perpetuity
Early Review Mechanism	-	Yes
Fast Track Compliant	No	Yes

1.9 The amount and range of genuinely affordable homes at Pentavia from 35% to 41% by habitable room is set out in Table 1.2 below:

Table 1.2 - Revised Application Affordable Housing Offer

	Mix	Tenure	Mix	Type	Product Mix	Units	Habitable Room	Overall Affordable Tenure Split % (hr)
Build-to-Rent	50%	Private	59%	Private Build-to-Rent	100%	270	1,019	59%
		Affordable	41%	Discounted Market Rent (DMR)	70%	131	492	29%

				London Living Rent (LLR)	30%	57	213	12%
					<b>BTR Total</b>	<b>458</b>	<b>1,724</b>	
Conventional	50%	Private	59%	Private Sale	100	229	879	59%
		Affordable	41%	London Affordable Rent (LAR)	60	94	375	25%
				London Shared Ownership (LSO)	40	63	232	16%
					<b>Conventional Total</b>	<b>386</b>	<b>1,486</b>	
					<b>Total</b>	<b>844</b>	<b>3,210</b>	<b>100%</b>

1.10 We consider that this is a significant increase in number and choice of genuinely affordable homes to serve the local community.

### Housing Affordability & Eligibility

1.11 We set out the housing affordability and eligibility of the housing products below in Table 1.3.

Table 1.3 - Product Affordability & Eligibility

Product	Product Terms	Estimated Household Income*			Product Eligibility
		1 Bed	2 Bed	3 Bed	
London Shared Ownership	Minimum 25% Equity Share Up to 2.75% Rent	c.£42,500	c.£59,500	c.£72,500	Homes for London. Priority for those who live borough and key front line workers. Maximum Income £90k.
Discounted Market Rent	65%-75% of Open Market Rent	c.£39,000	c.£47,000	c.£49,000	Homes for London. Priority for those who live borough and key front line workers. Maximum Income £60k.
London Living Rent	50%-65% of Open Market Rent. GLA prescribed rents.	c.£33,500	c.£37,500	c.£41,000	
London Affordable Rent	35% – 45% of Open Market Rents. GLA prescribed rents.	c.£0 - £35,000 No minimum Income. Households may be fully or partly reliant on housing benefits.			Barnet Housing List. Needs based eligibility determined by Barnet.

\* Based on housing costs being no more than 1/3 of gross household income (Shared Ownership mortgage assumes 2.5% deposit and a 5% interest rate). Paragraph 4.24 of the Mayor's Housing Strategy (May 2018) confirms this is a widely accepted measure of housing affordability.

1.12 The proposed products terms, affordability and eligibility is appropriate having regard to the following factors:-

- **Affordability:** The proposed product terms will ensure the homes are genuinely affordable to a broad range of household incomes in accordance with the Mayor's housing strategy. Many of the households provided for would otherwise be unable to afford to buy or rent a good quality home locally.

- **Eligibility:** Eligibility for LAR will be determined by Barnet Council. The Intermediate homes will be made available through the Mayors homes for London portal to households with incomes up to £60,000 (Intermediate Rental Products) or £90,000 (London Shared Ownership).
- **Priority:** The Build-to-Rent products (Private Rent, DMR and LLR) will be prioritised to front line key workers (teachers, nurses etc) who presently have limited housing options. For example, A1 bedroom LLR home could be made available for a single primary school teacher earning the London average of c.£40,000 or a 3 bedroom DMR home could be provided to a full time fire officer (£36,500) and a part time nurse (£19,000) earning c.£55,000 combined (ASHE 2018).

1.13 The estimated services charges for the scheme are set out in Table 1.4 below.

Table 1.4 - Estimated Service Charges

Type	Estimated Service Charge
1 Bed Apartment	£35 Per Week
2 Bed Apartment	£45 Per Week
3 Bed Apartment	£55 Per Week

1.14 The estimated service charge is appropriate having regard to the following factors:-

- **Affordability:** The rents charged for the Build-to-Rent products (Private Rent, DMR and LLR) are inclusive of service charges. The scheme has been designed to ensure the service charges applicable to the LAR and LSO homes are as affordable as possible.
- **Equality:** The service charges for the Affordable housing products are the minimum that can be charged (noting that the private tenures cannot legally cross subsidise the affordable tenures. All residents will however have the right to access on-site amenities, subject to an additional optional charge. This will promote social cohesion and equality.

## Barnet's Housing Needs

- 1.15 The Council's most recent AMR (2016/17) provides an assessment of five year housing supply. It assumes the current minimum London Plan target and a 20% buffer in line with the requirements of national planning policy where there has been a persistent under supply of housing. It shows that if 100% of the trajectory is achieved there would only be a 1% (161 unit) surplus against the Council's five year supply target. Based on historic delivery rates (48% of approvals), it is considered extremely unlikely that 100% of consents will be delivered. Furthermore, the revised NPPF (2018) now confirms that allocated sites should only be included within the supply figures where there is clear evidence completions will begin on site within 5 years (e.g. pending planning applications).
- 1.16 On this basis, it is considered highly unlikely that the Council can demonstrate a robust five year housing land supply. Consequently, paragraph 11 of the NPPF (2018) should be engaged and the so called 'tilted balance' in favour of approving sustainable development be applied in assessing the housing proposals and making the overall planning balance.
- 1.17 The results of central government's new Housing Delivery Test were published on the 19<sup>th</sup> February 2019. The results show that Barnet is presently failing the test having only delivered 82% of their delivery test requirement. This means the Council are required to maintain a 20% buffer in housing supply.
- 1.18 This demonstrates that there is a significant need for Barnet to approve the delivery of more homes in order to establish a five year housing land supply and to meet the housing delivery test.



## Realising the full potential of existing out of centre retail parks to deliver housing intensification

- 1.19 The existing retail development at this site comprises 9,053m<sup>2</sup> of unrestricted Class A1 retail floorspace with 664m<sup>2</sup> of Class A3 food and drink floorspace. Three retail planning applications have been approved at the site (Planning permission ref: 14/08075/FUL, date approved 05/08/16; Planning permission ref: 15/01820/FUL, date approved 05/08/16; and Planning Permission ref: 15/01825/FUL, date approved 05/08/16).
- 1.20 The retail permission remains extant.
- 1.21 The Site has significant potential for development for alternative use as a low-density retail warehouse site with expansive areas of car parking.

### National Planning Policy Framework 2018 (the “NPPF”)

- 1.22 National policy is to deliver more homes, at a greater density, on brownfield land.
- 1.23 The Government’s objective of “significantly boosting the supply of homes”<sup>1</sup> is a national policy objective set out in the first paragraph of Chapter 5 of the NPPF, Delivering a Sufficient Supply of Homes.
- 1.24 National policy requires strategic policy-making authorities to have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability<sup>2</sup>. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old<sup>3</sup>.
- 1.25 Chapter 11 of the NPPF sets out policies for Making Effective Use of Land. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land<sup>4</sup>.
- 1.26 National policy is explicit in the Government’s approach to brownfield land, giving “substantial weight” to the value of using suitable brownfield land within settlements for homes<sup>5</sup>.
- 1.27 It also promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively<sup>6</sup>. The Government provides examples such as building on service yards and car parks. It also promotes the development of airspace above existing commercial premises for new homes.
- 1.28 Chapter 11 considers the objective of achieving appropriate densities. The Government expects planning policies and decisions to support development that makes efficient use of land, taking into account viability<sup>7</sup>. National policy is explicit in respect of achieving the optimal use of a site.

---

<sup>1</sup> NPPF Paragraph 59

<sup>2</sup> NPPF Paragraph 67

<sup>3</sup> NPPF Paragraph 73

<sup>4</sup> NPPF Paragraph 117

<sup>5</sup> NPPF Paragraph 118(c)

<sup>6</sup> NPPF Paragraph 118(d)

<sup>7</sup> NPPF Paragraph 122(b)

*Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site<sup>8</sup>.*

1.29 National policy promotes the redevelopment of Pentavia, and its optimisation for housing.

### **The Mayor's policies to realise the full potential of existing out of centre retail parks to deliver housing intensification**

1.30 The Mayor of London's new London Plan (2018 with Modifications), has been subject to public consultation and is currently at Examination at Public. Housing policies have been subject to hearing sessions, and whilst the Panel has yet to issue its report, the policies have been tested and carry some weight.

1.31 Policy H1 is the principle housing delivery policy for the London Plan 2018. Its purpose is "Increasing Housing Supply".

1.32 Policy H1 is important as it underpins the housing objectives of the London Plan 2018 which are significant.

1.33 The Mayor's objective is to "double" average completion rates. The Mayor's approach is summarised below<sup>9</sup>:-

*"To achieve these housing targets the overall average rate of housing delivery on both large and small sites will need to approximately double compared to current average completion rates. The Mayor recognises that development of this scale will require not just an increase in the number of homes approved but also a fundamental transformation in how new homes are delivered".*

1.34 Policy H1 Part B(2) states that "boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity".

1.35 It then lists six strategic sources of housing capacity (a)-(f). Part (b) specifically relates to retail parks as set out below.

#### *(b) Mixed-use Redevelopment of car Parks and Low-Density Retail Parks and Supermarkets*

1.36 Pentavia is a low density retail site with a car park. London Plan Policy H1 does consider the site as a strategic source of housing supply.

1.37 Policy SD7 Town Centres set out the Mayor's town centre first approach. This includes the reduction of out of centre retail parks to help sustain the vitality and viability of town centres. Policy SD7A(4) sets out a specific policy objective for out of centre retail parks, as set out below:-

*4) realising the full potential of existing out of centre retail and leisure parks to deliver housing intensification through redevelopment and ensure such locations become more sustainable in transport terms, by securing improvements to public transport, cycling and walking. This should not result in a net increase in retail or leisure floorspace in an out-of-centre location having regard to parts A(1), (2) and (3) above.*

1.38 At Pentavia, we propose that the location becomes more sustainable as a result of this development in transport terms by securing improvements to public transport, cycling and walking as follows:-

- Reconnecting the site, which is in effect segregated from Bunns Lane, back into Bunns Lane. This has been achieved by bringing in land around the site, to create this connection. This has

<sup>8</sup> NPPF Paragraph 123

<sup>9</sup> The London Plan 2018 Paragraph 4.1.3

enabled landscaping works to be undertaken between the site and Bunns Lane resulting in the infilling of the former M1 exit road. Pedestrian and cycle access now takes place at two new connections onto Bunns Lane to the north east and north west of the site, adjacent to a 0.5ha woodland acquired by Meadow Residential.

- In agreement with TfL, the proposed development commits funding of £95,000 per year for a period of 5 years (a total of £475,000) to increase the service frequency of Bus route 221 which connects the Site to Edgware Station and Bus Station, Mill Hill Broadway Station, Mill Hill East Station, New Southgate Station, Bounds Green Station, Wood Green Station and Turnpike Lane Station.
- Relocation of two bus stops serving the 221 bus to outside the site along Bunns Lane.
- Relocation of the existing bus stop on the A1 northbound carriageway to outside the site on the A1. This serves bus route 113 which connects to Edgware Bus Station and the northern line to the north.
- Funding of £100,000 is committed for a new lift on the east-side of the A1. This will allow accessible access from Bunns Lane to the south bound 113 bus service which connects the site to Hendon Central Station, Finchley Road and Frognal Station, Finchley Road Station, Swiss Cottage Station, Baker Street Station and Oxford Circus Station.
- Contributions of £100,000 towards urban realm improvements to the pedestrian walking experience around the site, including public art / lighting installations.
- The existing PTAL of the Site is predominantly 1a, and this will improve to PTAL 2 to 3.

1.39 There is a clear policy shift within the London Plan 2018 to promote the redevelopment of retail parks for residential led intensification.

### Barnet Council's Adopted Planning Brief for Pentavia

1.40 The Site is not allocated for any particular use within the Barnet Local Plan. In lieu of this, a planning brief was adopted for the site by Barnet Council on the 1<sup>st</sup> December 2016 at its Policy and Resources Committee. It is considered a material consideration in the determination of this planning application.

1.41 The Planning Brief sets out the Council's objectives for the redevelopment of the Site. Barnet Council's objectives seek a sustainable mixed use development that will deliver residential led mixed use housing. The Council's Brief seeks to achieve the following objectives:-

- Bringing a brownfield site back into a beneficial and more sustainable use;
- Delivery of residential-led mixed use development;
- Provision of new and improved pedestrian and cycle links that contribute to the re-integration of the site with Mill Hill;
- Provision of on-site ancillary community and retail uses;
- Proven mitigation measures and controls in place to give certainty that the environmental issues resulting from the adjoining transport routes will not affect the health and wellbeing of residents and employees;
- Successful integration into the existing urban fabric;
- Creation of roofline interest by varying the heights of the blocks in the appropriate places;
- Incorporation of high quality soft landscaping; and
- Buildings should be below Barnet's tall building policy of 8 storeys and less as this is not a "Strategic Location".

1.42 We consider that this application complies with these objectives, except for the proposition that development will be 8 storeys or less. We consider this to be unnecessarily restrictive for the reason set out in our tall building section 9 of this statement.

### Car Parking

1.43 To improve the sustainable credentials of this site, this submission seeks to reduce levels of car parking from a ratio of 75% to a ratio of 47%.

	Barnet Council Refusal 724 Scheme	GLA Stage 3 Scheme 844 Scheme
Residential car parking spaces	545 residential + 41 visitor	397 residential + 10 visitor
Disabled car parking spaces	72 residential + 2 commercial	85 residential + 2 commercial
Residential parking ratio	0.75	0.47
Commercial car parking spaces	9	9
Car Club	5	5
Cycle spaces	1,182	1,603

## Community Consultation

1.44 Development proposals at Pentavia have been the subject of detailed public consultation since 2015. This has included extensive dialogue and discussions with the following stakeholders:

- Barnet Council (planning, design, affordable housing and build to rent, crime liaison, arboriculture, highways and environmental matters)
- The Greater London Authority (GLA)
- Transport for London (TfL)
- Mill Hill Neighbourhood Forum
- Mill Hill Preservation Society
- Mill Hill Broadway Businesses

1.45 Nine public exhibitions have been held on the following dates:

- 24<sup>th</sup> November 2015
- 25<sup>th</sup> November 2015
- 25<sup>th</sup> May 2016
- 26<sup>th</sup> May 2016
- 14<sup>th</sup> September 2016
- 14<sup>th</sup> November 2017
- 15<sup>th</sup> November 2017
- 9<sup>th</sup> March 2019
- 12<sup>th</sup> March 2019

1.46 Following Call-In by the Mayor of London, in addition to the two public exhibitions, the following community events have been held to consult the local community on the emerging revised proposals.

- 28<sup>th</sup> February 2019 – Press release in Barnet Times
- 5<sup>th</sup> March 2019 – Pop-up event Day 1
- 6<sup>th</sup> March 2019 – Pop-up event Day 2
- 11<sup>th</sup> March 2019 – Meeting with Mill Hill Neighbourhood Forum

1.47 Meadow will continue to engage with the local community and interested stakeholders throughout the determination period. Ongoing discussions are being held with local groups, the NHS and politicians on the proposed scheme and we will be keeping everyone informed of progress through our website and twitter feed.

1.48 119 people attended the most recent public exhibitions in March 2019 and provided a range of views. A number of supportive comments were received:

- **Affordable housing:** Support the idea of redeveloping the site to provide 41% affordable housing.
- **Affordable housing mix:** Support the range of affordable housing options on offer which would benefit a wider range of people.
- **Housing for key workers:** Support the idea that key workers in the borough, such as doctors and teachers, could benefit from housing on the site.
- **Site regeneration:** Support the regeneration of the underutilised retail park site.

1.49 A number of concerns were raised:

- **Height:** Comments were made regarding the height of the development and whether the scheme would be visible from local homes. Local residents also queried whether the view of the scheme would impact on house values in the area.
- **Strain on local services:** Comments were made by attendees who were concerned about the possibility of strain on public services, specifically local transport. Many people questioned whether local transport services would be impacted by the development. Others were concerned about waiting times at GP surgeries.
- **Parking:** Some residents were concerned about the lack of car parking.
- **Traffic:** Some attendees were concerned about the effect that the new proposals would have on traffic in the surrounding roads.
- **Density:** Comments were made regarding the proposed density of homes. Some felt the site constituted over-development.
- **Pollution:** People were concerned about air pollution.

## Social Infrastructure

1.50 We have considered social infrastructure as part of this application update, and as part of the new Environmental Impact Assessment that supports the application.

1.51 We have considered school capacity. For primary school places there is a surplus of school places. This remains limited however and therefore Barnet has identified a schools expansion programme within their Regulation 123 CIL list. This includes a One Form of Entry expansion to Deansbrook School in Mill Hill Broadway. There is also outline planning permission for a new 2FE Primary School at West Hendon Broadway. For secondary school places, there is currently a surplus of approximately 1,673 places across LB Barnet. The additional demand generated by the Development would not place significant pressure on existing facilities as it is assessed that there would be sufficient surplus capacity available to meet this level of demand.

1.52 We have also considered healthcare provision. The new population would create demand for the equivalent of 0.8 GP services. The average list size of the local GPs are operating below the HUDU standard (an average of 1,800 patients per GP). This suggests there is surplus capacity available locally to meet additional demand for healthcare.

1.53 The new households introduced as a result of the residential element of the development would have the potential to result in increased spending in the local economy. Having regard to the average London estimation of weekly household spend (£280 per week) it is estimated that the introduction of 844 new households could result in an additional £12.3 million per annum being spent on household goods and services, including convenience and comparison shopping and recreation and leisure activities. It is considered likely that a significant proportion of the above could be spent within LB Barnet.

1.54 In respect of employment creation we set this out below.

Table 1.5 - Employment Recreation

Use Class	GIA	NIA	Density Range	Jobs
C3 Ancillary Uses	894	-	n/a	5-10
A1 Class Commercial	405	398	15-20	20-27
A3-A4 Class Commercial	326	323	15-20	16-22
D1 Community Space*	297	-	25-50	6-12

## Air Quality

- 1.55 A major constraint of developing this site is the existing and future suitability for residential health and amenity with regards to air quality.
- 1.56 When determining both the significance of exposure to air pollution and the levels of mitigation required, consideration should be given to the Air Pollution Exposure Criteria (APEC) specified within the London Councils Air Quality and Planning Guidance in assessing the sensitivity of the Site. The APEC criteria is set out in Table 1.6 below.

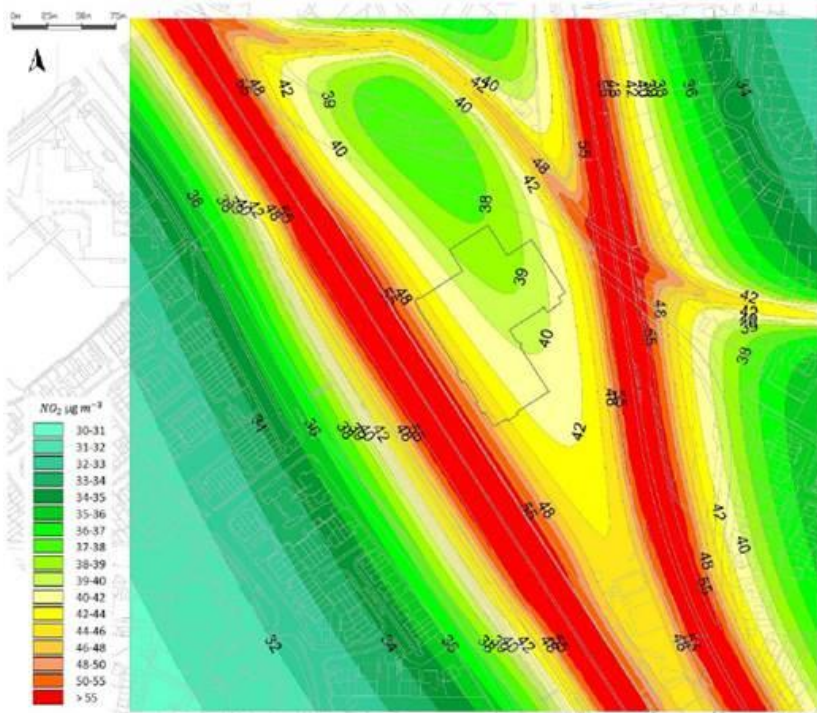
Table 1.6 - Definitions of Site Sensitivity – Air Pollution Exposure Categories

Sensitivity/Value	Applicable Range PM <sub>10</sub>	Applicable Range PM <sub>10</sub>
<b>High (APEC C)</b>	Annual mean: > 5% above national objective*	Annual mean: > 5% above national objective. 24 hr: > 1-day more than national objective.
<b>Medium (APEC B)</b>	Annual mean: between 5% below or above national objective*	Annual mean: between 5% above or below national objective. 24 hr: between 1-day above or below national objective.
<b>Low (APEC A)</b>	Annual mean: > 5% below national objective*	Annual mean: > 5% below national objective. 24 hr: > 1-day less than national objective.

\*National objective is 40 µg m<sup>-3</sup>

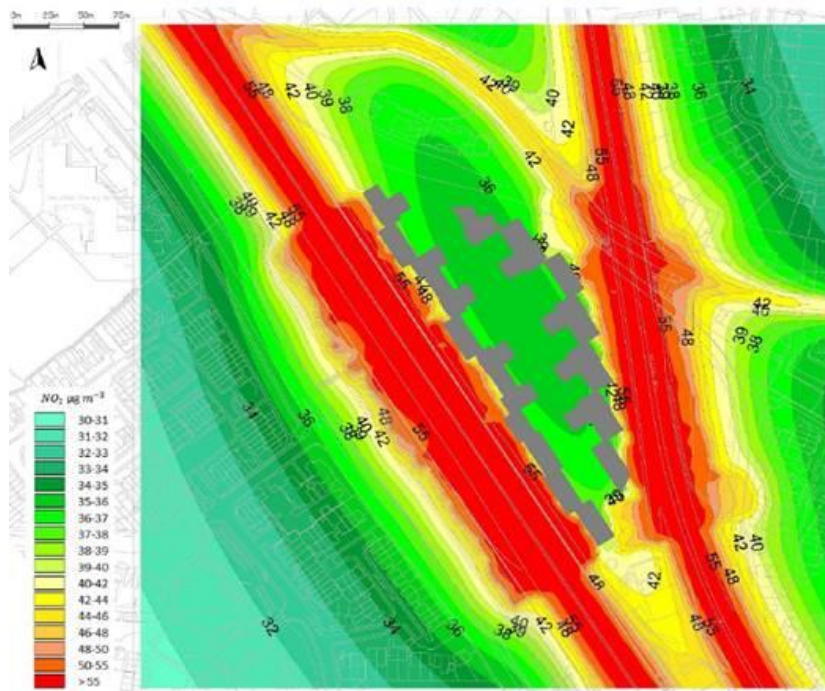
- 1.57 Currently air quality immediately adjacent to both the A1 (Watford Way) and the M1 (Motorway) exceeds the objective levels for Nitrogen Dioxide (NO<sub>2</sub>) at values of 54.4 µg/m<sup>3</sup> (classified as being 'high sensitivity APEC C). However within areas of the site where internal courtyards and amenity spaces are proposed, monitoring air quality on the site since 2016 at internal site locations has concluded that NO<sub>2</sub> levels at these locations drop to below objective levels at values of 33.3 µg/m<sup>3</sup> (classified as being of 'low sensitivity'). This baseline is shown in Figure 1.1 below.

Figure 1.1 - 2016 Baseline Site NO<sub>2</sub> Contours



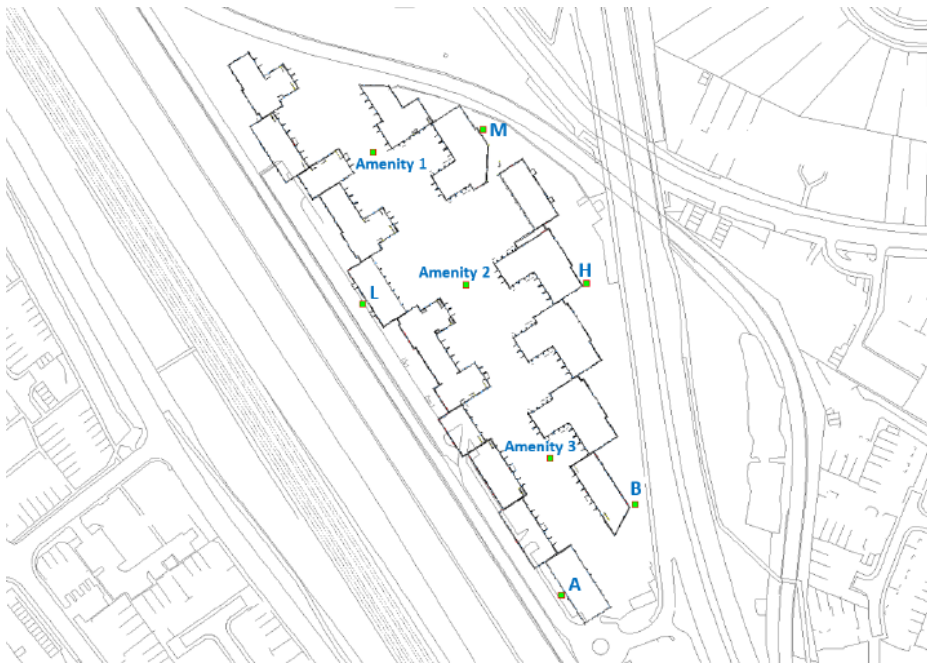
- 1.58 Modelling has been undertaken to establish the influence of the proposed built massing upon the dispersion of pollutants both across the site and up the building facades.
- 1.59 When figure 1.2 is compared with Figure 1.1 'Baseline Site NO<sub>2</sub> Contours', it demonstrates that the levels of NO<sub>2</sub> within the proposed amenity areas are reduced by between 2 and 6µg/m<sup>3</sup> by the 'barrier' effect of the facades and will be below objective levels, creating an acceptable air quality environment within the development.

Figure 1.2 - Influence of Building Facade upon Site NO<sub>2</sub> Levels (2026 building fully occupied)



- 1.60 In contrast, at locations in the immediate proximity to the motorway locations, the typical NO<sub>2</sub> values remain in the region of 54 µg/m<sup>3</sup> which is around 30% above objective levels, classifying these areas as being of very high sensitivity. As a result of this, a MVHR system with sealed windows will be provided in units with aspects on the M1 or A1 Watford Way in order to protect residents from poor air quality clear. Clean air will be drawn from within the courtyards. All these units will be dual aspect “through units” with openable windows facing the courtyards/amenity areas.
- 1.61 A further assessment has been undertaken of the likely air quality levels adjacent to the building facades at differing heights and locations in the future year assessment of 2026 when the building will be fully occupied. Figure 1.3 below illustrates the locations assessed.

Figure 1.3 -Development Block NO<sub>2</sub> Assessment Locations



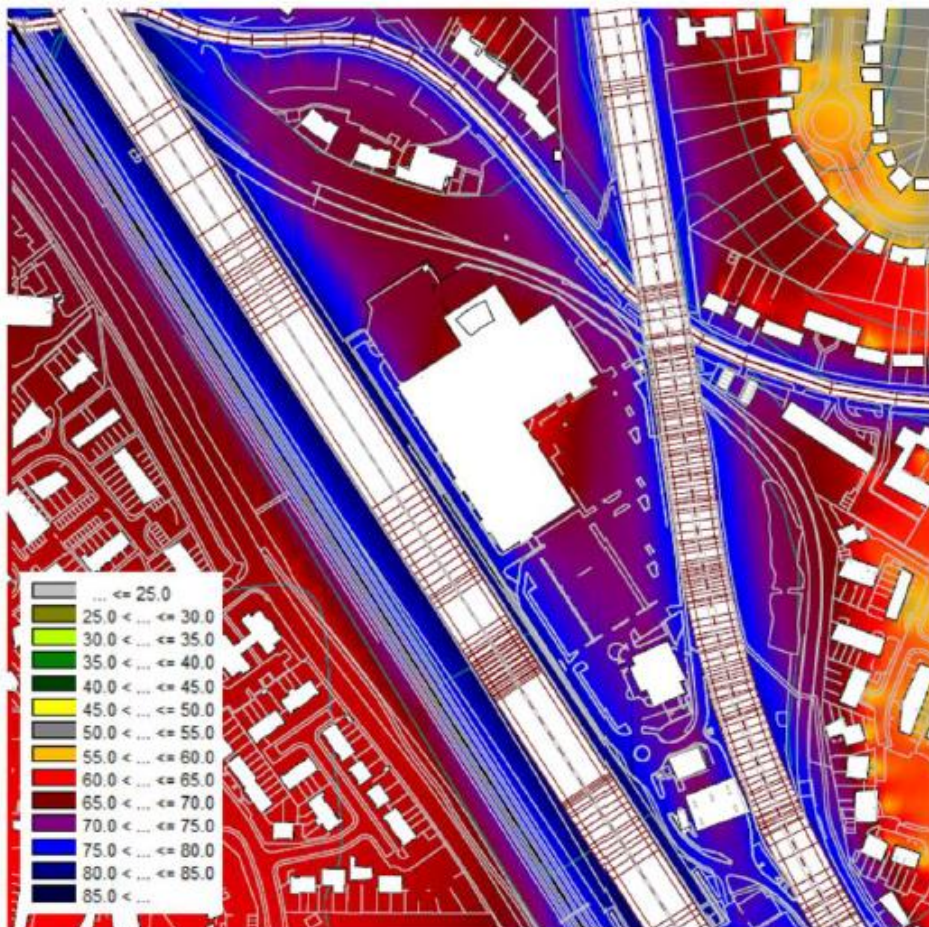
- 1.62 This confirms that air quality across all internal courtyard amenity areas will be within the correct objective levels from the ground floor level and above up all facades.
- 1.63 In respect to external building facades of Blocks A, B and H, air quality is likely to be within acceptable objective levels at 5 storeys and above (Block H) and 8 storeys and above (Blocks A and B). Block M external facades are likely to be within objective levels from the ground floor. This means that windows could be opened at these levels. As a result of the above modelling, acceptable roof terraces are not proposed on Block B and C as these are subject to NO<sub>2</sub> levels close to the objective at roof height.
- 1.64 An air quality neutral/positive assessment was undertaken, which examines both building and road traffic emissions associated with the proposed development for the achievement of Air Quality Neutrality/Positivity. The GLA air quality neutral assessment for the proposed Scheme has identified that whilst the building emissions are considered to be ‘air quality neutral’ the traffic emissions are not. As a result, mitigation measures have been proposed in the form of ‘active travel’ measures (e.g. on site cycle repair kit; car club membership; walking route planner etc.).



## Noise

- 1.65 Noise levels across the Site are dominated by local road traffic. The highest noise levels are experienced on the western side of the site overlooking the M1 motorway. Noise levels at this location are also influenced by railway noise, but the dominant noise source is assessed to be attributable to vehicular road traffic. The lowest noise levels are typically measured at the northern boundary of the site, further from neighbouring roads.
- 1.66 A baseline noise model of the existing Site and surrounding area was developed using CadnaA® noise modelling software. It shows that the existing noise baseline across the Site is above the WHO/BS 8233 guideline value of 55dB. This standard is a guideline for occupancy of external amenity areas. This is detailed below as Figure 1.4.

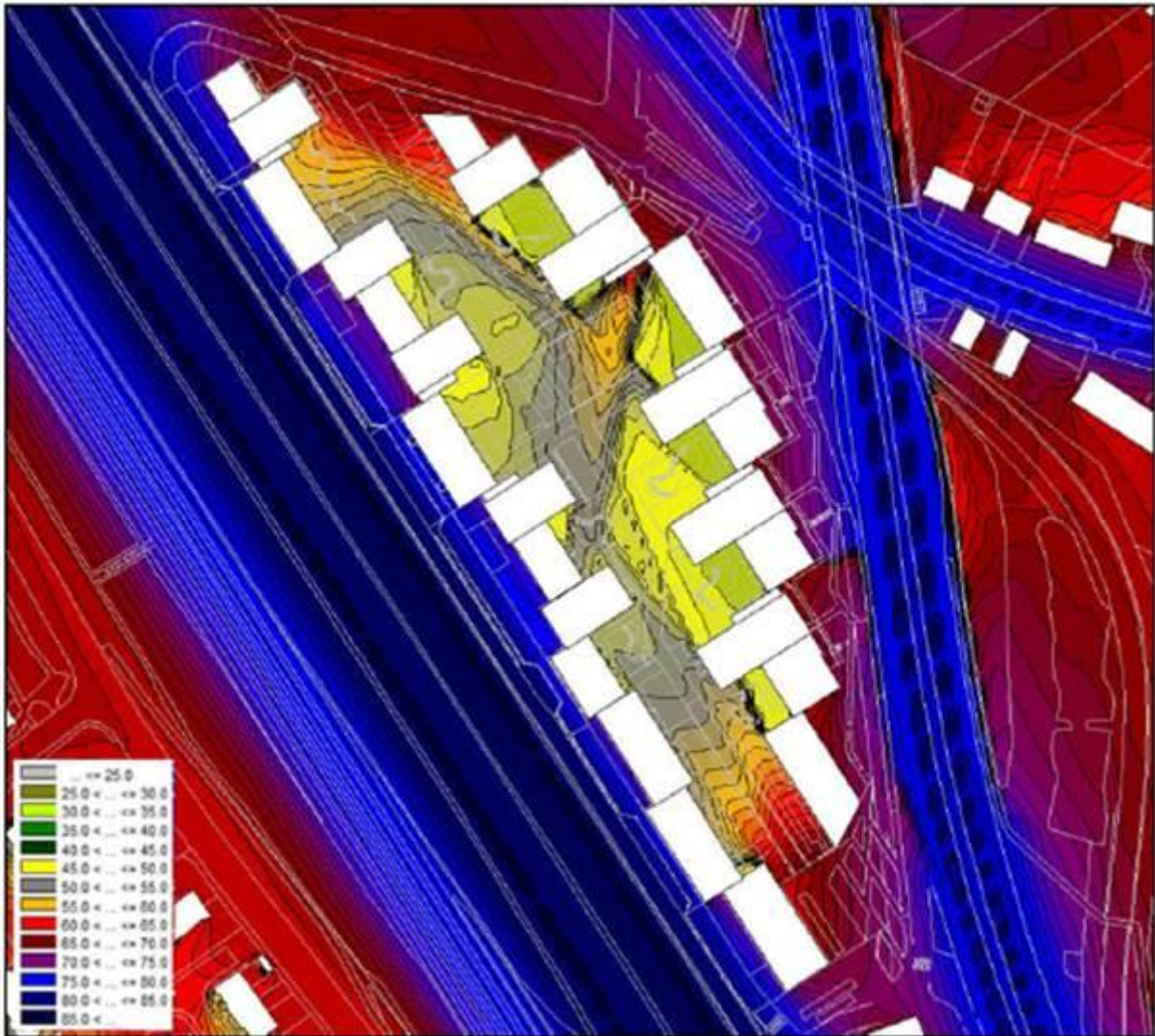
Figure 1.4 - Baseline Noise Model - Daytime



- 1.67 To make the site acceptable for residential development, the design of the proposal has had to incorporate physical noise mitigation (and management measures) to protect the residential amenity of future occupants in line with industry standard good practice.
- 1.68 The first level of protection is the Green Wall along the M1 boundary. This creates a form of buffering with woodland planting, but is more of a visual device than a significant acoustic barrier. The detail of this is contained at section 6.5.5 of the Design and Access Statement
- 1.69 The site has then been arranged with two 'barrier' blocks placed along the M1 and A1. Blocks A, C, E, G, I, J, L, N, O, Q and R lie parallel to the M1 and range in height from G+3 to LG+G+14 storeys (the height of the blocks increasing towards the southern end of the Site). Blocks B, D, F, H and K lie parallel to the A1, with two additional blocks projecting north-west to close the openness of the Site towards Bunns Lane.

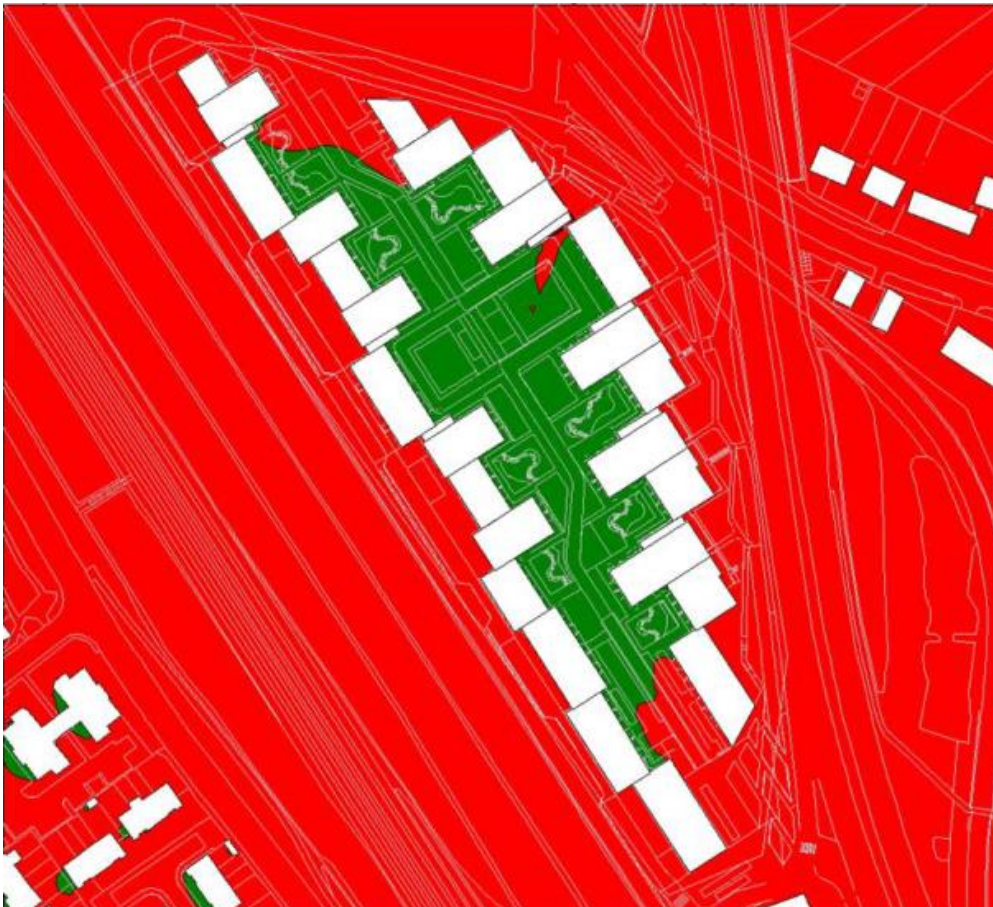
- 1.70 Based on the massing of the proposed buildings, an updated 3D operational noise model of the proposed development is shown below at Figure 1.5

Figure 1.5 - Operational Noise Model Daytime



- 1.71 This demonstrates how the massing of the buildings will substantially reduce noise levels within the central courtyard open space areas well below the WHO/BS 8233 guideline value of 55dB. The noise effect in these outdoor amenity spaces will be negligible.
- 1.72 A simplified plan is enclosed below at Figure 1.6 which shows the noise levels above 55dB in red and below in green. One can see the small noise leakage into the site from the arch opening onto Bunn's Lane.

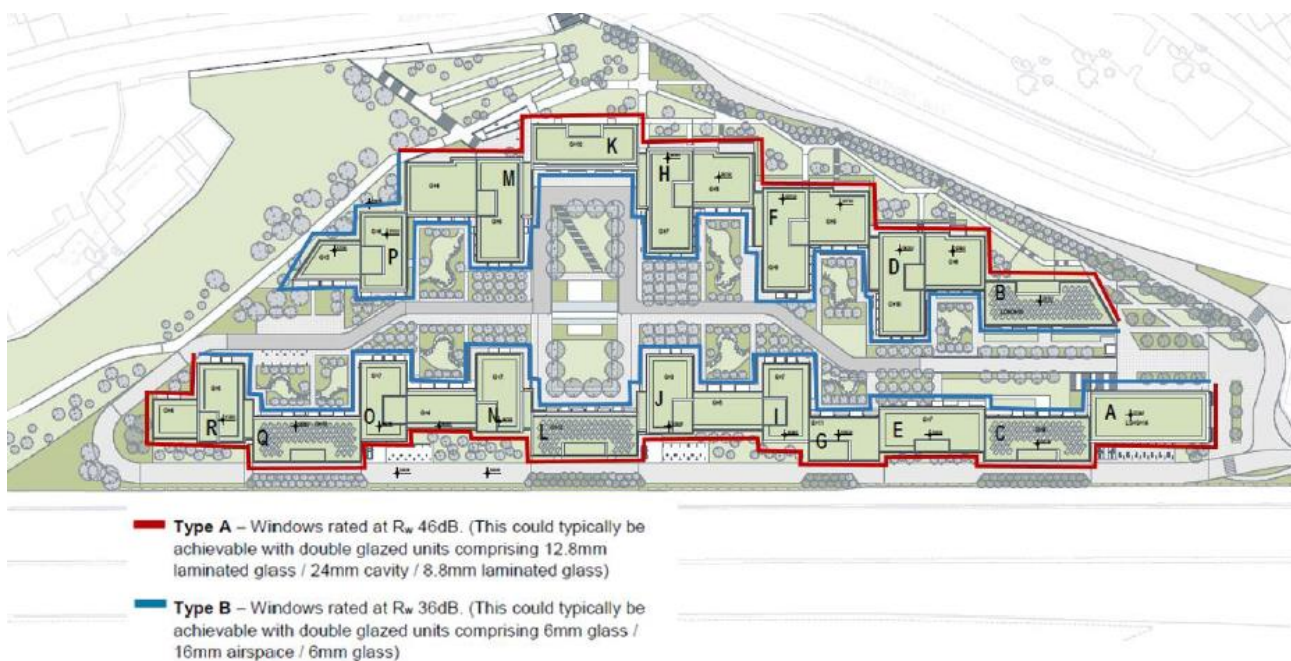
Figure 1.6 - Amenity Space Noise Levels



- 1.73 In order to limit balcony noise levels, balconies are located on the ‘quiet’ side of each building. In most cases this is the internal facades facing into the internal courtyards and amenity spaces. This aspect of the design ensures the balconies avoid direct noise from the adjacent M1 motorway. There are no balconies on the outer facades of the development facing the M1, with amenity provision designed as winter gardens along this façade to protect residential amenity.
- 1.74 Facing the A1 and Bunns Lane where the Operational Noise Model Daytime demonstrates that noise effects are less, balconies are designed to reduce noise levels to the lowest practicable level. This is achieved by providing “solid” balustrades and acoustically absorptive treatments (for projecting balconies) as well as the creation of winter gardens where balconies are inset.
- 1.75 For rooftop amenity provision, the areas will be acoustically protected by 2m high glazed screens around the perimeter of each roof space. Mayer Brown has tested each rooftop amenity space (see Mayer Brown figures 9.3-9.8 of the Noise and Vibration report) which shows that the noise contours of the rooftop amenity spaces at blocks D, K, F, J, E, H, I, N, O and M are generally below 55dB and blocks R and P are generally above.
- 1.76 Noise intrusion into the proposed flats will be controlled through the use of a carefully designed sound insulation scheme. This will include:
- The use of concrete and brickwork with an internal metal stud wall lining system to optimise the sound insulation of solid wall elements;
  - High performance “acoustic” glazing; and
  - The use of whole house mechanical ventilation systems (MVHR) to provide alternative means of ventilation and thermal control without the need for occupants to open windows on facades facing the M1 and A1.

1.77 The proposed zoning of glazing is shown in Figure 1.7 below.

Figure 1.7 - Zoning of Acoustic Glazing



1.78 The massing and design of the proposed buildings help create an extensive area of quiet internal courtyards, compliant with the objectives on national planning policy and providing spaces compliant with the World Health Organisation's outdoor amenity guideline value of below 55dB(A).

1.79 Balancing the above with NPPG guidance relating to the availability of amenity spaces, it is concluded that the significance of noise levels in external amenity spaces will be permanent and negligible.

### Barnet's Reasons for Refusal

1.80 Barnet Council resolved to refuse the planning application on 3 grounds. The first was that it is too big. The second was a technical reason based upon the signing of a s.106 agreement. This will be addressed should planning permission be granted. The third was because the scheme did not delivery policy compliant affordable housing. Reason for refusal 2 and 3 are addressed by this proposal as the level of affordable housing is greater than the Mayor's Fast Track approach of 35%; and greater than Barnet's own policy of 40%.

1.81 The Council's only residual concern can therefore be one of development scale, which we do not believe to be justified.

### Conclusion

1.82 The proposed development is in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires development proposals to accord with the development plan and where it is not there are clear material reasons for this. The development is also in line with paragraph 11 of the adopted National Planning Policy Framework (NPPF) which establishes a presumption in favour of sustainable development for planning applications which accord with the development plan. This application should be approved without delay.

## 2 PLANNING APPLICATION DOCUMENTATION

2.1 The application is submitted with the following accompanying documentation:-

Table 2.1 - Planning Application Documents List

Document Name	Author	
Planning Application Covering Letter	Quod	
Application Forms and Certificates	Quod	
Planning Statement	Quod	
CIL Statement	Quod	
Red Line Planning Application Boundary	AFK Architects	
Detailed Application Drawings	AFK Architects	
Accommodation Schedule	AFK Architects	
Design and Access Statement	AFK Architects	
Ventilation and Extraction Details (within DAS)	AFK Architects	
Details of Lighting (within DAS)	AFK Architects	
Open Space and Landscaping (within DAS)	Outer Space	
Sustainability Statement	Chapman BDSP	
Energy Statement	Chapman BDSP	
Outline Waste Management Strategy (including Refuse Assessment)	Mayor Brown	
Utilities Assessment	Mantra Services	
Arboricultural Statement	Arbtech	
Housing Delivery Statement	Quod	
Daylight, Sunlight and Overshadowing Assessment	Delva Patman Redler LLP	
Solar Glare Assessment	Delva Patman Redler LLP	
Flood Risk Assessment (including Drainage Strategy)	HTS	
Ground Investigation Report (April, 2016)	Listers Geotechnical Consultants	
Ground Investigation Report (May, 2015)		
Heritage Statement	CgMs	
Archaeological Statement	CgMs	
Statement of Community Involvement	BECG	
Visibility and Light Pollution Study	Eb7	
Environmental Statement	Author	
Environmental Statement – Volume 1		
Chapter 1	Introduction	Quod
Chapter 2	EIA Methodology	Quod
Chapter 3	Alternatives	Quod
Chapter 4	Description of Development	Quod
Chapter 5	Demolition and Construction	Quod/Meadow Residential
Chapter 6	Socio-Economics	Quod
Chapter 7	Traffic and Transport	Velocity Transport Planning
Chapter 8	Townscape and Visual Assessment	Peter Radmall
Chapter 9	Air Quality	Mayer Brown Limited
Chapter 10	Noise and Vibration	Mayer Brown Limited
Chapter 11	Wind Microclimate	BMT Fluid Mechanics
Chapter 12	Effect Interactions	Quod

Chapter 13	Mitigation Measures, Monitoring and Residual Effects	Quod
Environmental Statement – Volume 2 Technical Appendices		
Appendix 2 Scoping		
2.1	Location of Specified Information in the ES	
2.2	Meeting Note on ES Content and Scope to London Borough of Barnet (October 2017) and email correspondence with the Planning Officer (November 2017)	
2.3	EIA Scoping Report for the 2016 Detailed Application (April 2016)	
2.4	EIA Scoping Opinion (July 2016)	
2.5	2016 Detailed Applications ES Technical Chapters and Assessments	
2.6	Cumulative Schemes considered within the EIA	
Appendix 5 Demolition and Construction		
5.1	Indicative Cut and Fill Calculations	
Appendix 7 Traffic and Transportation		
7.1	Transport Assessment (TA), including Travel Plan, Delivery and Servicing Plan, Car Park Management Plan and Outline Construction Management Plan (CTMP)	
7.2	GLA Comments and Responses	
Appendix 8 Townscape and Views		
8.1	Legislation, Planning Policy and Guidance	
8.2	Assessment Views (AVRs) and AVR methodology	
Appendix 9 Air Quality		
9.1	Air Quality Assessment	
Appendix 10 Noise and Vibration		
10.1	Noise and Vibration Assessment	
Appendix 11 Wind Microclimate		
11.1	Wind Microclimate Study (March 2019)	
Environmental Statement – Non-Technical Summary		

## 2.2 The report is structured as follows:

- **Section 3 - Factual Background:** This section discusses the Site and surrounding area, the Site specific designations and constraints, relevant planning history and pre-application discussions and consultation.
- **Section 4 - Details of the Proposed Development:** This section introduces the application proposals.
- **Section 5 - Scheme Benefits:** This section outlines the benefits that the development will provide.
- **Section 6 - Development Plan Policy:** This section provides a commentary on the nature of the development in the context of local development plan policy and national planning policy framework.
- **Section 7 - Strategic Importance of Planning Application:** This section discusses the significant positive impacts of the development on the implementation of the London Plan.
- **Section 8 - Planning Issues - Housing Delivery:** This section provides commentary on the London Borough of Barnet's housing needs and discusses the relevant planning issues arising out of the proposed delivery of 844 new homes.
- **Section 9 - Planning Issues - Tall Buildings:** This section identifies the relevant planning issues arising out of the height of the proposed buildings.
- **Section 10 - Planning Issues - Commercial Floorspace:** This section discusses the relevant planning issues arising out of the proposed delivery of commercial floorspace in the proposed development.
- **Section 11 - Planning Issues - Other:** Within this section other relevant planning issues resulting from the proposed development are identified.

- **Section 12 - Section 106 & CIL:** This section addresses issues relating to Section 106 and CIL.
- **Section 13 - Conclusions:** This section provides a summary of the justification for granting planning permission for the development proposals.

### 3 FACTUAL BACKGROUND

3.1 This section addresses the factual background to the Site, its characteristics and provides an overview of the development context to the Site.

#### The Application Site

3.2 The Site subject to this planning application comprises 3.87 hectares (ha) and is located in the Mill Hill ward to the north of the London Borough of Barnet. The application Site boundary is identified at **Document 1**.

3.3 The Site occupies a triangular plot of land between the A1 (Watford Way) to the east and the M1 (Motorway) to the west and is considered to be an out of town centre retail park, known as Pentavia Retail Park.

3.4 Constructed in the early 1990's, the retail park currently comprises one large retail building located to the north of the Site. A smaller vacant restaurant building is located at the southern end of the Site at the entrance of the retail park. A small area of scrub land is located at the north western extent of the Site. Extensive ground-level parking forms part of a large hardstanding across the Site.

3.5 The existing retail development at this Site comprises 9,053m<sup>2</sup> of unrestricted Class A1 retail floorspace with 664m<sup>2</sup> of Class A3 food and drink floorspace. Up until 2015, the Site had been occupied by major retailers including Homebase, Comet and Argos. Since September 2015, one of the retail buildings has been temporarily occupied by the charity Kosher Outlet Store, and since early 2017 the former Homebase building has been temporarily occupied by the charity Together Plan, pending resolution of the redevelopment. Meadow have wanted to reach out to the community during the period of hiatus during the planning period to enable local charities to benefit.

3.6 The existing buildings are considered to be architecturally poor and do not contribute to the character and appearance of Mill Hill. Physical alterations that taken place on an ad hoc basis and consequently there is little cohesiveness to the appearance of the buildings. The Site is not part of a conservation area and there are no listed buildings on Site.

3.7 Vehicular access/egress to the Site is available from the northbound carriageway of the A1 (Watford Way) via a slip road connecting to a roundabout from where access to the existing retail park and the petrol station is provided. The A1 (Watford Way) forms part of the Transport for London Road Network (TLRN).

3.8 Pedestrian access to the Site is possible from the western side of the A1 Watford Way via the existing footway and from a footbridge over the M1 and subway below the Midlands Mainline Railway line which is located approximately 70m to the south of the Site.

3.9 The general topography of the Site comprises a drop in height from north-west to south-east, from a maximum height of 68.52m above ordnance datum (AOD) in the north-west, to 62.42m AOD in the south-eastern corner.

3.10 The Site is bounded by the following:

- The former A1/M1 slip road runs along the north eastern boundary of the Site which backs to a woodland area (land owned by Meadow Residential) adjoining 'Churchill Place' and Bunns Lane which is located approximately 50m to the north east of the Site;
- The A1 Watford Way runs along the eastern boundary;
- A roundabout and slip road (off the northbound carriageway of the A1 Watford Way) is located adjacent to the south of the Site, which in turn is adjacent to a petrol filling station; and,
- The M1 motorway which runs along the western boundary and in turn the Midlands Mainline Railway.



### The Application Site

- 3.11 Due to the adjoining strategic transport infrastructure, the Site itself only directly borders other forms of development to the north and south.
- 3.12 The nearest residential properties bordering the Site are those within Churchill Place, a 34 unit residential development of 3 storeys in height which was approved in 2013 (reference H/02796/11). This lies to the north of the Site fronting Bunns Lane.
- 3.13 From Bunns Lane, access is provided to the nearby commercial and residential properties including Mill Hill Town Centre. Mill Hill Conservation Area is located approximately 850m north-east of the Site.
- 3.14 A petrol station, car show room and convenience store lies at the southern boundary of the Site. Approximately 200m to the south of the Site, a slip-on/slip-off road, elevated above the Site level on a viaduct structure, links the Great North Way to the M1 (Motorway) at junction 2. Residential development is located south of the slip road.
- 3.15 Approximately 100m west of the Site beyond the M1 (Motorway) and the railway line is Grahame Park Way. This consists of a mix of two storey terraced and semi-detached houses including blocks of flats of three storeys together with public open space at Woodcroft Park. This area falls within the Colindale Regeneration Area, identified as an Opportunity Area in the London Plan (2016), and is subject to the Colindale Area Action Plan adopted in 2010. Colindale is expected to deliver a minimum of 12,500 new homes before 2031. Residential uses extend westwards to include the Watling Estate, which was developed in the 1920s and is designated as a Conservation Area, and southwards to the former Hendon Aerodrome Site.
- 3.16 Residential development also characterises the east of the Site beyond the A1 (Watford Way) with several blocks of flats of three to four storeys.
- 3.17 The Site has an existing Public Transport Accessibility Level (PTAL) of 1a. The nearest bus stops are located on the A1 (Watford Way) (servicing routes 113 and N113) and Bunns Lane (servicing route 221) approximately 50m south-east and 100m east of the Site, respectively.
- 3.18 The nearest rail station is Mill Hill Broadway approximately 800m to the north of the Site. The Midlands mainline railway connects to London St Pancras, St Albans City, Luton and Bedford to the west. The nearest underground station is Colindale, a distance of 1.3 miles from the Site.
- 3.19 There is an off-road cycle route provision situated 400m south west of the Site, which extends south to Hendon and on to Brent Cross. Grahame Park Way Road, 50m west of the Site, which runs parallel to M1 is also signed for cyclists.
- 3.20 Mill Hill Park and Lyndhurst Park are located approximately 100m north east and 400m northwest of the Site, respectively.
- 3.21 There are no Scheduled Monuments in the vicinity of the Site. There are over 60 listed buildings within a 2km radius of the Site, with the closest being the Grade II listed Chase Lodge located approximately 600m east of the Site. The topography of the land and enclosed character of the Site, located between two major roads (M1 and A1), results in no inter-visibility between the Site and the Grade II listed Chase Lodge, nor does the Site contribute in any way to their significance or setting.
- 3.22 Table 3.1 provides a summary of land uses in the vicinity of the Site.

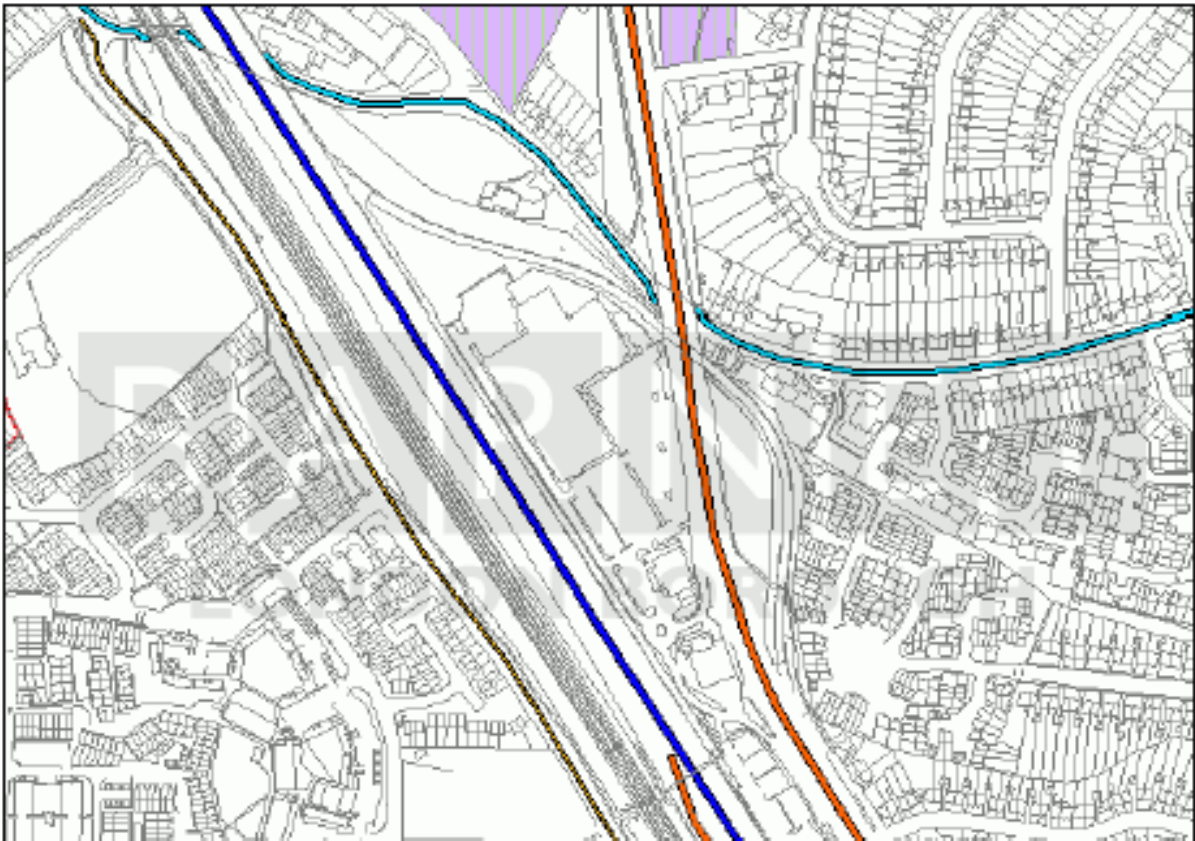
Table 3.1 - Land Uses in Proximity to the Site

Location	Adjacent/Bordering Site	Within 100m of Site Boundary	Greater than 100m from Site Boundary
North East	Former A1/M1 Slip Road	Churchill Place development along Rosebery Place (Former Fire Station Residential Redevelopment) Bright Little Stars Nursery	Mill Hill Broadway Station Mill Hill Park, Lyndhurst Park Residential Properties
East	A1 Watford Way	Residential Estates	Residential properties
South	A roundabout and slop road (off the A1 Watford Way)	Petrol Fillings Station	A commercial car dealership (Nissan) Barnet College
West	M1 Motorway	Midlands Mainline Railways	

### The Application Site

- 3.23 The Site is not subject to any Local Plan designation and therefore remains unallocated white land as shown in Barnet Council's UDP proposal map (as amended) below. It can therefore be considered a windfall site.

Figure 3.1 - Barnet UDP Proposals Map (as amended)



- 3.24 The Site is located within a low risk flood zone 1, which classifies it as comprising of land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year.

- 3.25 Two Conservation Areas are located in the surrounding area, these are the Watling Estate Conservation Area, which lies approximately 300m west of the Site at its nearest boundary, and the Mill Hill Conservation Area, which lies approximately 750m north east of the Site.

## Site Constraints

- 3.26 There are a number of constraints associated with the development of this Site and a short explanation for each constraint is set out below.

### Levels

- 3.27 The general topography of the Site comprises a drop in height from north-west to south-east, from a maximum height of 68.52m above ordnance datum (AOD) in the north-west, to 62.42m AOD in the south-eastern corner. The Site itself sits on a raised plateau some 3m above Bunns Lane.
- 3.28 Between the Site and the surrounding areas, there are significant level differences. The surrounding terrain falls to the south and west to around 30m AOD, and rises to the north and east to Mill Hill, at an elevation of around 120m AOD. Mill Hill forms the southern extent of the Barnet Plateau, the main elevated area within the borough.
- 3.29 The Site possesses a degree of sensitivity due to its elevation relative to lower-lying areas to the south and west, which will influence its visibility.

### Site Permeability and Accessibility

- 3.30 The existing Site has poor permeability and accessibility due to the boundary effects of the surrounding major road transport infrastructure. Vehicular access/egress to the Site is only available from the northbound carriageway of the A1 (Watford Way).
- 3.31 In terms of pedestrian access, the only opportunity for pedestrians to cross the southbound carriage of the A1 (Watford Way) is either via the two sets of pedestrian stairs (two down and two up) at Bunns Lane or via the subway adjacent to the West Way Nissan car dealership (also multiple flights of stairs).
- 3.32 To the south-west there is a pedestrian bridge which crosses over the M1 (Motorway) and then goes underneath the Midland Mainline via a pedestrian tunnel providing a connection to the former site of Barnet College.

### Environmental Factors

- 3.33 Due to the site's proximity to the M1 (Motorway), the A1 (Watford Way) and the Midland Mainline, the Site is located in a challenging environmental context (poor air quality levels and acoustic problems).

## Relevant Planning History

### Retail Planning Applications

- 3.34 The Pentavia Retail Park was built in the early 1990s following planning consent on the 13th October 1988 (ref. W00408A) for a scheme comprising non-food retail warehouses, restaurant, a garden centre and petrol station. The Permission was granted subject to 18 conditions with Condition 18 specifically restricting the retail use at the Site. Prior to 1988, the Site had been used as allotments and a sports ground as well as a construction site for the M1 (Motorway).
- 3.35 Since 1998, there have been a number of planning applications relating to the retail uses at the Site, however of considerable importance for the purposes of this application, is application ref. W00408AG. This was determined on the 26th January 1994 for a variation to Condition 31 of subsequent planning permission W00408C and Condition 18 of the original planning permission W00408A. The procedure adopted for planning permission W00408C whereby the London Borough of Barnet imposed a fresh suite of conditions was not adopted for application W00408AG. No conditions were imposed.

- 3.36 On the 1st February 2008, the Inspector granted a Lawful Development Certificate confirming that the 1994 permission (ref. W00408AG), through failing to attach any conditions, did not restrict the range of goods that could be sold from the retail premises.
- 3.37 On this basis, as of 13th October 2006, the retail park has an unrestricted Open A1 use Class which is considered the most valuable of all non-residential uses.
- 3.38 Since then, three retail planning applications have been approved at the Site for the refurbishment of Pentavia Retail Park:-
- Planning Permission ref. 14/08075/FUL, date approved 05/08/16;
  - Planning Permission ref. 15/01820/FUL, date approved 05/08/16; and
  - Planning Permission ref. 15/01825/FUL, date approved 05/08/16.
- 3.39 The approved retail applications proposed to create seven unrestricted Open Class A1 retail units and two Class A3 restaurant units (Ref: 14/08075/FUL) in addition to a new single D2 unit (Ref: 15/01820/FUL and 15/01825/FUL) in a reconfigured arrangement. All three permissions proposed to not create any net additional floorspace, but reconfigure the Site layout and the arrangement of the retail and restaurant units. This would result in the demolition of the existing Class A3 unit and partial demolition of the existing Open Class A1 retail units. The demolition of the existing floorspace use would be re-provided as part of the extant permissions through the reconfiguring of the Site layout.
- 3.40 The current unfettered use of the Site and the August 2016 retail permissions generate a high existing use for the Site which is a material fall back for the applicant.

#### Previous Applications submitted by Meadow Residential

- 3.41 An application for full planning permission (Ref: 16/6420/FUL) was submitted by the applicant on the 30<sup>th</sup> September 2016 ('September 2016 application') and subsequently validated by the London Borough of Barnet on the 4<sup>th</sup> October 2016 for the following development:

*"Redevelopment of the site to provide 4 new blocks ranging from 7 to 9 storeys following demolition of all existing buildings. Provision of 695 Build to Rent residential units with ancillary facilities; 846 m<sup>2</sup> A1 (retail); 570 m<sup>2</sup> A3 (restaurant and café) and A4 (drinking establishment); and 289 m<sup>2</sup> D1 (community) use floorspace. New vehicular and pedestrian access off Bunn's Lane linked to new internal roads and provision of new privately and publicly accessible outdoor amenity space. Provision of lower ground floor and surface level parking and new associated refuse and recycling arrangements. The application is accompanied by an Environmental Statement."*

- 3.42 The application was referred to the Mayor of London owing to it comprising development taller than 30m and more than 150 residential units (Part 1 Category 1A and 1C(c) of the Town and Country Planning (Mayor of London) Order 2008) (as Amended).
- 3.43 The planning application was accompanied by an ES (dated September 2016) as the proposals fell within the description of development in Schedule 2, paragraph 10(b) for 'urban development projects' and exceeded the associated threshold, 'the development includes more than 150 dwellings'.
- 3.44 This application was subsequently amended on the 3<sup>rd</sup> February 2017 ('February 2017 amendment') for the following development:

*"Redevelopment of the site to provide 4 new blocks ranging from 6 to 9 storeys following demolition of all existing buildings. Provision of 685 Build to Rent residential units with ancillary facilities; 846m<sup>2</sup> A1 (retail); 570m<sup>2</sup> A3 (restaurant and café) and A4 (drinking establishment); and 289m<sup>2</sup> D1 (community) use floorspace. New vehicular and pedestrian access off Bunn's Lane linked to new internal roads and provision of new privately and publicly accessible outdoor amenity space. Provision of lower ground floor and surface level parking and new associated*

*refuse and recycling arrangements. The application is accompanied by an Environmental Statement. [Amended Description and Amended Plans].*

*Amendments to application include reduction to numbers of residential units from 695 to 685 resulting in a decrease in height of Block D by one storey; reduction of on-site car parking provision from 479 to 343 spaces; reduction of on-site cycle parking spaces; design and landscaping amendments; alterations to the access arrangements; submission of new technical reports and changes to the Environmental Statement.*

3.45 A key concern regarding the September 2016 application and the subsequent February 2017 amendment was the mass, height and bulk of the proposed buildings and its consequential visual impact on the surrounding area. The planning application was subsequently withdrawn on 3<sup>rd</sup> January 2018.

3.46 A revised application (ref: 17/8102/FUL) was then submitted 21<sup>st</sup> December 2017 ('December 2017 application') for the following development:

*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) (AMENDED DESCRIPTION). APPLICATION 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.*

3.47 In June 2018, an addendum to the December 2017 application was prepared by Quod to accompany a post submission amendment to the design.

3.48 The proposed amendments to the December 2017 application focused primarily on internal residential unit reconfigurations and alterations to the Site's access. The amendments did not change the proposed footprint, layout or heights of the building blocks within the December 2017 application.

3.49 On 25<sup>th</sup> July 2018, the application was presented to Members of the Planning Committee with an officer's recommendation for refusal. Following lengthy discussions, the London Borough of Barnet resolved to refuse permission for the following reasons. These are set out below, with comment.

- 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 adopted Pentavia Retail Park Planning Brief.*

We do not consider this reason for refusal to be sound. The site is identified for redevelopment by Barnet Council within their Planning Brief. It is identified for residential led mixed use. The brief suggests development of 4 to 7 storeys, as the site is located outside the development plan tall building policy area. This policy, in our opinion, no longer carries weight. The tall building areas have been identified as locations for growth in the 2012 plan. This policy is now 7 years out of date, based upon growth targets which have been superseded and are outdated. It is not based upon any urban design analysis and as our own analysis shows that the M1 has accommodated a ribbon of development of greater scale to the proposal, in more sensitive locations, such as adjacent to the SSSI along the Welsh Harp.

- 2. In the absence of a Section 106 Agreement, the application does not include a formal undertaking to secure the planning obligations which are necessary to make the application acceptable. The application is therefore contrary to London Plan policies 3.12, 3.13, 4.3, 4.12, 6.3, 6.9 6.10, 8.2, policies DM10, DM14, DM17, CS4, CS15, CS8, CS9 of the Barnet Local Plan Core Strategy and Development Management Policies (adopted September 2012), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing*

*(adopted February 2007 and August 2010) Supplementary Planning Document, the Barnet Supplementary Planning Document on Delivering Skills, Employment and Enterprise Training (SEET) (adopted October 2014) and the Mayor's Supplementary Planning Guidance on Affordable Housing and Viability (2007).*

This reason for refusal will be obsolete with the signing of the s.106 agreement.

3. *The proposed development would fail to provide adequate levels of affordable housing, contrary to Policy CS4 of the Barnet Core Strategy (2012), Policy Dm10 of the Barnet Development Management Policies Document (2012) and Policies 3.11, 3.12 and 3.13 of the London Plan (2016).*

Barnet officers did not recommend refusal based on the provision of affordable housing. At 35% it was evidenced to be the maximum reasonable amount that the scheme could deliver. This reason was added by councillors of the planning committee. The application now proposes 41% affordable provision, above the 40% requirement of Barnet Council, and therefore the reason for refusal is addressed.

Of note from records held by Molior, between 2015 and 2019, Barnet Council delivered an average of 23% affordable housing provision across 21 applications submitted within the borough. Only one of these, the Barratt London proposal at the Medical Research Centre, called-in by the Mayor, delivered 40% affordable provision.

- 3.50 A full summary of the relevant planning history of this Site is set out in **Document 2** of this statement.

### **The Mayor of London's Direction**

- 3.51 On the 24<sup>th</sup> October 2018, the London Borough of Barnet advised the Mayor of London of the Planning Committee's decision.
- 3.52 Having regard to the details of application ref: 17/8102/FUL and other relevant matters, the Mayor of London concluded in response that the development is of such a nature that it would have a significant impact on the implementation of the London Plan (particularly those policies relating to housing supply and affordable housing), and that there were sound planning reasons for his intervention to ensure that the application was not refused at this stage, as the Borough had resolved to do.
- 3.53 On the 5<sup>th</sup> November 2018, the Mayor of London notified the London Borough of Barnet that he was to act as the Local Planning Authority for the purpose of determining the application and any connected application. In a statement released with the Stage 2 Report stating this action, the Mayor of London requested that the Applicant work with his planning officers to see if more genuinely affordable homes could be delivered within the development.

### **Pre-Application Consultation**

- 3.54 Meadow's development proposals have been subject to extensive pre-application dialogue, design and assessment which included several meetings with Barnet Council (planning, design, affordable housing and build to rent, crime liaison, arboriculture, highways and environmental matters); GLA; TfL; Mill Hill Neighbourhood Forum; Mill Hill Preservation Society and local / interested stakeholder groups. Seven public exhibitions were held on the following dates: 24<sup>th</sup> and 25<sup>th</sup> November 2015; 25<sup>th</sup> and 26<sup>th</sup> May 2016; 14<sup>th</sup> September 2016 and the 14<sup>th</sup> and 15<sup>th</sup> November 2017.
- 3.55 Following the Mayor's decision to call in the application, the Applicant has taken the opportunity to review the December 2017 application and subsequent June 2018 amendment with a view to increasing the delivery of on-site affordable housing from 35% to 41%. Scope has been identified to increase/decrease building heights by one to three storeys, thereby retaining the accepted design principles which the Mayor supported in the original application.
- 3.56 The main design changes to the scheme comprise the following:
- Change in the residential tenure mix with the overall number of units increasing from 724 units to 844 units.

- An increase from 35% to 41% affordable housing across the scheme.
- The density of the scheme has increased to incorporate the increased affordable housing offer and additional units.

3.57 The increased height is detailed below:

Block	724 unit scheme - Height	844 unit scheme - Height
A	LG+G+14	LG+G+14
B	LG+G+8	LG+G+10
C	G+8	G+9
D	G+4 – G+8	G+6 – G+10
E	G+7	G+7
F	G+4 – G+7	G+5 – G+9
G	G+8	G+11
H	G+4 – G+6	G+5 – G+7
I	G+5 – G+6	G+5 – G+7
J	G+5 – G+7	G+9
K	G+7	G+10
L	G+9	G+12
M	G+4 – G+6	G+4 – G+6
N	G+6 – G+7	G+4 – G+7
O	G+6 – G+7	G+4 – G+7
R	G+4 – G+5	G+4 – G+6

- Variation of height has resulted in significant improvements to the townscape views around the Site, breaking up the massing of the development into individual buildings.
- Amendments to the elevational treatment have been undertaken and a more creative and nuanced approach to architectural expression now exists.
- A greater variety of interconnecting green spaces in providing shelter from noise and having varied activities.
- Improved pedestrian and cycle connection, and relocation of bus stops within the immediate vicinity of the Site to improve access and connectivity to and from the Site.

3.58 These revised proposals have been the subject of a separate extensive pre-application dialogue with the GLA, key statutory consultees and local / interested stakeholder groups. Two public exhibitions were also held on the 9<sup>th</sup> and 12<sup>th</sup> March 2019. The proposals were also presented to the Mill Hill Neighbourhood Forum on the 11<sup>th</sup> March 2019, with a Q&A session held at the end of the presentation.

3.59 A summary of the pre-application consultation events held in the lead up to the planning submission are detailed in the Statement of Community Involvement, prepared by BECG, which accompanies the planning application.

3.60 Overall, the development has been designed to reduce, or eliminate where possible, adverse environmental effects and as a consequence, the development has been informed by environmental and sustainability considerations. This has resulted in no worsening of significant effects over that which was assessed within the previously submitted applications. However, for Townscape and Visual Impact, the design of the development is intended to mitigate the impacts of building scale and massing through the variation of the heights of buildings and introduction of a landmark building. As a result, the scheme is considered to be less intrusive on the surrounding area from a townscape perspective.

- 3.61 The revised scheme is considered to have a significant beneficial impact on the implementation of the London Plan policies on affordable housing.



## 4 PROPOSED DEVELOPMENT

- 4.1 This section describes the proposed development and defines the principal components of the scheme.
- 4.2 The application is accompanied by a comprehensive set of visual and illustrative material, prepared by AFK Architects, together with a Design and Access Statement, which illustrates and explains the rationale behind the design of the scheme.
- 4.3 This application proposes the comprehensive redevelopment of the Site as a mixed-use, residential led development.

### Key Development Components

- 4.4 The planning permission seeks full planning permission for the following:
- Clearance of Site and demolition of existing retail and restaurant buildings;
  - Erection of 18 individual blocks of varying heights as presented in Table 4.1 below:

Table 4.1 - Proposed Building Heights

Building	Building Height (Lowest)	Building Height (Highest)
Block A	G (70.85m AOD)+14 = 46.80m	LG (65.00m AOD)+G+14 = 52.65m
Block B	G (70.85m AOD)+10 = 34.40m	LG (65.00m AOD)+G+10 = 40.25m
Block C	G (70.85m AOD)+9 = 31.30m	G (70.85m AOD)+9 = 31.30m
Block D	G (70.85m AOD)+6 = 22.00m	G (70.85m AOD)+10 = 34.40m
Block E	G (70.85m AOD)+7 = 25.10m	G (70.85m AOD)+7 = 25.10m
Block F	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+9 = 31.30m
Block G	G (70.85m AOD)+11 = 37.50m	G (70.85m AOD)+11 = 37.50m
Block H	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+7 = 25.10m
Block I	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+7 = 25.10m
Block J	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+9 = 31.30m
Block K	G (70.85m AOD)+10 = 34.40m	G (70.85m AOD)+10 = 34.40m
Block L	G (70.85m AOD)+12 = 40.60m	G (70.85m AOD)+12 = 40.60m
Block M	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+6 = 22.00m
Block N	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+7 = 25.10m
Block O	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+7 = 25.10m
Block P	G (69.60m AOD)+3 = 12.70m	G (69.60m AOD)+6 = 22.00m
Block Q	G (69.60m AOD)+10 = 34.40m	G (69.60m AOD)+10 = 34.40m
Block R	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+6 = 22.00m

- Delivery of 844 new homes (4 x Studio; 281 x one bed; 436 x two bed; 123 x three bed) comprising:
  - Build to Rent (458 units):
    - 270 Private Rent units;
    - 131 Discounted Market Rent units; and
    - 57 London Living Rent units.
  - Conventional (386 units):
    - 229 Private Sale units;
    - 94 London Affordable Rent units; and
    - 63 Shared Ownership units.
- 894m<sup>2</sup> (GIA) C3 Residential Ancillary floorspace;
- Total provision of 366 residential car parking spaces, of which 85 are for disabled use – ratio of 0.43 spaces per unit;
- Further provision for a further 31 residential car parking spaces within landscaped areas adjacent the peripheral road to the west of the Site. These spaces would result in a ratio of 0.47 spaces per unit;
- Provision of 9 commercial car park parking spaces, of which 2 are for disabled use;
- Provision of 5 car club vehicles on-site;
- Provision of 1,544 long stay residential cycle parking spaces and 30 short stay visitor residential cycle parking spaces – a total of 1,574 residential cycle parking spaces;
- Provision of 29 non-residential cycle spaces;
- Total of 1,028m<sup>2</sup> (GIA) of Class A1/A3/A4 and Class D1 floorspace;
- Total usable amenity space provision of 16,150m<sup>2</sup> (inc. 1,152m<sup>2</sup> of playspace) which comprises c.20m<sup>2</sup> per home. This amenity provision takes the form of:
  - Private Balconies and Winter Gardens – Total of 5,723m<sup>2</sup>;
  - Private Roof Gardens (used only by the residents of each block) – Total of 3,804m<sup>2</sup>;
  - Courtyard style open green spaces – Total of 6,623m<sup>2</sup>.
  - Residents will also have use of 0.5ha of woodland owned by Meadow outside the application site for recreation.
- 10.9% wheelchair adaptable units (92 units);
- 100% Lifetime Homes provision;
- BREEAM ‘Excellent’ (Commercial);
- Provision for new pedestrian/cycle link onto Bunns Lane which includes the removal of vegetation and new landscaping;
- Provision of a separate dedicated cycle link to the west along Bunns Lane;
- Acoustic mitigation which comprises a naturalistic screen and acoustic barrier with woodland planting to ensure noise levels are minimised along the boundary with the M1 (Motorway) and A1 (Watford Way).

## Use, Layout and Height

4.5 The Development principally consists of eighteen individual blocks of varying heights situated adjacent to each other to form two buildings. Blocks A, C, E, G I, J, L, N, O, Q and R form a long straight building stretching along the western boundary of the Site fronting the M1 motorway. Blocks B, D, F, H, K, M and P form a crescent shape building which follows the perimeter of the Site boundary with the A1 and Bunns Lane to enclose the Site. Contained within the central of the two blocks are areas of public open space for the development. The external facade of the blocks form a protective barrier along the M1, A1 and Bunns Lane.

- 4.6 The blocks are stepped in height with the lowest block situated in the north of the Site (Blocks P and R). The height of the blocks generally increases across the Development with the tallest block (Block A) situated in the southern extent, albeit with some articulation in the height along the buildings. All floors from ground level up are residential use, providing a combination of flats over the lowest ground level car park and commercial and retail use areas.

## Residential Use

- 4.7 The proposed residential units on site will comprise a mix of dwelling types to include one, two and three bedroom apartments. The total provision is set out below:

Table 4.2 - Proposed Residential Accommodation

Total	Residential Unit	Percentage
Studio	4	0.47%
1 Bed apartment	281	33.30%
2 Bed apartment	436	51.66%
3 Bed apartment	123	14.57%
<b>TOTAL</b>	<b>844</b>	<b>100%</b>

- 4.8 The proposed apartments will provide high quality residential accommodation with large gross internal space standards for each individual dwelling. All units meet the minimum size requirements set out in the draft London Plan (2018) at Table 4.3 (and exceed them) as detailed below.

Table 4.3 - Proposed Residential Accommodation

Total	Minimum Requirement (Draft London Plan Table 3.1) – GIAm <sup>2</sup>	Proposed Average Size – GIAm <sup>2</sup>	Proposed Average Surplus – GIAm <sup>2</sup>
Studio	37	42	+5
1 Bed 2 Person	50	54	+4
2 Bed 3 Person	61	62	+1
2 Bed 4 Person	70	77	+7
3 Bed 5 Person	86	88	+2
3 Bed 6 Person	95	98	+3

- 4.9 The scheme will provide 844 high quality new homes comprising a mixture of Build-to-Rent housing and Conventional Sale housing.
- 4.10 It is proposed that the Build-to-Rent element (54%) of the scheme will provide 41% Affordable Housing of which 70% will be genuinely affordable Discounted Market Rent (DMR) and 30% will be London Living Rent (LLR).
- 4.11 The Conventional Sale element (46%) of the scheme will provide 41% Affordable Housing of which 60% will be London Affordable Rent and 40% London Shared Ownership.

## Retail, Commercial and Community Floorspace

- 4.12 The application proposes 1,028m<sup>2</sup> (GIA) of public facing retail, commercial and community floorspace at both lower ground and ground floor levels.

- 4.13 The application seeks a range of uses to cover Classes A1, A3-A4 and D1 albeit it is very much intended that the future uses will be a small convenience store, dry cleaner, hairdresser, coffee shop, restaurant/bar and nursery.

### Residential Car, Non-Residential Car and Cycle Parking

- 4.14 The development provides 366 residential car parking spaces including 10 visitor parking which will deliver a ratio of 0.43% per unit. Of those spaces, 85 are proposed to be allocated for disabled residents. For those requiring occasional access, the development proposes to provide car club access on-site.
- 4.15 In addition further provision has been made to allow for a further 31 residential car parking spaces within landscaped areas adjacent the peripheral road to the west of the Site. These could be converted should demand require, and be secured via a planning condition. As a result the development could have 397 spaces + 10 visitor, which will deliver a ratio of 0.47% per unit.
- 4.16 The proposed development provides 9 surface level car parking spaces (including 2 disabled spaces) for non-residential users accessing the Site. The car parking spaces are to be located at the southern end of the Site next to Block A and Block B. The spaces will be controlled by a Pay & Display type control to deter long term parking /misuse.
- 4.17 Cycle access to the Site is currently off the A1, and improved cycle access is proposed as part of the development. The development proposes to bring forward a total of 1,603 cycle spaces (1,574 residential and 29 commercial).
- 4.18 It is considered that parking provision for both cars and cycles is appropriate for the application Site location. This is considered further in the Transport Assessment prepared by Velocity which is included as part of the application submission.

### Provision of Amenity Space and Play Space

- 4.19 The form and landscaping of the Scheme is designed to maximise the amount of outdoor amenity space within the centre of the Scheme.
- 4.20 The development provides a total of 9,527m<sup>2</sup> private amenity space (roof terraces, balconies and winter gardens) and 6,623m<sup>2</sup> public amenity space. This includes 1,152m<sup>2</sup> of dedicated playspace incorporated into the open space across the development, exceeding the level of space required based on the demand arising from the proposal.
- 4.21 Private amenity space is provided for all residential units through the provision of balconies and winter gardens. Private communal amenity space is provided on the roofs of Blocks D, F, H, I, J, K, M, N, O, P and R in the form of roof terraces.
- 4.22 In Addition 5,000m<sup>2</sup> of woodland will be accessible to residents as it is land owned by Meadow, as defined by the blue line on the application boundary plan ref: A01-00-02. The quantum of private and community amenity space within the Development is detailed in Table 4.4.

Table 4.4 - Amenity and Play Space Provision

Playspace – Policy Requirement	
Under 5s	520m <sup>2</sup>
Under 5s	520m <sup>2</sup>
5-11	230m <sup>2</sup>
12+ Years	120m <sup>2</sup>
<b>Total</b>	<b>870m<sup>2</sup></b>
Amenity Space (GEA) – Proposed Development	
Balconies	1,561m <sup>2</sup>

Winter Gardens	4,162m <sup>2</sup>
Roof Terraces	3,804m <sup>2</sup>
Public Amenity Space	6,623m <sup>2</sup>
Meadow Woodland (Bunns Lane)	5,000m <sup>2</sup>
<b>Total</b>	<b>21,150m<sup>2</sup></b> <b>(inc. 1,152m<sup>2</sup> dedicated playspace)</b>

- 4.23 All residential blocks have access to public amenity space within the centre of the Site which would compromise both hard and soft landscaping, accessed via communal stairs and lift cores.
- 4.24 This is an extensive quantum of usable amenity space for both private residents and for wider community uses and is a major benefit of the scheme.

### On-Site Infrastructure – Highways Works

- 4.25 The severance of intrusive vehicular traffic is proposed to be pushed to the periphery of the Site by means of a two-way peripheral road located on the western boundary of the Site next to the M1. Access/egress to the undercroft would be gained via three entrances off the two way perimeter road adjacent to the M1 beneath Blocks E, J and O. A separate servicing area for the development is proposed adjacent to the A1 at the south-east corner of the Site adjacent to Block B.
- 4.26 A shared service internal route is proposed through the Site which will be a simple legible route linking all the major external amenity spaces.
- 4.27 A new pedestrian/cyclist access is proposed to be provided between Bunns Lane and the development to improve access to bus services on Bunns Lane, and integrate the development spatially with Mill Hill. An additional dedicated cycle route through the wooded scrubland to the west of the Site is also proposed to connect further along Bunns Lane. This extends the existing shared cycle footpath on the A1 and provides a connection not currently available.
- 4.28 Access to the Site for pedestrians and cyclists is proposed to be further improved by the provision of a footpath that connects directly to the bottom of the existing ramp to bridge over the M1 and access Grahame Park Way.

### Off-Site Infrastructure – Highways Works

- 4.29 There are a number of off-site highway works proposed in support of this application. These include:
- Reconnecting the Site, which is in effect segregated from Bunns Lane, back into Bunns Lane. This has been achieved by bringing in land around the site, to create this connection. This has enabled landscaping works to be undertaken between the site and Bunns Lane resulting in the infilling of the former M1 exit road. Pedestrian and cycle access now takes place at two new connections onto Bunns Lane to the north east and north west of the Site.
  - In agreement with TfL, the proposed development commits funding of £95,000 per year for a period of 5 years (a total of £475,000) to increase the service frequency of Bus route 221 which connects the Site to Edgware Station and Bus Station, Mill Hill Broadway Station, Mill Hill East Station, New Southgate Station, Bounds Green Station, Wood Green Station and Turnpike Lane Station.
  - Relocation of two bus stops serving the 221 bus to outside the site along Bunns Lane.
  - Relocation of the existing bus stop on the A1 northbound carriageway to outside the site on the A1. This serves bus route 113 which connects to Edgware Bus Station and the northern line to the north.
  - Funding of £100,000 is committed for a new lift and staircase on the east-side of the A1. This will allow accessible access to the south bound 113 bus service which connects the site to

Hendon Central Station, Finchley Road and Frognal Station, Finchley Road Station, Swiss Cottage Station, Baker Street Station and Oxford Circus Station.

- Contributions of £100,000 towards urban realm improvements to the pedestrian walking experience around the site, including public art / lighting installations to M1 underpass, and M1 footbridge.
- The existing PTAL of the Site is predominantly 1b, and this will improve to PTAL 2 to 3.

## 5 THE BENEFITS OF THE PLANNING APPLICATION

- 5.1 The Planning Application proposes a number of significant public benefits for the London Borough of Barnet and the local community and future occupiers. In addition, it would have a significant impact on the implementation of the London Plan.
- 5.2 We set out below a series of key questions which highlight these benefits. Several of these were previously raised by the Mayor's Design Advocates (MDA) as part of a Design Review Panel which was held at the GLA Offices on the 6<sup>th</sup> February 2019.

### Is this proposal a high quality residential scheme?

- 5.3 The new buildings have been carefully designed to provide an excellent living environment through a series of well-conceived spaces improving both wellbeing and creating a sense of belonging.
- 5.4 In portraying a day in the life of resident living at Pentavia Mill Hill, the Design and Access Statement (Section 3.7) illustrates the journey as residents arrive at the Site via Bunns Lane, from their 10 minute walk from Mill Hill Broadway station or by bus. The walkthrough demonstrates access to onsite residential amenities, the new homes and the expansive of amenity space provision.
- 5.5 The experience, once inside the development's central courtyards is inclusive. The buildings provide active frontages at ground floor level to give a sense of welcoming on arrival through the linked green squares.
- 5.6 All the proposed residential units are above the GLA's minimum space standards, and living areas face into the courtyard spaces. The homes have been designed to cater for a wide range of having needs and affordability in a simple and robust manner.
- 5.7 The view from a typical winter garden on level 4 west towards the M1 is pleasant, through a canopy of trees onwards towards the regeneration area of Colindale. The motorway below is not apparent in these views. The view is very similar to the eastern views across the A1 where you look towards Mill Hill tree canopy. These rooms are mechanically ventilated with clean air drawn from the protected inner courtyards.
- 5.8 The residential amenities are spread throughout the Site to cater for residents who would like to access the on-site workspaces, nursery facilities, dry cleaning, café, fitness centre or one of the resident's lounges. The scheme creates a neighbourhood to ensure residents and visitors enter a development that is inclusive and promotes a safe neighbourhood setting.

### What other development options have we considered at the Site?

- 5.9 Following initial noise and air quality studies, it was clear from early on in the design process that the layout of any proposed scheme needed to mitigate the noise, vibration and air quality effects of the adjacent M1 and A1 to shield the inner spaces of the proposal which would become inner courtyards.
- 5.10 A necessarily long building has remained in place along the frontage to the M1 motorway, while the remaining blocks have been positioned in a rough U-shape along the frontages to the A1 (Watford Way) and Bunns Lane throughout the design development of the Site.
- 5.11 The 'Alternatives' chapter of the submitted ES describes the key stages of the design evolution and shows that the Site has been through a rigorous design process.

### How accessible is the Site?

- 5.12 The scheme creates a new North / South pedestrian and cycle link through the Site connecting it to Mill Hill Broadway in the North and Colindale to the South West. This new route which will be used by residents connecting into the existing movement patterns across the neighbourhood which has been assessed with Space Syntax who are specialist in assessing spatial movements.

5.13 Figure 5.1 – 5.4 demonstrates spatial accessibility across the Site and in the surrounding area, as well as walking distance analysis. Figure 5.1 and 5.3 show the baseline analysis (pre-development); and Figure 5.2 and 5.4 show the proposed accessibility through the Site and into the surrounding area (post-development) following development which will be improved materially.

5.14 Further detail on the movement analysis is provided within Section 3.4 of the Design & Access Statement.

Figure 5.1 -Spatial Accessibility – Baseline



Figure 5.2 - Spatial Accessibility – Proposed





Figure 5.3 - Walking Distance From Site – Baseline

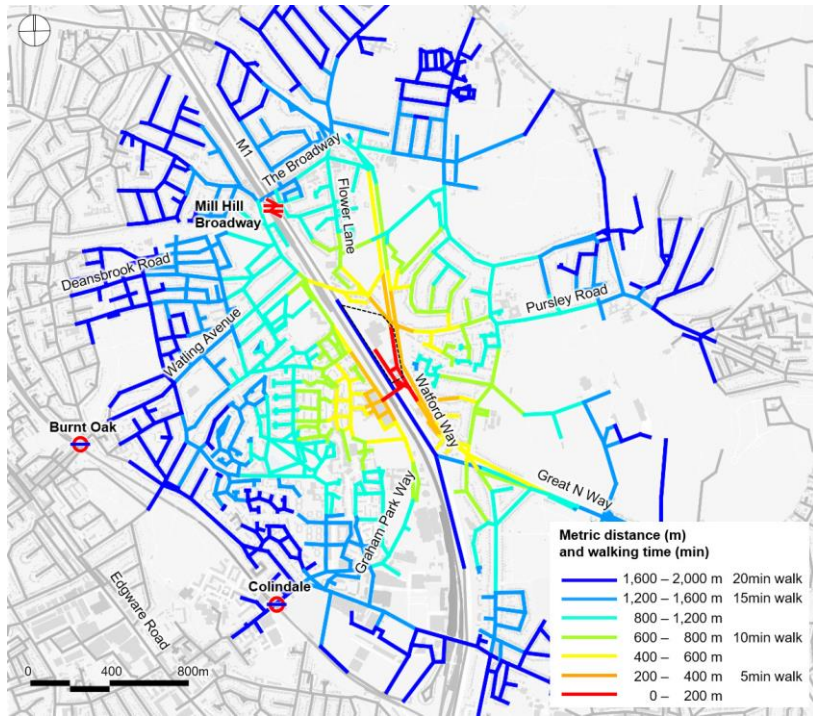
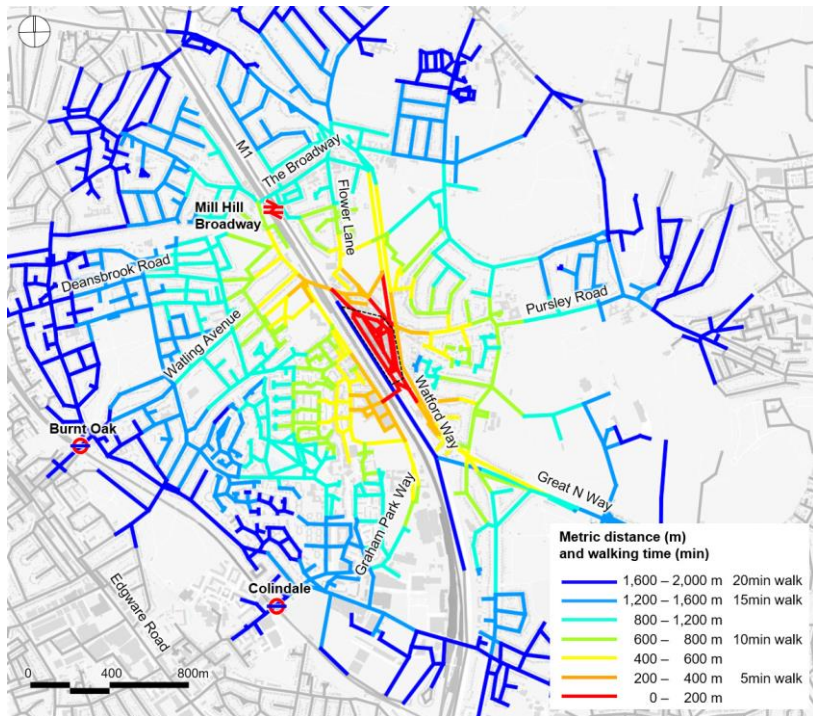


Figure 5.4 - Walking Distance From Site – Proposed



5.15 The space syntax analysis will be supported by the public transport accessibility improvements that we have previously discussed.

**What will the service charges be and is there a Management Plan in place?**

5.16 The estimates service charges for the scheme are set out in Table 5.1 below:

Figure 5.5 - Pentavia, Mill Hill: Service Charges

Type	Estimated Service Charge
1 Bed Apartment	£35 per week
2 Bed Apartment	£45 per week
3 Bed Apartment	£55 per week

- 5.17 The estimated service charge is appropriate having regard to the following factors:
- **Affordability:** The rents charged for the Build-to-Rent products (Private Rent, DMR and LLR) are inclusive of service charges. The scheme has been designed to ensure the service charges applicable to the LAR and LSO homes are as affordable as possible.
  - **Equality:** The service charges for the Affordable housing products are the minimum that can be charged (noting that the private tenures cannot legally cross subsidise the affordable tenures. All residents will however have the right to access on-site amenities, subject to an additional optional charge. This will promote social cohesion and equality.
- 5.18 A Management Plan for the development has been produced by Meadow Residential and is submitted as part of this application. It will be implemented for the life of the development.
- 5.19 Meadow Residential is to provide an in-house management team, fully focused on the sole demands of the development. The team will not share duties with any other projects, the sole focus will be Pentavia, Mill Hill.
- 5.20 The Management team's sole focus on the development ensures that a strong level of consistency is maintained and that a consistent message and service level can be expected from the residents. This is essential in building the community and making the environment a professional and rewarding place to live. By steering away from large external contractors, whose focus may be on multiple Sites, residents and staff are able to build and maintain good relationships and feel there is an ability to track back to the manager/owner directly.

### Are there any positive precedents of long building facades?

- 5.21 There are various successful examples of longer building blocks which protect public central amenity spaces in London. A good example is the new developments at Battersea Power Station, where the building arrangements is effectively designed to shield the residential units from the noise from the neighbouring railway line. The line of buildings is over 100m for Faraday House and over 300m long for Circus West Village.
- 5.22 Another good example is White City, where there are over 150m long building fronts public space. Beam Park and Hendon Waterside are also good examples of a long high quality building fronting a long linear park.
- 5.23 As demonstrated, these are all built examples in London, and that long linear building arrangements is an accepted building and urban design response give typology and Site constraints.

### What is the justification for the façade treatment used?

- 5.24 Following comments from GLA officers and the MDA, AFK have assessed the proposed façade treatment.
- 5.25 The design now incorporates a slighter darker brown brick tone in exchange for the glazed green brick that was previously proposed. The tone of the beige brick on the facades has also slightly changed to link better to the surrounding Mill Hill housing.
- 5.26 The simplification and subtle changes in colour avoids visual confusion and creates a simple elevation showing a stronger reading of recessive and advancing building elements in the overall design.

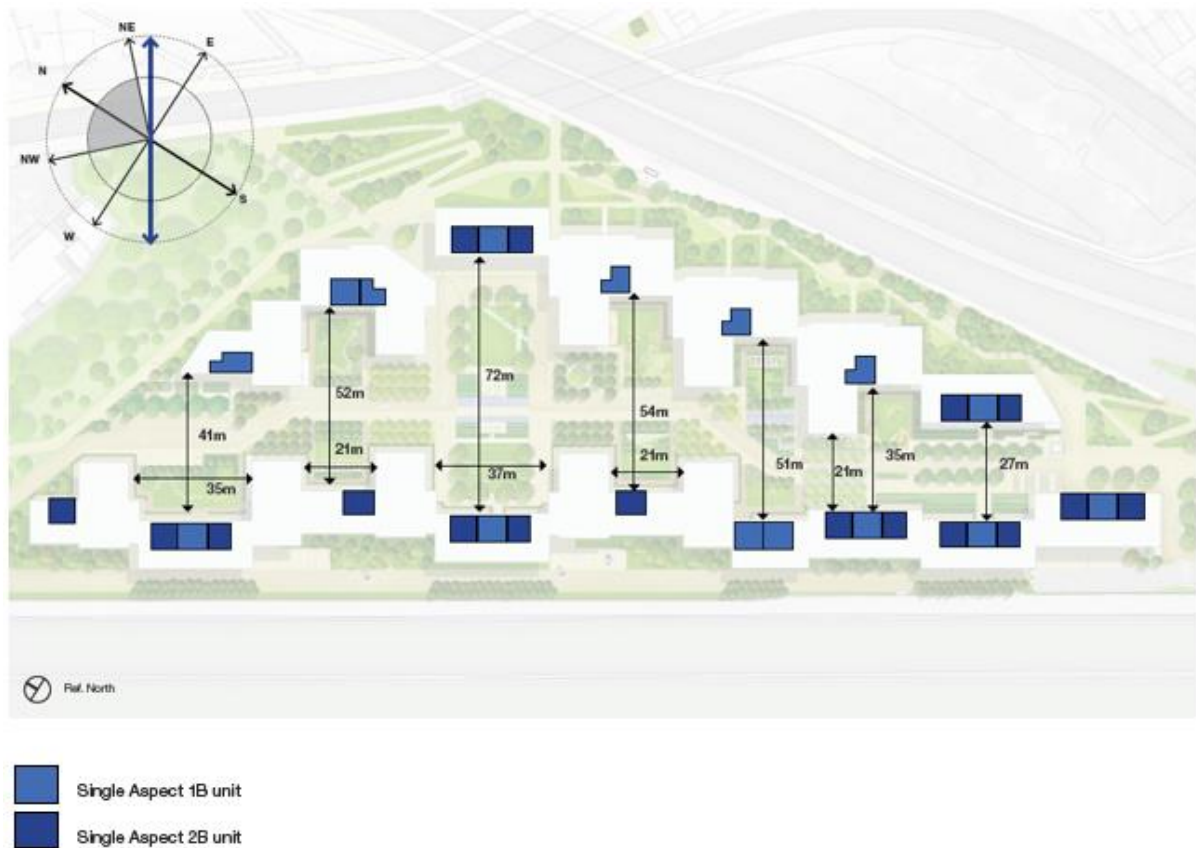
5.27 The courtyard buildings fronting the main central courtyard have also been simplified by adopting the facade typology of the main tower. This has been done to create a family of buildings which work together as visual elements breaking up the large lower building massing with legible points of reference when viewed from a far.

### How many north facing single aspect units does the scheme propose?

5.28 The scheme has been carefully designed to avoid any North facing apartments. Figure 5.6 below shows the location, within the development of where single aspect units are located. These have all been purposefully located to look within internal courtyards.

5.29 24% of the homes face north east/east into the courtyards with all of them facing into expansive areas of green space across distances of  $27\text{m}^2 - 72\text{m}^2$ . There are no single aspect units facing onto the A1 or M1.

Figure 5.6 - North Facing Single Aspect Units



### What is the justification for non-openable windows?

5.30 All windows along the M1 and A1 will be non-openable as agreed within GLA Officers and our air quality consultant. Whilst these windows will be non-openable, the rooms that face the M1 and A1 will receive clean air which will be mechanically supplied from the courtyard and central green spaces, to ensure the best quality air exceeding World Health Organisation guidelines.

5.31 The windows being non-openable on the M1 and A1 side of the development will also avoid noise intrusion into the proposed flats.

5.32 The scheme has been designed so that only bedrooms look out onto the M1, with all units designed to be “through units” with the lining space facing into the central internal space with openable windows.

### Are there any issues with overlooking into adjacent windows?

- 5.33 A study has been carried out by AFK to assess overlooking of adjacent windows across the proposed development. The assessment has been undertaken from the centre of the window or balconies with a viewing angle of 90 degrees.
- 5.34 AFK have identified the limited instances that will require mitigation, corners G, I, N & P (Figure 5.7 below), where windows will be obscured through the introduction of translucent glass or rolled dimple glazing. The obscured glazing is always located in bathrooms or in secondary windows of kitchens and bedrooms, where there will be primary windows serving the main space.

Figure 5.7 - Overlooking Analysis



### Will the Commercial Units be well used?

- 5.35 The proposed routes through the central street and the paths to the east of the development offer active frontages and windows ensuring natural surveillance and activation of the public spaces. Commercial space that will be occupied by the cafes and gym are clustered around the main arrival route, and it is anticipated that they will be highly used.
- 5.36 Meadow has instructed GCW to prepare a commercial tenants report in respect of the proposed development. GCW are a firm of chartered surveyors who have been established for over 30 years and are well placed both to understand the kind of tenant mix that works within mixed use, predominantly residential lead regeneration schemes and also assess viability and likely tenant demand for commercial space within your proposed scheme.
- 5.37 The commercial reports assesses the demand and viability of the commercial units, and likely occupiers for the A1, A3, A4 and D1 units. It is expected that the commercial spaces will predominantly be occupied by

independents and entrepreneurs, buying the premises they occupy on long leaseholds as well as renting the units.

- 5.38 The commercial report concludes that due to the large amount of residential units on the Site there will be demand from a variety of users for the commercial spaces. The commercial tenants report is provided at **Document 3**.

## 6 PLANNING POLICY

- 6.1 This section provides commentary on the nature of the development in the context of development plan policy and national planning policy framework.
- 6.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.3 In this case, the development plan for the Site comprises the 2012 Barnet Local Plan Core Strategy and the Development Management Policies (September 2012), alongside the March 2016 London Plan (the Spatial Development Strategy for London Consolidated with Alterations since 2011 including minor alterations to the London Plan), and the Draft London Plan (December 2018).
- 6.4 The Local Plan has replaced policies in the Unitary Development Plan (2006) with the exception of 13 ‘saved’ policies for Brent Cross Cricklewood (these policies are found within Chapter 12 of the UDP and are not relevant to this application).
- 6.5 As is explained in this chapter, the application proposals have been designed with specific regard to development plan policy.
- 6.6 The development plan should be read alongside the following material considerations:
- National Planning Policy Framework (NPPF) (February 2019);
  - National Planning Policy Guidance (NPPG) (published March 2014 (updated continually));
  - GLA’s Housing Supplementary Planning Guidance (SPG) (adopted March 2016) and GLA Affordable Housing Viability (SPG) (adopted August 2017); and
  - Barnet’s Supplementary Planning Documents (Sustainable Design and Construction SPD 2016; Residential Design Guidance SPD 2016; Affordable Housing SPD 2007).

### The London Plan – Spatial Development Strategy for Greater London (March 2016)

- 6.7 The London Plan sets out the strategic plan for economic, social, environmental and transport development of London over the next 20 to 25 years. In providing a framework for development and a policy context within which Boroughs set their local planning policies, the London Plan aims to achieve ‘sustainable development, a healthy economy and a more inclusive society in London’.
- 6.8 The London Plan reinforces the concept of Site intensification and the priority of bringing forward housing supply, particularly in respect to the contribution of the Private Rented Sector (PRS). The document also recognises the requirement for high quality design, certainly in the case of tall buildings and high density development as discussed within Section 5 of this statement. These are the principles that are endorsed by this development proposal.
- 6.9 The London Borough of Barnet is located in ‘Outer London’ and is subject to London Plan policies 2.6-2.8. The Site does not fall within any strategic allocation of the London Plan, and does not fall within a protected viewing corridor.

### The Draft London Plan – Spatial Development Strategy for Greater London (December 2018)

- 6.10 The Mayor is preparing a replacement London Plan to cover the period 2019 to 2041. The Mayor published a version of the draft Plan that included his minor suggested changes on the 13<sup>th</sup> August 2018 prior to Examination in Public. The Examination in Public for the draft new London Plan opened on Tuesday 15<sup>th</sup> January 2019 and is expected to end in May 2019. The draft plan is a material consideration that local planning authorities are required to take into account. The relevant draft policies are considered below.

6.11 **Draft London Plan Policy H1 (Increasing Housing Supply)** sets ten-year targets for net housing completions, which boroughs should plan for. Part B2 of the Policy requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield Sites. Policy H1 lists six sources of capacity, of which (b) is relevant:

*“b) mixed-use redevelopment of car parks and low-density retail parks”*

- 6.12 The Site is a low-density retail Site with a car park. This criterion would apply.
- 6.13 Policy SD8 Town Centres Part A(4) contains a similar policy objective to “realise the full potential of existing out of centre retail and leisure parks to deliver housing intensification through redevelopment”.
- 6.14 There is a clear policy shift within the new draft London Plan to promote the redevelopment of retail warehouses for mixed use residential led intensification. The London Borough of Barnet have no policies concerning the loss of out of centre retail.
- 6.15 The Strategic Housing Market Assessment (SHMA) that supports the draft London Plan identifies a need for 66,000 net additional homes per year. The draft London Plan proposes to increase Barnet’s ten-year target to 31,340. In terms of annual monitoring, this target is set at 3,134 homes per year.
- 6.16 With regard to affordable housing, **draft London Plan Policy H5** sets a strategic target for 50% of all new homes delivered across London to be affordable, although the SHMA recognises that the actual need is higher, at circa 43,500 affordable homes per year. At a local level, using the Mayor’s 50% strategic target and the targets set out within the draft London Plan, the London Borough of Barnet is expected to provide 15,670 affordable homes over the 10-year plan period, or 1,254 affordable homes per annum; the proposed development would contribute to 20% of the annual target.
- 6.17 **Draft London Plan Policy H6 (Threshold approach to applications)** sets the threshold level of affordable housing on gross residential development for Sites such as Pentavia Retail Park at a minimum of 35 per cent.
- 6.18 **Draft London Plan Policy H12 (Housing size mix)** states that schemes should consist of a range of unit sizes.
- 6.19 The draft London Plan introduces a policy on Build to Rent at **Policy H13**, which recognises the product’s unique position, building upon the text at paragraph 3.54 of the adopted London Plan. Draft policy H13 recognises that Build to Rent: can accelerate housing delivery through attracting investment into London’s housing market; is less susceptible to housing market cycles and price downturns; will offer longer term tenancies and certainty for tenants; will ensure place-making through single ownership; and will provide better management standards. The proposed development would contribute to meeting the London-wide demand for rented properties, as well as contributing to the borough’s housing targets.
- 6.20 The present affordable housing offer reflects this product: 70% of the affordable units will be let at 80% of market rent, in accordance with draft London Plan Policy H13; and 30% will be let at London Living Rent.
- 6.21 **Draft Policy D4 (Housing Quality and Standards)** requires new housing development to be of high quality design, provide adequate-sized rooms, with comfortable and functional layouts, which are fit for purpose and meet the needs of Londoners without differentiating between tenures.
- 6.22 **Draft Policy D6 (Optimising Density)** states that development proposals must make the most efficient use of land and be designed at the optimum density. *An assessment of the scheme’s density is provided in Section 10.*

## Barnet Local Plan (2012)

### Adopted Core Strategy (2012)

- 6.23 The adopted Core Strategy forms part of Barnet’s Local Plan. This document sets out the long term spatial vision and strategic objectives for the London Borough of Barnet.

- 6.24 The following policies within the adopted Core Strategy are relevant to this proposal.
- 6.25 **Policy CS1: Barnet’s Place Shaping Strategy – Protection, Enhancement and Consolidated Growth – The Three Strands Approach** states that Barnet’s place shaping strategy is to concentrate and consolidate housing and economic growth in well located areas that provide opportunities for development, creating a quality environment that will have positive economic impacts on the deprived neighbourhoods that surround them. *We consider Pentavia such a location.*
- 6.26 **Policy CS3: Distribution of Growth in Meeting Housing Aspirations** sets out a “minimum” housing growth target of 28,000 homes across the borough during the 15 years of the plan period. *This policy refers to regeneration and development areas, regeneration housing estates and priority town centres as locations for housing growth. It does include reference to “further development opportunities” which will be set within the context of the density matrix in the London Plan. Barnet will seek to “optimise” rather than simply “maximise” housing density to reflect local context, public transport accessibility and provision of social infrastructure. This approach will protect green spaces in Barnet from development. This Site can be considered a genuine “windfall” Site for new residential development and will help to meet Barnet’s housing objective by delivering a significant amount of housing development.*
- 6.27 **Policy CS4 - Providing quality homes and housing choice in Barnet** seeks to ensure the creation of successful communities through the provision of quality homes and a housing choice across the Borough. It seeks the following:-
- 100% Lifetime Homes;
  - A range of dwelling sizes including family homes to meet priority needs and not to undermine suburban character and local distinctiveness; and
  - 40% affordable housing provision, of which 60% will be social rented and 40% intermediate, on Sites capable of accommodating ten or more dwellings (the Borough sets a minimum affordable housing target of 5,500 new affordable homes by 2025/26). *The proposal delivers the maximum reasonable levels of affordable housing, and beyond that considered viable when assessed against the existing use of the site.*
- 6.28 **Policy CS5 – Protecting and enhancing Barnet’s character to create high quality places** seeks to ensure that development respects local context and distinctive local character creating places and buildings of high quality design. Developments should:
- Address the principles, aims and objectives set out in the following national design guidance By Design, Secured by Design, Safer Places, Inclusive Design, Lifetime Homes and Building for Life;*
- *be safe, attractive and fully accessible;*
  - *provide vibrant, attractive and accessible public spaces;*
  - *respect and enhance the distinctive natural landscapes of Barnet;*
  - *protect and enhance the gardens of residential properties;*
  - *protect important local views from places within Barnet (as set out in Map 8 of the Core Strategy); and*
  - *enhance the borough’s high quality suburbs and historic areas through the provision of buildings of the highest quality that are sustainable and adaptable.*
- 6.29 Policy CS5 also establishes the requirements to address ‘Heritage and Character’ issues noting the importance of the Borough’s Conservation Areas. The closest Conservation Area to the Site is Watling Estate Conservation Area, situated approximately 300m to the west at its closest point. This is characterised by rows of two storey terraced dwellings or pairs of semi-detached properties with pitched roofs. It is considered that the proposed new buildings do not appear excessively dominant from Watling Estate Conservation Area and will have no detrimental impact on the setting of the Conservation Area.
- 6.30 Policy CS5 also includes a policy with regards to Tall Buildings. It states that:-



*“Tall buildings (8 storeys (or 26 metres or more)) may be appropriate in the following strategic locations (it then lists the Regeneration Areas and Priority Town Centres)*

*Proposals for tall buildings will be considered in accordance with DM05 – Tall Buildings, London Plan Policy 7.7 – Location and Design of Tall and Large Buildings and Guidance on Tall Buildings (2007) by English Heritage and CABE*

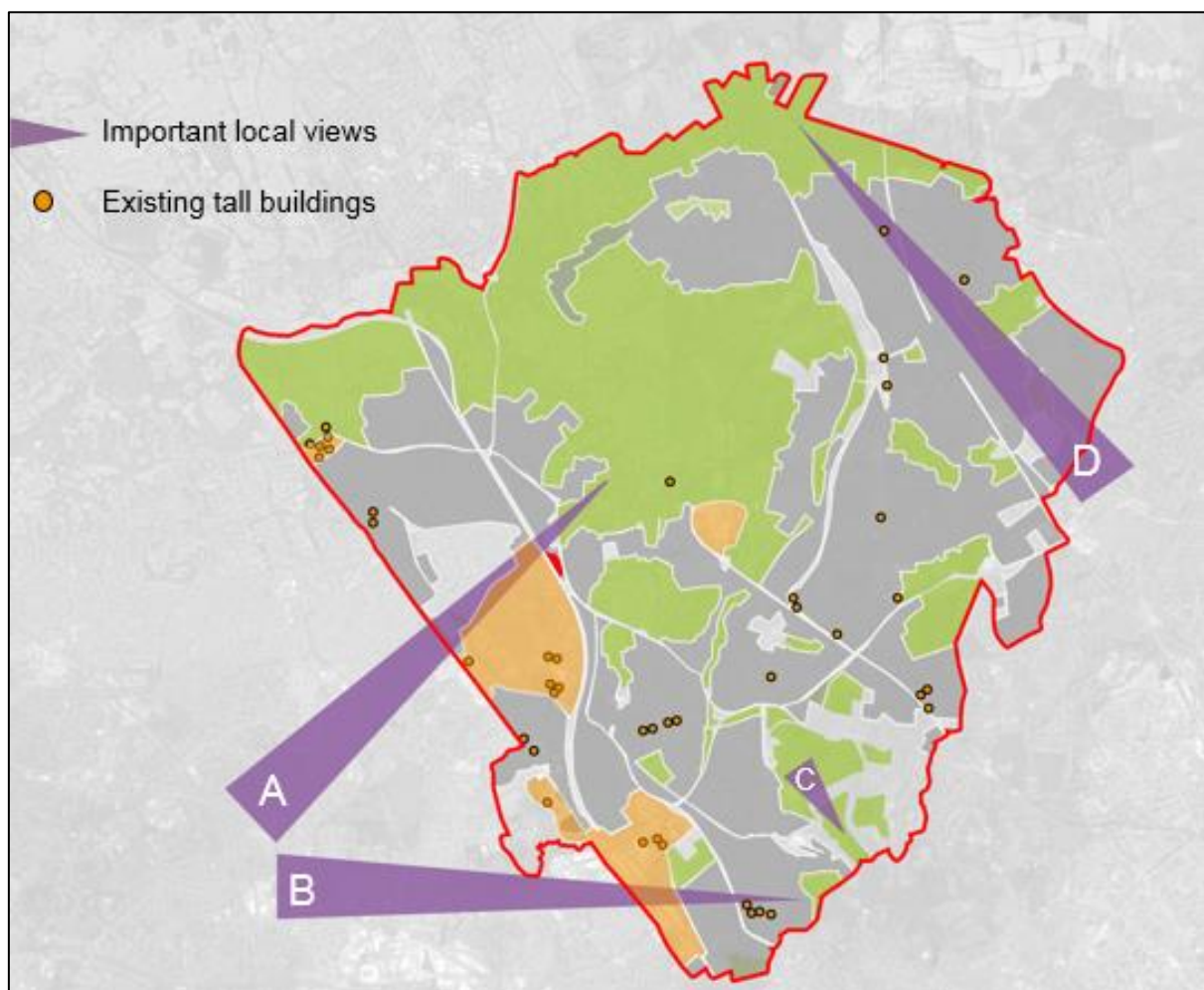
*Outside of these specific locations, proposals for tall buildings will not be supported”*

6.31 This is a prescriptive policy which seeks to tightly define the location for tall buildings within the Borough as discussed at Section 9 of this Statement.

6.32 The text to policy CS5 refers to four locally important views within the Borough, these views include:

- a. Mill Field towards Harrow on the Hill;
- b. Golders Hill Park towards Harrow on the Hill;
- c. Hampstead Heath Extension towards Hampstead Garden Suburb; and
- d. King George Playing Fields, Hadley Green towards Central London and Canary Wharf.

Figure 6.1 - Locally Important Views



6.33 View (A) is located within very close proximity to the Site at its northern boundary, albeit does not directly fall across the Site and is assessed within the Environmental Statement. The proposal does not impact this strategic review.

- 6.34 **Policy CS6 – Promoting Barnet’s town centres** confirms that Barnet’s town centres are the economic, civic, retail, leisure and transport hubs of Barnet. This policy sets out Barnet’s ‘town centres first’ approach to retail development as reflected in the NPPF. *The nearest town centre to the site is Mill Hill which is considered a District Town Centre. There are no policies concerning the loss of out of centre retail. The proposed non-residential floorspace is of a localised scale to meet the needs of the development only and not for a wider catchment.*
- 6.35 **Policy CS7 - Enhancing and Protecting Barnet’s Open Spaces** seeks to create a greener Barnet by protecting open spaces, including Green Belt and Metropolitan Open Land and enhancing the spaces through positive management to provide improvements in overall quality and accessibility. *This development creates new interconnecting courtyard style open green spaces where previously none existed at this brownfield Site.*
- 6.36 **Policy CS8 - Promoting a Strong and Prosperous Barnet** encourages measures which enable Barnet residents to access work. These measures include safeguarding existing employment Sites that meet the needs of modern business and encourage new mixed commercial floorspace in priority town centres. *This site is not identified as an existing employment Site and is not located in Barnet’s priority town centres (Edgware, North Finchley, Finchley Church End and Chipping Barnet) where Small and Medium Enterprises (SME) are encouraged. The Site is not considered an appropriate Site to solely meet business needs, rather a mixed use, multi-use approach which provides wider development and economic benefits.*
- 6.37 **Policy CS9 – Providing safe, effective and efficient travel** seeks to promote the delivery of appropriate transport infrastructure in order to support growth, relieve pressure on Barnet’s transport network and reduce the impact of travel whilst maintaining freedom and ability to move at will. Barnet will encourage mixed use developments that will help to reduce the distances people need to travel to access everyday goods and services and support the use of low emission vehicles including electric cars through provision of charging points in new developments. *The development proposes a sustainable level of car parking at 0.75% per unit which reduces the impact of the private vehicle on the environment, whilst meeting only a necessary on Site demand. The parking will include disabled car parking provision enhancing social inclusion.*
- 6.38 **Policy CS13 – Ensuring the efficient use of natural resources** seek to minimise Barnet’s contribution to climate change and ensure that through the efficient use of natural resources the Borough develops in a way which respects environmental limits and improves quality of life. The policy confirms that Barnet will improve air and noise quality by requiring Air Quality Assessments and Noise Impact Assessments to be submitted with applications in line with Barnet’s SPD on Sustainable Design and Construction. *The main constraints that apply to the Site are noise and air pollution given its proximity to the M1 (Motorway) and A1 (Watford Way). These constraints have been fully assessed and appropriate mitigation measures have been incorporated into the design of the proposed scheme. The proposed buildings will be of the highest quality of design as explained further in the Design and Access Statement and Sustainability Report.*

## Adopted Development Management Plan (2012)

- 6.39 The Development Management Policies document (DMP) contains 18 key policies covering all aspects of development control/management.
- 6.40 The relevant policies contained in the DMP are discussed within the planning issues section of this report.

## Emerging Material Considerations

### Mill Hill Neighbourhood Plan

- 6.41 The Site is located in a designated Mill Hill Neighbourhood Plan Area.
- 6.42 The Mill Hill Neighbourhood Forum was formally designated in September 2014 and is the designated body to produce a Neighbourhood Development Plan for Mill Hill by 2019. The Mill Hill Neighbourhood Forum is in the early stages of producing the Neighbourhood Plan.
- 6.43 The emerging Neighbourhood Plan will, subject to adoption eventually form part of Barnet’s Development Plan. At present we understand that there is currently still no timeframe set for the production of the Mill Hill Neighbourhood Plan.

## Other

### Pentavia Retail Park Planning Brief (Adopted December 2016)

- 6.44 A planning brief for the Site was adopted by Barnet Council on the 1<sup>st</sup> December 2016 at the Policy and Resources Committee. The brief sets out the Council's objectives for the redevelopment of the Pentavia Retail Park site.
- 6.45 The objectives for the Site focus on the provision of a sustainable mixed use development that will generate a range of affordable housing, new employment space, retail and leisure uses to serve the needs of the development, amenity and community spaces, and improvements to existing transport infrastructure. A copy of the planning brief can be found at **Document 4**.
- 6.46 The brief is considered a material consideration in the determination any planning application relating to all or part of the Site.

## 7 STRATEGIC IMPORTANCE OF PLANNING APPLICATION

- 7.1 On the 5<sup>th</sup> November 2018, the Mayor of London notified the London Borough of Barnet that he was to act as the Local Planning Authority for the purpose of determining application ref. 17/8102/FUL and any connected application.
- 7.2 Having regard to the details of the application and other relevant matters, the Mayor of London concluded in response that the development is of such a nature that it would have a significant impact on the implementation of the London Plan and that there were sound planning reasons for his intervention to ensure that the application was not refused at this stage, as the Borough had resolved to do.
- 7.3 It is considered that the proposal is of such a nature and scale that it would have significant positive impacts on the implementation of the London Plan by virtue of the following:-
- The need for regeneration of an underused brownfield Site;
  - Intensification of Outer London;
  - The need for housing within the London Borough of Barnet and London;
  - The need for Build to Rent properties within the London Borough of Barnet and London;
  - The provision of significant interconnecting green spaces;
  - The strategic delivery of new housing, and in particular Build to Rent and affordable housing;
  - The consistent under delivery of the London Borough of Barnet to achieve its minimum London Plan housing targets for market sale and affordable housing;
  - The expectation that the London Borough of Barnet will not meet its new London Plan housing targets; and
  - Redevelopment of a retail park which benefits from Class A1 unfettered use to the benefit of the Town Centre First Policy.
- 7.4 These strategic considerations result in sound planning reasons for the application to be considered positively at a strategic level.

## 8 PLANNING ISSUES – HOUSING NEED AND DELIVERABILITY

- 8.1 This section provides commentary on Barnet’s housing need, past/projected housing deliverability rates and the relevant planning issues arising out of the proposed delivery of 844 new homes. This section should also be read in conjunction with Quod’s Housing Delivery Statement.

### National Planning Policy and Guidance

- 8.2 The presumption in favour of sustainable development remains firmly embedded in the revised National Planning Policy Framework (NPPF). Paragraph 11 of the NPPF outlines the overarching presumption in favour of sustainable development. It confirms that:

*“For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

- 8.3 Paragraph 59 of the NPPF states that the Government’s has an objective of “significantly boosting the supply of homes”, and it is important that a sufficient amount of land can come forward where it is needed.
- 8.4 The NPPF requests authorities to have a clear understanding of the land available in their area (Paragraph 67), and requires planning policies to identify a supply of specific, deliverable sites for years one to five of the plan period and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.
- 8.5 Paragraph 72 of the NPPF states that the supply of large numbers of new homes can often be best achieved through planning for larger scale development.
- 8.6 Paragraph 73 requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted policies. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
  - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable Sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
  - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 8.7 Paragraph 117 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. To achieve the objective of Paragraph 117, Paragraph 118(d) and (e), confirms that planning policies should promote the development of underutilised land and buildings, especially where this would help to meet the needs for housing where land supply is constrained and available Sites could be used more effectively. The NPPF provides examples of this, such as building on service yards and car parks. It also promotes the development of airspace above existing commercial premises for new homes.
- 8.8 Paragraph 122 of the NPPF confirms that planning policies and decisions should support development that makes efficient use of land to achieve appropriate densities.
- 8.9 Section 5 of the NPPF, ‘Delivering a Sufficient Supply of Homes’, states that any scheme comprising 5 or more homes should provide affordable housing. It establishes that affordable housing should be delivered on-site. Paragraph 73 confirms:

*“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic polices, or against their local housing need where the strategic polices are more than five years old.”*

8.10 Paragraph 75 also confirms:

*“To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under delivery and identify actions to increase delivery in future years.”*

8.11 Annex 2 of the NPPF defines affordable housing as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It defines four types of Affordable Housing: Affordable Housing for rent; Starter homes; Discounted Market Sale housing; and Other affordable routes to homes ownership. In respect of Affordable Housing for rent it confirms (inter alia) the landlord should be a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider).

8.12 Annex 2 also defines Local Housing need as the number of homes identified as being needed through the application of the standard method set out in national planning guidance.

8.13 The NPPG supports the Framework, reinforcing its objectives in respect of objectively assessing full housing need. In this respect, it confirms that housing need is an unconstrained assessment of the number of homes needed in an area (ID:2a-001-20190220). All households whose needs are not met by the market can be considered in affordable housing need (ID: 2a-018-20190220) and that (ID: 2a-020-20190220):

*“Strategic policy-making authorities can establish the unmet (gross) need for affordable housing by assessing past trends and current estimates of: the number of homeless households; the number of those in priority need who are currently housed in temporary accommodation; the number of households in over-crowded housing; the number of concealed households; the number of existing affordable housing tenants in need (i.e. householders currently housed in unsuitable dwellings); and the number of households from other tenures in need and those that cannot afford their own homes, either to rent, or to own, where that is their aspiration.”*

8.14 In respect of Build-to-Rent, the NPPG confirms (ID60-002-20180913) that:

*“Affordable private rent and private market rent units within a development should be managed collectively by a single build to rent landlord. 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. If local authorities wish to set a different proportion they should justify this using the evidence emerging from their local housing need assessment, and set the policy out in their local plan [...].*

*National affordable housing policy also requires a minimum rent discount of 20% for affordable private rent homes relative to local market rents. The discount should be calculated when a discounted home is rented out, or when the tenancy is renewed. The rent on the discounted homes should increase on the same basis as rent increases for longer-term (market) tenancies within the development.”*

## Housing Need

### Unmet Need – Greater London

8.15 It has become increasingly clear that London has a substantial future housing need which it cannot meet.

8.16 In paragraph 3.16b of the adopted London Plan (March 2016), the Mayor acknowledges that:

*“the central projection in the SHMA indicates that London will require between approximately 49,000 (2015-2036) and 62,000 (2015-2026) more homes a year. This range incorporates different levels of population change*

*over the period, the time taken to address current need (backlog) and the anticipated under delivery between 2011 and 2015. The 2015-2036 figure of 49,000 additional homes a year provides the basis for the detailed housing need figures set out in this Plan. In light of the projected higher need, especially at the start of the plan period, this figure should be regarded as a minimum.”*

- 8.17 Table 3.1 of the adopted London Plan sets out a planned provision of 42,389 dwellings per annum within London, which falls short of the 49,000 (2015-2036) to 62,000 (2015-2026) dwellings per annum needs identified. This will result in a range of between 6,611 and 20,000 dwellings of unmet need per annum. This target is based on the availability of land, as identified by the Mayor’s Strategic Housing Land Availability Assessment (SHLAA, 2013), rather than objectively assessed housing need.
- 8.18 The draft London Plan (Paragraph 4.1.1) identifies an increased need for 66,000 additional homes per annum across London from 2019/20 to 2028/29, albeit similar to the adopted London Plan, draft Table 4.1 sets out a planned provision of 64,935 dwellings per annum, a shortfall of 1,065 additional homes.
- 8.19 The adopted London Plan allocates Barnet a minimum housing delivery target of 23,490 new homes over a 10 year plan period from 2015/16 – 2024/25. This equates to an annual target of 2,349 net new homes. This results in an increased annual delivery requirement of 94 units per annum from the previous London Plan target of 2,255 additional homes.
- 8.20 The new housing targets within the draft London Plan increases Barnet’s minimum housing delivery to 31,340 new homes over a 10 year plan period from 2019/20 – 2028/29. This equates to an annual target of 3,134 net new homes – an increased annual delivery requirement of 785 units per annum.
- 8.21 Paragraph 4.1.3 of the draft London Plan states that to achieve the housing targets the overall average rate of housing delivery on both large and small Sites will need to approximately double compared to current completion rates.

### **London Borough of Barnet**

- 8.22 Barnet has the largest population of any London borough, with an estimated 393,000 residents in 2015. This is expected to grow by a further 19% over the next 25 years.
- 8.23 Core Strategy (2012) Policy CS3 (Barnet’s Place Shaping Strategy – Protection, Enhancement and Consolidated Growth – the Three Strands Approach) identifies a housing growth target of 28,000 new homes across the borough over a 15 year plan period from 2011/12 to 2025/26. This equates to an annual target of approximately 1,866 new homes.
- 8.24 Through Barnet’s regeneration and development areas, regeneration housing estates and priority town centres, the 2012 Core Strategy seeks to meet this target by identifying the supply of new housing in the following five year phases: 0-5 years (2011/12 to 2015/16) 6,830 units; 6-10 years (2016/17 to 2020/21) 7,040 units and 11-15 years (2021/22 to 2025/26) 4,400 units. This totals 18,270 units. The 9,730 unit shortfall (35%) is expected to be made up of “further development opportunity Sites”.
- 8.25 The most recent Housing Needs Assessment (HNA) (October 2014) for Barnet estimates an annual requirement for Barnet of 2,735 homes per year to meet housing need (above both the previous London Plan minimum housing target and Core Strategy target).

## **Housing Delivery**

### **Previous Performance**

- 8.26 Adopted London Plan Policy 3.3 (Increasing Housing Supply) and draft London Plan Policy H1 (Increasing Housing Supply) recognises the pressing need for new homes in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.

- 8.27 Part B of adopted London Plan Policy 3.3 states that the Mayor will seek to ensure that the housing need identified in paragraphs 3.16a and 3.16b of the adopted London Plan is met particularly through provision consistent with at least an annual average of 42,000 net additional homes across London. The draft London Plan increased this to 64,935 net additional homes per year (draft London Plan policy H1 – Table 4.1).
- 8.28 Moreover, adopted London Plan Policy 3.11 (Affordable Housing Targets) seeks provision of at least 17,000 net affordable homes per year in London. The draft London Plan increases this to circa 43,500 affordable homes per year (paragraph 4.5.1).
- 8.29 Figure 8.1 below sets out pan-London delivery against London Plan targets during the last four years. This shows that the delivery of new homes and net additional affordable housing on a pan-London basis is below the London Plan target

Figure 8.1 - Delivery against pan-London Housing and Affordable Housing Targets (Source: London Plan AMR's 11, 12, 13 and 14)

Net Completions	2013-2014	2014-2015	2015-2016	2016-2017	Total	Delivery
London Plan Homes target	• 32,210	32,210	42,000	42,000	148,420	2% under target
Homes delivered	29,382	32,440	38,553	45,505	145,880	
Affordable Homes Target	13,200	13,200	17,000	17,000	60,400	52% under target
Affordable Homes Delivered	7,013	7,603	6,995	7,347	28,958	

- 8.30 As discussed, at borough level the adopted London Plan allocates Barnet a minimum housing target of 23,490 new homes over a 10 year plan period between 2015/16 – 2024/25. In monitoring delivery against these targets, Barnet has been assigned a London Plan annual target of 2,349 net additional homes per year. The Barnet Core Strategy sets a local target of 40% affordable housing – equivalent to a numerical target of 940 affordable homes per year based on the current London Plan housing target (and 902 net affordable homes per year under the 2011 London Plan)
- 8.31 The London Plan Annual Monitoring Reports indicate that the Council has failed to meet the London Plan housing target in the last seven years, achieving 97% in 2016/17 (September 2018); 78% in 2015/2016 (July 2017); 48% in 2014/15 (March 2016), 45% in 2013/14 (May 2015), 59% in 2012/13 (July 2014), 55% in 2011/12 (March 2013), and 36% in 2010/11 (March 2012).
- 8.32 The most recent London plan 2016/17 Annual Monitoring Report (September 2018) indicates that Barnet is delivering an average of 36% affordable housing over the four-year average period 2013/14-2016/17. This output is significantly below the Council's target during this period (Figure 8.2).

Figure 8.2 -Affordable Housing Delivery Against Core Strategy Affordable Housing Target

Net Completions	2013/2014 (AMR May 2015)	2014/2015 (AMR March 2016)	2015/2016 (AMR July 2017)	2016/2017 (AMR Sept 2018)	Total	Delivery
Affordable Homes Target	902	902	902	902	3,608	64% under target
Affordable Homes Delivered	285	344	205	470	1,304	



- 8.33 If one looks at a more historic pattern of delivery since the London Plan was first published (February 2004), Barnet has generated a deficit against minimum London Plan requirements of 1,881 homes across all housing types. In addition, Barnet has generated an even greater deficit against minimum London Plan requirements of 5,045 homes if one looks at net additional homes excluding vacant properties returned to use for the same period. These figures are based on data as identified in Barnet's Authorities Monitoring Report 2016/17 document (**Document 5**) and is detailed further in **Document 6**. This means that actual delivery is 96.6% or 83.8% respectively of demand across a 14 year period.
- 8.34 As identified in **Document 6**, the total net additional completions (excluding vacant units) from the start of Barnet's local plan period 2012-13 to 2016-17 (6 years) was 9,385 units (approximately 1,422 units). When compared to Barnet's annual Local Plan target of 1,866 net new homes, this equates to a shortfall of 444 net new units per year and/or 2,664 from the start of the plan period (2011-12).

### Projected Supply

- 8.35 Barnet's 5 year supply calculation in respect to the Local Plan and London Plan targets is detailed in Barnet's Local Plan Authorities Monitoring Report 2016/17: Chapter 8 – Barnet's Housing Trajectory and 5 Year Supply document. For ease of reference, we provide a summary of this below.

Figure 8.3 - 5 year supply Calculation – Local Plan (2012) plus backlog and 20% buffer Local Plan

5 year supply Calculation: Local Plan plus backlog and 20% buffer		
A	Total net provision required for the period 2011/12-2025/26	28,000
B	Total net completions for the period 2011/12 to 2016/17	10,825
C	Remaining net provision for period (A-B)	17,175
D	Number of years remaining in plan period	9
E	Remaining annualised net provision required for the period 2017-2026 (C/D)	1,908
G	5 year housing requirement (E x 5)	9,542
H	20% buffer (E x 20%)	1,908
I	5 year housing requirement + 20% buffer (G+H)	11,450
J	Total Identified five year supply 2017 - 2022 (from trajectory)	14,545
	<b>Current Overprovision Shortfall (J-I)</b>	<b>3,095</b>
	<b>Percentage surplus/shortfall</b>	<b>5</b>

- 8.36 Barnet's Local Plan Authorities Monitoring Report 2016/17 confirms that based on a Core Strategy target of 28,000 new homes from 2011/12 to 2025/26 and reduction in net housing completions from the start of the plan period 2011/12 to 2016/17 (5 years), Barnet has a five year housing requirement of 9,542 units for the borough as a whole. Given the historical shortfall in housing delivery, a 20% buffer has been applied to the supply calculation (in line with the NPPF) which equates to a 5 year housing requirement of 11,450 units.

Figure 8.4 - 5 year supply Calculation – London Plan Target (March 2016) plus backlog and 20% buffer Local Plan

5 year supply calculation: London Plan target 2015 to 2025 plus backlog and 20% buffer		
A	Total net provision required for the period 2011/12-2025/26	23,490
B	Total net completions for the period 2011/12 to 2016/17	4,311
C	Remaining net provision for period (A-B)	19,179
D	Number of years remaining in plan period	8
E	Remaining annualised net provision required for the period 2017- 2026 (C/D)	2,397
G	5 year housing requirement (E x 5)	11,987
H	20% buffer (E x 20%)	2,397
I	5 year housing requirement + 20% buffer (G+H)	14,384
J	Total Identified five year supply 2017 - 2022 (from trajectory)	14,545
	<b>Current Overprovision/Shortfall (J-I)</b>	<b>161</b>
	<b>Percentage surplus/shortfall</b>	<b>1</b>

- 8.37 Barnet's Local Plan Authorities Monitoring Report 2016/17 confirms that based on a London Plan target of 23,490 new homes from 2011/12 to 2025/26 and reduction in net housing completions from the start of the plan period 2015/16 (1 year), Barnet has a five year housing requirement of 11,987 units for the borough as a whole. Again given the historical shortfall in housing delivery, a 20% buffer has been applied to the supply calculation (in line with the NPPF) which equates to a 5 year housing requirement of 14,384 units.
- 8.38 In establishing the 5 year supply of housing, it is acknowledged that the Council's method for calculating any shortfall is based on the residual method over the total plan period (i.e. the Liverpool Method) rather than making up any shortfall within the 5 year period (the Sedgefield Method). This includes only the shortfall from the start of the plan period for both the Local Plan (Core Strategy) (2012) and London Plan (March 2016).

### Housing Trajectory

- 8.39 Barnet's Local Plan Authorities Monitoring Report 2016/17 suggests that Barnet will exceed its own five year housing requirement of 14,873 units and the London Plan target of 14,384 homes between 2016-2021, identifying a five year housing supply 2016-2021 (from trajectory) of 14,545 homes. This equates to an overprovision of 328 homes (Local Plan target) and 161 homes (London Plan target) across the 5 year supply trajectory. A summary of the housing land supply position is detailed in Figure 8.5 below.

Figure 8.5 - Total Identified 5 year supply in Barnet: Majors consents, allocations, prior approvals, non-conventional supply consent and vacants returned to use

	2017-18	2018-19	2019-20	2020-21	2021-22	Totals
<b>Consent</b>	1,377	2,334	2,016	1,486	1,523	8,736
<b>Allocation</b>	29	102	358	431	370	1,290
<b>Prior Approval</b>	159	384	220	65	0	828
<b>Non-Conventional Supply Consent</b>	34	0	46	48	0	128
<b>Total Majors</b>	1,619	3,010	2,907	2,194	1,960	11,690
<b>Total Minors</b>	341	341	341	341	341	1,705
<b>Total Minors and Majors</b>	1,960	3,351	3,248	2,525	2,301	13,395
<b>Vacants returned to use</b>	230	230	230	230	230	1,150
						<b>14,545</b>

- 8.40 To understand the robustness of this supply, and ability for the London Borough of Barnet to meet the minimum targets, it is important to understand the Council's past completion record, and the assumptions that have been made to inform the supply of new homes.
- 8.41 The 5 year housing supply trajectory identified within Table 7.5 seems a fundamentally challenging prospect certainly when one considers previous completions per annum within the Borough. As detailed in the past performance section of this chapter and **Document 6**, housing completions (all types) have never reached the current minimum London Plan target of 2,349 homes per year as far back as when the London Plan was first published. Furthermore, in the past 8 years (from 2007-08 to 2015-16), the Council has never delivered a completion rate higher than the total identified 5 year supply 2017-22 (from trajectory). Barnet has on average delivered only 1,653 homes p.a over the last 14 years. The Council are now suggesting that they will deliver an

average 2,909 homes p.a between 2017- 2022. This equates to 1,256 more homes p.a than they have delivered over the last 14 years.

- 8.42 It is reasonable to assume that such an uplift in delivery is improbable in reality (albeit it may be forecast) owing to the nuances within the planning and property sector, namely:-
- Politics at a local level – Barnet is held by the Conservatives with 38 seats. Labour hold 25 seats within the borough. The planning committee is split 7:4 in favour of the Conservatives.
  - Brexit – this has and will continue to impact investment decisions and create economic uncertainty.
  - London Plan update and Mayoral 35% affordable requirements – the policy approach by the new Mayor is impacting planning and investment decisions.
  - Nature of Sites – the Council has now completed the planning and partial development of all of its major regenerations Sites. This provides a significant pool of land and new housing stock for the borough. Without this land, focus will be on more difficult Sites to develop at a smaller scale.
- 8.43 In light of the above and given the historical shortfall in housing delivery in Barnet, we do not believe that the annual delivery rates to be realistically achievable.

### Build to Rent

- 8.44 Build to Rent is part of the Private Rented Sector (PRS) which also includes Buy to Let. Build to Rent homes are purpose built for the rental market and are held in single ownership by an institution. As it stands less than c.10% of the national Private Rented Sector is purpose built.
- 8.45 Build to Rent is different to the Buy to Let model, which lacks consistent quality, as institutional investors require the product to be designed to a high quality longer lasting specification and for secure tenancy terms to be offered alongside a range of on-site services (i.e. concierge and maintenance support).
- 8.46 Build to Rent Housing provides good quality, secure accommodation for the growing number of households who are unlikely to be eligible for Council allocated housing (c.£21k + income) but who are also unable to afford private sale housing (c.£80k+ income). This is recognised in Barnet’s Housing Strategy 2015 to 2025 (2015) which confirms that private market housing can only meet 33% of projected housing need whilst PRS can meet 86%. It also confirms that without PRS, 66% of Barnet’s households would require Affordable Housing.

### Build to Rent in Mill Hill

- 8.47 The total number of households living in the Private Rented Sector in the Mill Hill ward increased by c.88% between 2001 and 2011. The population of Mill Hill is projected to increase by a further c.30% between 2011 and 2021. This points towards significant growing demand for rental properties in the area. The proposed scheme will therefore provide an important contribution to meeting local housing need in the short to medium term.
- 8.48 The size and nature of the proposed scheme will create critical mass and place making that will create a new location attractive to renters with a range of on-site amenities. The site itself is a c.10 minute walk to Mill Hill Broadway station and is accessible to the local cycling and bus network.
- 8.49 A Housing Delivery Statement, prepared by Quod, provides further detail regarding the advantages of Build to Rent and particularly in this location.

### Wider Economic Benefits

- 8.50 The new households introduced as a result of the residential element of this development will increase spending in the local economy. Having regard to the average London estimation of weekly household spend (of £280 per week), it is estimated that the introduction of 844 new units could result in an additional £12.3 million per annum being spent on household goods and services, including convenience and comparison shopping and recreation and leisure activities. It is considered likely that a significant proportion of the above could be spent within the borough.

- 8.51 Based on evidence that workers spend £11 on average per day on food and drink within the area local to their place of work, applying the annual average of 220 working days, it is estimated that the employees associated with the development could spend between £110,000 and £162,000 per annum in the local economy.
- 8.52 In addition, New Homes Bonus generated by the 844 new homes would equate to £5.6 million over 4 years. The additional council tax revenue generated by the new homes would be in the region of £1.25 million per year, of which £1 million would be retained by Barnet and £250,000 would go to the GLA.

## 9 PLANNING ISSUES – TALL BUILDINGS

- 9.1 This section considers the policy approach to the acceptability of developing tall buildings at the site.
- 9.2 The proposed development comprises 18 individual rectangular building blocks of varying heights as presented Table 9.1 below. This table identifies the lowest and highest heights in AOD (m) and storey height of each proposed building across the site.
- 9.3 The maximum height of proposed development is situated in the south east of the site at Block A which is LG+G+14. The remaining building blocks within the proposed development range in height from G+3 to LG+G+10 storeys and G+12. The lowest building heights are located in the north of the site opposite Bunns Lane.

Figure 9.1 - Proposed Building Heights

Building	Building Height (Lowest)	Building Height (Highest)
Block A	G (70.85m AOD)+14 = 46.80m	LG (65.00m AOD)+G+14 = 52.65m
Block B	G (70.85m AOD)+10 = 34.40m	LG (65.00m AOD)+G+10 = 40.25m
Block C	G (70.85m AOD)+9 = 31.30m	G (70.85m AOD)+9 = 31.30m
Block D	G (70.85m AOD)+6 = 22.00m	G (70.85m AOD)+10 = 34.40m
Block E	G (70.85m AOD)+7 = 25.10m	G (70.85m AOD)+7 = 25.10m
Block F	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+9 = 31.30m
Block G	G (70.85m AOD)+11 = 37.50m	G (70.85m AOD)+11 = 37.50m
Block H	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+7 = 25.10m
Block I	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+7 = 25.10m
Block J	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+9 = 31.30m
Block K	G (70.85m AOD)+10 = 34.40m	G (70.85m AOD)+10 = 34.40m
Block L	G (70.85m AOD)+12 = 40.60m	G (70.85m AOD)+12 = 40.60m
Block M	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+6 = 22.00m
Block N	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+7 = 25.10m
Block O	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+7 = 25.10m
Block P	G (69.60m AOD)+3 = 12.70m	G (69.60m AOD)+6 = 22.00m
Block Q	G (69.60m AOD)+10 = 34.40m	G (69.60m AOD)+10 = 34.40m
Block R	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+6 = 22.00m

### Barnet Council Development Plan

- 9.4 Core Strategy Policy CS5 (Protecting and Enhancing Barnet’s Character to create High Quality Places) includes a policy with regards to Tall Buildings. It states that:-

*“Tall buildings (8 storeys (or 26 metres or more)) may be appropriate in the following strategic locations:*

- *Brent Cross – Cricklewood Regeneration Area*
- *Colindale – Colindale Avenue Corridor of Change*
- *Edgware Road Corridor of Change (in accordance with Policy 5.3 Building Heights in the Colindale Area Action Plan, 2010)*

- Grahame Park Estate
- Stonegrove and Spur Road Estate
- West Hendon Estate.

And the Priority Town Centres of:

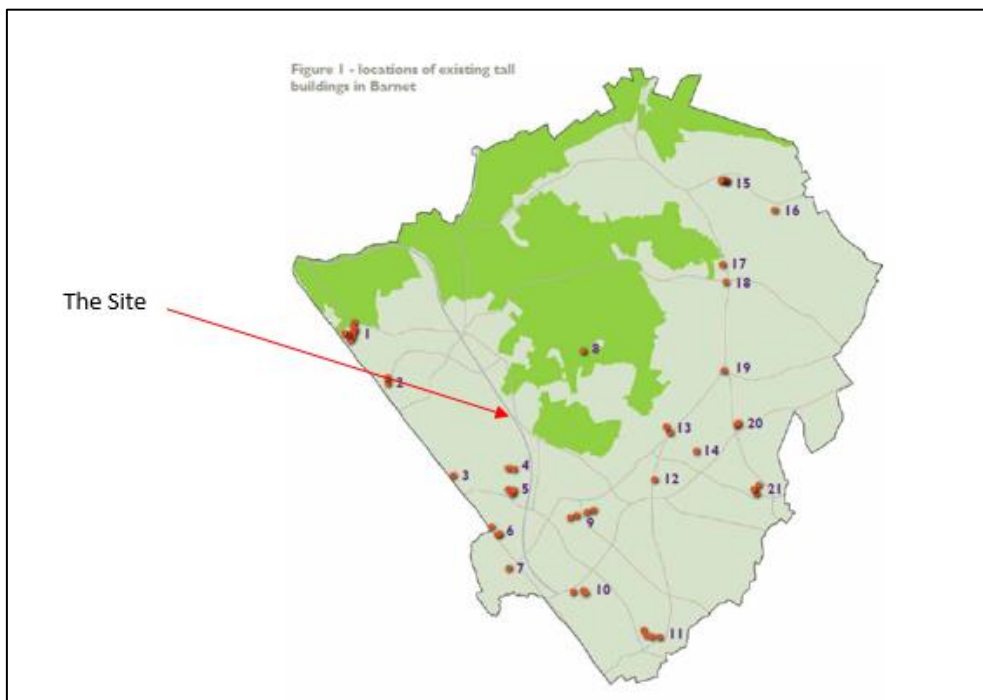
- Edgware
- Finchley Church End and
- North Finchley.

*Proposals for tall buildings will be considered in accordance with DM05 – Tall Buildings, London Plan Policy 7.7 – Location and Design of Tall and Large Buildings and Guidance on Tall Buildings (2007) by English Heritage and CABE.*

*Outside of these specific locations, proposals for tall buildings will not be supported”*

- 9.5 This is a prescriptive policy which seeks to tightly define the location of tall buildings within the Borough. This policy defines Tall buildings as buildings of “8 storeys (or 26m) or more” and are considered to be “appropriate” within six “strategic locations” and “Priority Town Centres”. One of the strategic locations considered to be appropriate for tall buildings is the Grahame Park estate which is located to the south-west of the site beyond the M1 (Motorway). According to this policy, proposals for tall buildings outside of these locations “will not be supported”. Given that Barnet is in deficit on its housing delivery, then we would argue that this policy carries significantly less weight, and it may be seen to be stymieing acceptable brownfield Sites outside of those areas identified 5 years ago.
- 9.6 The narrative to this policy refers to Barnet’s Tall Buildings Study (2010) which comprises a review of tall buildings within the borough at that time, and the factors that should be taken into account when locating and designing future proposals for tall buildings. Figure 1 from the study is reproduced as Figure 9.1 below, showing the relationship of the site to existing tall buildings (although it should be noted that this has not been updated to reflect any developments since 2010).

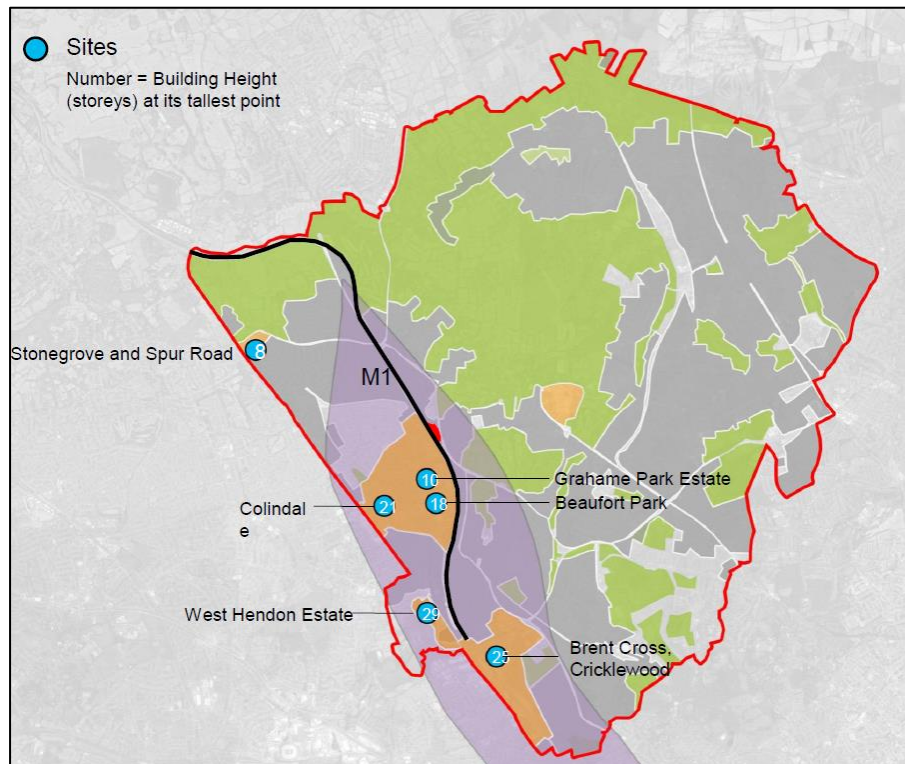
Figure 9.1- Locations of Existing Tall Buildings in Barnet



- 9.7 Figure 9.2 below shows in detail the current relationship of the site to tall buildings as approved. Spatially, Pentavia follows a line of tall buildings along the M1 (Motorway) from south to north: Brent Cross Cricklewood (25 Storeys), West Hendon Estate (29 Storeys), Colindale (21 Storeys), Beaufort Park (18 Storeys), Grahame Park

Estate (10 Storeys), Pentavia (G+8 Storeys) and Stonegrove and Spur Road (8 storeys). The site's proximity to these larger developments lends justification to the proposed scale, massing and density of the new development.

Figure 9.2 -- Locations of Tall Buildings as approved in Barnet

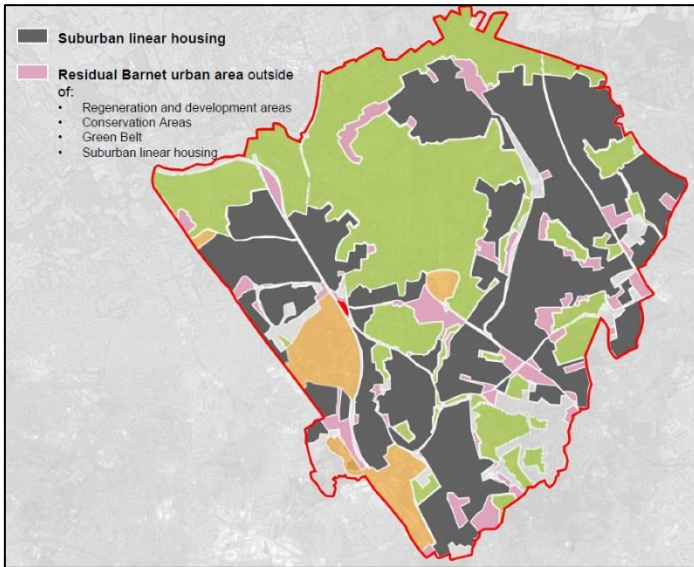


9.8 Core Strategy Policy CS5 does not allocate Pentavia as a strategic location or priority town centre where tall buildings of 8 storeys or more in height would be supported. As the heights of several building blocks are considered to be 8 storeys and above (or 26m or more), we consider that there are material considerations which weigh in favour of not complying with policy CS5 which is a prescriptive approach to limit tall buildings outside of these defined locations:-

- i. We believe that housing need in Barnet is a fundamental issue which requires an optimised approach to site capacity. Indeed, an increased minimum housing target has been set for Barnet in the draft London Plan. This suggests that Barnet's policies for growth areas, and tall building locations, are fundamentally out of date. The delivery of housing at this site will go some way to help the borough meet its minimum housing needs.
- ii. Other factors include the protection of green belt, substantial need for affordable housing, and encouraging the effective use of underutilised brownfield sites.
- iii. The need to create an appropriate residential environment. Development scale shields the internal amenities of the site from noise and air quality disturbance arising from the M1 (Motorway) and the A1 (Watford Way).
- iv. The site is characterised by tall buildings to the west of the M1 (Motorway).
- v. Building heights are lowest towards the northern extent of the site near Bunn's Lane, rising in scale towards the south to reflect its immediate surroundings.
- vi. The need to deliver a viable development and incentivise alternative land use options. The site benefits from a high existing use value above which any new development must exceed otherwise the landowner would not be incentivised to redevelop and bring forward the benefits outlined in this Statement.

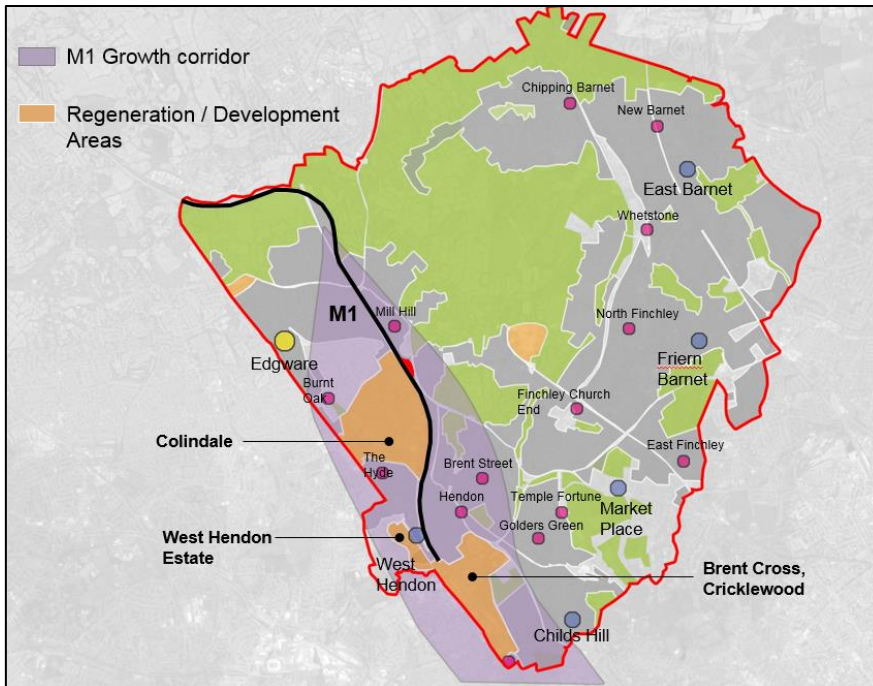
- vii. Barnet is a Suburban London borough and is the second largest. It is predominated by green infrastructure and expansive areas of linear development with limited redevelopment potential (suburban post war housing). In addition, the five regeneration schemes outlined in Core Strategy Policy CS5 have all either been built out or being built out. Figure 9.3 below identifies what land is left to be developed (white land) as a result of these factors in addition to land constrained by locally protected views and employment land allocations. It is clear that underused, brownfield, available windfall sites must be developed to meet housing needs in Barnet. The Pentavia site is one of the last remaining brownfield Sites capable of supporting a high density housing development of the proposed size and scale.
- viii. Compliance with DMP Policy DM05 and London Plan Policy.

Figure 9.3 -- Suburban Intensification Across Barnet



9.9 Figure 9.4 shows a clear growth corridor for suburban intensification along the M1 motorway.

Figure 9.4 - Clear growth corridor for suburban intensification along the M1 motorway





9.10 DMP Policy DM05 (Tall Buildings) sets out a criteria based approach for assessing proposals for tall buildings and is acknowledged in Core Strategy Policy CS5. We consider this to be a less prescription policy and comment on this below.

9.11 DMP Policy DM05 states that proposals for all buildings will need to demonstrate:

- An active street frontage where appropriate – the development proposes active ground floor across the site and maximises an active public realm including play space, lawn, plant beds, trees and seating contributing to a new sense of place.
- Can be integrated successfully into the existing urban fabric – as the site is separated from surrounding built environments by major transport infrastructure, there is an opportunity to create a distinctive built form which will deliver a new identity at this location but will also form part of the emerging context by the use of local materials etc. The proposals will improve the legibility of the area by improving linkages which are currently limited in this locality and facilitating new public realm.
- Have regard to topography and have no adverse impact on Local Viewing Corridors, local views and the skyline – the narrative to DMP Policy DM05 states that obstructing or harmfully impacting Local Viewing Corridors, as shown on Core Strategy Map 8, will not be acceptable. The emphasis is on obstruction and harm, not simply prominence; the text acknowledges at paragraph 6.1.5 that “some proposals can assist in land-marking an important location within the view, provided they don’t impede or block its main subject.” Although the development would be visible from Mill Hill Field, when viewed against the backdrop of the M1 motorway and twentieth century suburban development lying to the south (West Hendon; Colindale; Wembley etc.) (Figure 9.5), the proposed development would not feature as being an entirely incongruous addition to the townscape.

Figure 9.5 - The Mill Hill Field Looking South West (Proposed View)



- Do not cause harm to heritage assets and their setting - There are no Scheduled Monuments in the vicinity of the site. There are over 60 listed buildings within a 2km radius of the site, with the closest being the Grade II listed Chase Lodge located some 600m east of the site. The nearest conservations area to the site is Watling Estate. It is considered that the new buildings do not appear excessively dominant from this location and will not impact its settings.

- That the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm – these aspects are considered in detail within the Environmental Statement and no adverse impact has been identified which would require any further design amendment.

### Draft London Plan

- 9.12 Draft Policy D8(c) (Tall Buildings) states that development proposals for Tall Buildings should assess the visual impact, including views from different distances – long-range views; mid-range views; and immediate views from the surrounding streets. A Townscape and Visual Assessment is submitted as part of this planning application.
- 9.13 The policy goes on to state that tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding. The Site’s proximity to the larger developments of Colindale, the Grahame Park Estate, Beaufort Park Estate, the West Hendon Estate, Brent Cross and Cricklewood, can be seen as a suitable precedent for the proposed scale, massing and density of the new scheme. The Site sits along the M1 corridor where a number of tall buildings occur principally along the Colindale and West Hendon side, towards Brent Cross.
- 9.14 Key tall developments along the M1 are:
- Trinity Square - 10 storeys
  - Beaufort Park, Colindale - 18 storeys
  - Colindale Gardens - 21 and 18 storeys
  - Premier Inn, Colindale - 12 storeys
  - West Hendon - 29 storeys
- 9.15 The draft policy requires architectural quality and materials to be of an exemplary standard to ensure the appearance and architectural integrity of the building is maintained through its lifespan. The architectural quality of the proposal is detail within the Design & Access Statement.

### Adopted London Plan

- 9.16 Core Strategy Policy CS5 refers to the assessment of tall building proposals being undertaken against the adopted London Plan Policy 7.7 (Location and Design of Tall Buildings) which establishes a detail set of criteria.
- 9.17 The narrative to London Plan Policy 7.7 (paragraph 7.25) defines tall buildings as “those that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor”. In this location the referral height is 30m (10 storeys equivalent).
- 9.18 We comment on London Plan Policy 7.7 criteria below:-
- Generally be limited to Sites in the Central Activities Zone, opportunity areas, areas of intensification or town centres that have good access to public transport – this is a general requirement but not specific. The site represents an excellent underutilised brownfield development opportunity to maximise development of a constrained brownfield site.
  - Only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building – as the site is separated from surrounding built environments by major transport infrastructure, the local context is difficult to define certainly given the existing buildings on site. The proposed development will be seen from some local views and we consider this change to be acceptable.
  - Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level – the existing area is rather broken due to the boundary effects of the M1 (Motorway) and the A1 (Watford Way). The development will help stitch it together by improving linkages to existing new public transport services and facilitating new public realm.
  - Individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London – the cluster of taller building’s emphasise the regenerative approach to development and create public benefit through the delivery of new

build to rent accommodation, improvements to the existing transport infrastructure including pedestrian and cycle links and the creation of new public realm. The design will deliver an enhancement to the skyline of London and Barnet owing to its unique form.

- Incorporate the highest standards of architecture and materials, including sustainable design and construction practices – The site is in a challenging location and in response to noise and air quality issues, the design approach adopts an inward looking layout that focuses on creating a high quality public realm to compensate for the hostile environment at its edges. The treatment of the proposed elevations, the use of appropriate materials and landscaping, and the stepping of height has aided in mitigating the potential impacts of building scale and massing. The buildings will be of the highest quality of design as explained further in the Design and Access Statement and Sustainability Report.
- Have ground floor activities that provide a positive relationship to the surrounding streets – the development proposes active ground floor uses, and maximises an active public realm including play space, lawn, plant beds, trees and seating. This will create a sense of place.
- Contribute to improving the permeability of the site and wider area, where possible – the development makes a significant contribution to improving permeability and accessibility by creating a new separate pedestrian/cycle link to Bunns Lane and the introduction of a range of sustainable transport proposals including car clubs.
- Incorporate publicly accessible areas on the upper floors, where appropriate – additional private communal amenity space is provided on the roofs of Blocks D, F, H and M in the form of roof terraces.
- Make a significant contribution to local regeneration – the development will make a very positive contribution to regeneration in this locality as it proposes the regeneration of a constrained brownfield site helping to deliver much-needed homes, affordable housing and new jobs.

9.19 With regards to a detailed assessment, the policy goes onto state at part (D) that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference and should not impact on local or strategic views adversely. These aspects are considered in detail within the Environmental Statement and no adverse impact has been identified which would require any further design amendment. The design of the buildings have in any event been informed by these considerations to ensure that the proposals makes a positive contribution to the amenity of the immediate area.

9.20 Finally the policy states at part (E) that the impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings, registered historic parks and gardens, scheduled monuments, battlefields, the edge of the Green Belt or Metropolitan Open Land, World Heritage Sites or other areas designated by boroughs as being sensitive or inappropriate for tall buildings. This site is not considered to be located in a sensitive location. The impact of tall buildings in this location has been subject to extensive assessment and the design of the development has been amended to ensure that it appropriately respects the views from Mill Hill and Watling Estate Conservation Areas. Overall, the development's impact is therefore anticipated to be low.

9.21 London Plan Policy 7.7 refers to Borough's identifying as part of their Local Development Framework, areas which are appropriate, sensitive or inappropriate for tall and large buildings. It considers that these areas should be consistent with the criteria set out in London Plan Policy 7.7. Core Strategy Policy CS5 refers only to a list of strategic locations or priority town centres where tall buildings of 8 storeys or more in height would be supported and has no consideration for Sites in different locations which incorporate the highest standards of design or improve permeability.

9.22 To resolve a situation where conflict may arise between different polices, planning law Section 38(5) of the Planning and Compulsory Purchase Act 2004 states that if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. The London Plan was updated in March 2016 as a formal consolidated document, therefore it is the latest document to be approved, some four years after the adoption of the Barnet Local Plan.

9.23 From a detailed assessment of Policy 7.7 it is considered that the objectives of the policy are met, and that this application complies with the policy.

### Guidance on Tall Buildings (2007) by English Heritage and CABE

9.24 Whilst Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that proposals shall be determined in accordance with the development plan, we also consider the acceptability of the proposals against material considerations, which in this case is Guidance on Tall Buildings (2007) by English Heritage and CABE. This is also referred to within Core Strategy Policy CS5.

9.25 As explained below there is a very clear justification for the height of this proposal in relation to each criteria set out in the guidance produced by CABE and English Heritage in 2007.

Table 9.2 - Guidance on Tall Buildings Checklist

	Criteria	Comment
1	Relationship to Context	<p>A full VIA has been undertaken by Peter Radmall Associates as part of the application submission to assess the impact of the development on strategic and local views and tall building clusters. A total of 21 assessment views have been identified. These are based on those used for the assessment of the previous scheme, together with additional views from Bunns Lane and the UCL Observatory.</p> <p>The completed development represents a change in the character of the site and in the scale of the local townscape, although that change will become less apparent as other schemes are brought forward, particularly redevelopment of the Grahame Park Estate. The magnitude of change is mitigated by the design quality of the proposals, with the result that the effect on site character is predicted to be moderate beneficial (becoming substantial beneficial as landscaping matures).</p>
2	Heritage Asset Impact	<p>It has been identified that there are no designated or non-designated heritage assets within the site and proposals to introduce a residential scheme here would therefore not have any direct effects upon the significance of any heritage assets. The principal consideration is whether the proposals could cause harm to the significance of any heritage assets through harm to their respective settings. Historic England guidance is clear that setting is defined as the surroundings in which an asset is experienced.</p>
3	Sustainable approach to transport	<p>The development proposes a sustainable level of car parking at 0.47% per unit which reduces the impact of the private vehicle on the environment, whilst meeting only a necessary on site demand. The parking will include disabled car parking provision enhancing social inclusion.</p>
4	Architectural quality of the proposed building	<p>The Design and Access Statement describes the appropriateness of the massing and scale of development. As the site is separated from surrounding built environments by major transport infrastructure, there is opportunity to create a distinctive built form.</p>
5	Sustainable design and construction	<p>The buildings will be of the highest quality of design as explained further in the Design and Access Statement and Sustainability Report.</p>
6	Financial & technical credibility of design	<p>Meadow Residential and AFK has an enviable track record of delivery high quality design.</p>
7	Public spaces and facilities	<p>This application is supported by an extensive area of new public realm which will benefit new residents and local biodiversity. This is a major public benefit of the development. In addition, the development also includes the provision of ancillary</p>

	Criteria	Comment
		residential space and commercial uses that contribute to a sense of place and active frontages.
8	Micro-climate effects	This has been considered in detail within the Environmental Statement. No adverse impact has been identified which would require any further design amendment.
9	Permeability	The development makes a significant contribution to improving permeability and accessibility including creating a new separate pedestrian/cyclist link to Bunns Lane.
10	Appropriate land use mix	The land mix proposed generates sustainable communities and viability and vitality.

## 10 PLANNING ISSUES – COMMERCIAL FLOORSPACE

- 10.1 This Section considered the planning issues relating to the provision of commercial floorspace as part of this planning application.
- 10.2 The existing site comprises one larger retail building in the north of the site and a smaller restaurant building in the south of the site. Up until 2015, the site had been occupied by major retailers including Homebase, Comet and Argos. The site is currently occupied by a charity supermarket Kosher Outlet (temporary occupied since September 2015) and Together Plan (a charity occupying the former Homebase unit).
- 10.3 The retail development at this site comprises 9,053m<sup>2</sup> (GIA) of unrestricted Class A1 Retail floorspace with 664m<sup>2</sup> (GIA) of Class A3 Food and Drink. Three recent retail planning applications have been approved at the site to create seven unrestricted Open Class A1 retail units and two Class A3 restaurant units (Ref: 14/08075/FUL) in addition to a new single D2 unit (Ref: 15/01820/FUL and 15/01825/FUL) in a reconfigured arrangement.
- 10.4 The proposed scheme seeks to demolish the existing retail and restaurant buildings and deliver a total of 405m<sup>2</sup> (GIA) of unrestricted Class A1 floorspace, 326m<sup>2</sup> (GIA) Class A3 and A4 food; and 297m<sup>2</sup> (GIA) Class D1 Community. It is intended that the future uses will be a small convenience store, dry cleaner, hairdresser, coffee shop, restaurant/bar and nursery. The small convenience store and restaurant/bar is proposed to be located at the front of Blocks A and B to the south of the site, with the other uses within the main courtyards spaces at ground floor level.
- 10.5 The development also includes the provision of 894m<sup>2</sup> ancillary Build to Rent space which is intended to include uses such as an on-site residents only gym, concierge/post office, security office, maintenance office, workspace hub, residents lounge and meeting space in connection with the Build to Rent units. This space will be managed long term by Meadow Residential to ensure that the uses are compatible with residential amenities above.

### Town Centre First Approach

- 10.6 The site is not located in an existing identified town centre or an employment site and is considered out of centre.
- 10.7 Core Strategy Policy CS6 (Promoting Barnet's town centres) confirms that Barnet's town centres are the economic, civic, retail, leisure and transport hubs of Barnet. Barnet has a complex pattern of town centres with a hierarchy comprised of Edgware, a major centre, along with 14 district centres (Mill Hill is closest to the site), 5 local centres and 10 neighbourhood centres. Policy CS6 sets out Barnet's 'town centres first' approach to retail development.
- 10.8 DMP Policy DM11 (Development principles for Barnet's town centres) sets out Barnet's detailed development principles in respect of its town centres and proposed town centre uses:

#### *"a) Town centre uses*

*i – 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. Edge of Centre proposals will not normally be appropriate and therefore should demonstrate why they are not locating in a town centre site.*

*ii – The town centre boundaries, primary and secondary retail frontages are shown in the maps in Appendix 5."*

- 10.9 The supporting text to DMP Policy DM11 (Paragraph 12.3.1), being consistent with the NPPF, sets out that all out of town retail development will be required to consider the sequential approach. A locally applied threshold of 200m<sup>2</sup> has been set. Extensions in excess of this amount will need to satisfy the requirements of a sequential assessment.
- 10.10 The NPPF requires local authorities to apply the sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan.

- 10.11 Similarly, Barnet have set a locally based floorspace threshold (Paragraph 12.3.2) requiring a retail impact assessment to be undertaken for any significant new retail / town centre use development above 500m<sup>2</sup> or a net addition of this amount to an existing unit.
- 10.12 It is of note that the proposed development will not result in any net additional Class A1 retail and Class C3 restaurant floorspace with the existing to proposed retail floorspace being a significant reduction.

Table 10.1 - Existing and Proposed Retail Floorspace

Use Class	Existing Retail Floorspace	Proposed Retail Floorspace	Net Change (GIA sqm)
Unrestricted Class A1	9,053	405	- 8,648
Class A3 (the new development also includes Class A4)	664	326	- 338
<b>Total</b>	<b>9,717</b>	<b>731</b>	<b>- 8,986</b>

- 10.13 This reduction in retail floorspace is substantial and will benefit Barnet's Town Centre First Approach. This proposal will aid in promoting Barnet's network of town centres in accordance with the objectives of Core Strategy Policy CS6 and DMP Policy DM11.
- 10.14 The limited new Class A1 and A3-A4 floorspace proposed as part of this application will principally support and aid in meeting the needs of the new population (estimated at 1,357 new residents) as opposed to forming a new retail destination and therefore are integral in the process of good place making.
- 10.15 With regards to the sequential approach and impact assessment, there is no net additional floorspace proposed on site and the approval of planning applications ref: 14/08075/FUL, ref: 15/01820/FUL and ref: 15/01825/FUL, have confirmed that there are no sequentially preferable Sites available.
- 10.16 The proposal will introduce a new D1 community use (expected to be a nursery) comprising 297m<sup>2</sup> (GIA) of floorspace, albeit this is not considered a town centre use as defined by the NPPF and therefore is not considered as part of the above assessment. In addition, the Build to Rent ancillary space which will be managed long term by Meadow Residential and be subject to use only by the new residents, would not be subject to the sequential and impact analysis.

## Employment Opportunities

- 10.17 Policy DM14a(ii) (New and existing employment space) of the DMP seeks to retain employment floorspace (Class B1, B2 and B8 use) outside of a Locally Significant Industrial Site, Industrial Business Park or Business Location unless it can be demonstrated that it is no longer "suitable or viable".
- 10.18 The existing site is in unrestricted Class A1/A3 use and is not allocated within an employment site, therefore DMP Policy DM14 is not relevant in this instance.
- 10.19 It is however recognised that there are policies within Barnet's Local Plan which do encourage an intensification of employment opportunities across the Borough (Core Strategy policy CS8 and DMP Policy DM11).
- 10.20 This planning application embraces these policies and seeks to enhance the number of employment opportunities, and economic profile of this site. It is important to note that as part of the Build to Rent ancillary offer, the provision of a workshare hub for residents providing new and modern workspace is proposed to be provided which is in line with the objectives of the adopted Pentavia Retail Park Planning Brief.
- 10.21 Table 10.2 below sets out the commercial floor areas and estimated number of jobs which could be generated by the development.

Figure 10.2 -Employment Generation

	GIA (m <sup>2</sup> )	NIA (m <sup>2</sup> )	Density	Jobs
C3 Build to Rent Ancillary Uses	894	-	-	5-10
A1 Class Commercial	405	398	15-20	20-27
A3-A4 Class Commercial	326	323	15-20	16-22
D1 Community Space	297	-	25-50	6-12
<b>TOTAL</b>				<b>47-70</b>

- 10.22 The non-residential floorspace includes provision of retail, community and ancillary uses. These uses have the potential to accommodate 47 to 70 jobs (FTE).
- 10.23 It is also a proposal which delivers investment and financial return for the borough. The total Gross Value Added from the 47 to 70 employees working at this site would range between £2 million to £3 million per annum. In addition, the wages generated by the employees working within the development would range between £900,000 million and £1.4 million annually.
- 10.24 The grant of planning permission should ensure a greater flexibility for the commercial floorspace as possible to attract a wide choice of potential operators. There should therefore be no limitation on the Class A1 space being unrestricted (as is existing), Class A3-A4 and D1 use, or any proposed limitation to the internal space proposed, by way of subdivision or amalgamation.



## 11 PLANNING ISSUES – OTHER

11.1 This section addresses a range of development control items pursuant to residential amenity. These matters are discussed below.

### Housing Mix

11.2 The adopted London Plan requires new developments to offer a range of housing choices, in terms of sizes and types, taking account of the housing requirements of different groups and the challenging roles of different sectors, including the private rented sector (Policy 3.8).

11.3 Draft London Plan Policy H12 (Housing Size Mix) states that schemes should consist of a range of unit sizes. The 2017 London Strategic Housing Market Assessment has estimated the unit size mix of new homes required to meet London's current and projected housing needs which is shown below.

Table 11.1 - 2017 SHMA findings

Tenure	1bed	2bed	3bed	4+bed	Total	% of total
Market	10,682	2,043	4,101	6,210	23,037	35%
Intermediate	4,334	3,434	2,409	1,693	11,869	18%
Low-cost rent	21,318	5,311	2,462	1,881	30,972	47%
Total	36,335	10,788	8,971	9,783	65,878	100%
% of total	55%	16%	14%	15%	100%	-

11.4 Barnet Council's DMP recognises at Policy DM08 (Ensuring a variety of new homes to meet housing need) that new developments should include a mix of residential units, prioritising the provision of 3 bedroom homes for social rent and 3-4 bedroom homes for private and intermediate housing.

11.5 The GLA Affordable Housing Viability (SPG) paragraph 4.31 (August 2017) confirms that local policies requiring a range of unit sizes should be applied flexibly to Build to Rent (PRS) schemes to reflect demand and viability challenges faced by long term Build to Rent, when competing with provision for market sale. It also goes on to state that yields and investment risks for Build to Rent can be affected by increases in the number of large units within a scheme.

11.6 The housing mix proposed by this application is enclosed below.

Table 11.2 -Proposed Residential Accommodation

Total	Residential Unit	Percentage
Studio	4	0%
1 Bed apartment	281	33%
2 Bed apartment	436	52%
3 Bed apartment	123	15%
<b>TOTAL</b>	<b>844</b>	<b>100%</b>

11.7 Whilst the development proposes 85% 1 and 2 bed units, it is felt that there are justifiable reasons for this, owing to the nature of Build to Rent which is typically targeted at smaller households, site specific circumstances of development scale and orientation of units.

11.8 It is for these reasons that the site provides for a clear caveat to DMP Policy DM08.

### Affordable Housing Provision

11.9 Core Strategy Policy CS4 (Providing Quality Homes and Housing Choice in Barnet) promotes to maximise the delivery of affordable housing, with a target provision of at least 5,500 new affordable homes to be provided by 2025/26. This policy seeks a borough wide target of 40% affordable homes on Sites capable of accommodating ten or more dwellings at 60% social rented and 40% intermediate housing. This is further reinforced at DMP Policy DM10 (Affordable Housing Contributions).

11.10 The scheme will provide 345 new affordable homes on-site (41%). This exceeds the local policy target (40%) and is compliant with Policy H6 (Threshold Approach) of the Draft London Plan (2018) which requires 35% Affordable Housing. The provision of 345 new affordable homes will provide a significant contribution to both local and strategic London wide affordable housing need (of which Barnet only met 22% in the last 3 years). A review mechanism will enable this to increase to up to 50% (subject to the availability of grant and delivery timescales).

11.11 The scheme will provide a mix of genuinely affordable housing products including London Affordable Rent, London Living Rent, Discounted Market Rent and London Shared Ownership compliant with Policy H7 (Affordable Housing Tenure) of the Draft London Plan (2018).

11.12 It is proposed that the scheme will provide a mix of Conventional Sale and Build-to-Rent housing, as confirmed in table 10.3 below.

Table 11.3 - Type Mix

Housing Tenure	Units	%
Build-to-Rent	458	54%
Conventional Sale	386	46%
<b>Total</b>	<b>844</b>	<b>100%</b>

11.13 The 41% of the homes be provided as on-site affordable housing and will be retained as affordable housing in perpetuity (as confirmed in Table 10.4 below). A viability assessment has not been prepared in accordance with Policy DM10 of Barnet Local Plan (2012 and Policy H6 (Threshold Approach) of the Draft London Plan (2018).

Table 10.4: Tenure Mix

Housing Tenure	Units	%
Affordable Housing	345	41%
Private Rent	270	32%
Private Sale	229	27%
<b>Total</b>	<b>844</b>	<b>100%</b>

11.14 The assumptions behind the level of affordable housing is provided within the Housing Delivery Statement produced by Quod.

11.15 The proposed mix of tenures is appropriate having regard to the following factors:-

- **Strategic Policy:** The scheme exceeds the 35% level of Affordable Housing required by Policy H6 (Threshold Approach) of the Draft London Plan (2018). This also means a viability assessment and late stage review mechanism is not required.
- **Local Policy:** The scheme exceeds the local level of Affordable Housing in accordance with Policy DM10 of the Barnet Development Management Polices (2012) and the Policy 3.12 of the adopted London Plan (2016).

- **Strategic Housing Need:** The provision of 345 new affordable homes is equivalent to c.2% of London’s total annual affordable housing need, which, when considered in context, is significant on a singular site.
- **Local Housing Need:** The provision of 345 new affordable homes will contribute to meeting the Council’s objectively assessed need for affordable housing of which only 22% was met between 2012 and 2017.
- **Grant Review:** The inclusion of a Grant Review Mechanism (as detailed in the Mayors Affordable Housing Programme) will enable the quantum of Affordable Housing proposed to increase up to 45% if GLA grant is available (subject to funding availability and delivery timescales).
- **Viability Review:** The financial viability appraisal agreed with Barnet Council demonstrates the scheme is significantly overproviding affordable housing. The inclusion of an Early Review Mechanism (as detailed in the Mayors Affordable Housing SPG) will however enable the quantum of Affordable Housing proposed to increase up to 50% in a complaint tenure mix (subject to future viability and delivery timescales).

## Minimum Apartment Sizes

11.16 The proposed apartments will provide high quality residential accommodation with large gross internal space standards for each individual dwelling:

Table 11.4 - Proposed Average Unit Size

Total	Minimum Requirement (Draft London Plan Table 3.1)	Proposed Average Size	Proposed Average Surplus
Studio	37	42	+5
1 Bed 2 Person	50	54	+4
2 Bed 3 Person	61	62	+1
2 Bed 4 Person	70	77	+7
3 Bed 5 Person	86	88	+2
3 Bed 6 Person	95	98	+3

11.17 All units will meet and in some instances exceed the Mayor’s minimum unit sizes as set out in Draft London Plan Policy D4, Table 3.1.

## Aspect

11.18 The London Housing SPG (2016) Standard 29 stipulates that “developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided”. Hence, the provision of ‘dual aspect’ units within a development is strongly encouraged by the SPG.

11.19 The draft London Plan, Policy D4 (Housing Quality and Standards) states that housing development should maximise the provision of dual aspect dwellings and avoid the provision of single aspect dwelling. A single aspect dwelling should only be provided where it is considered a more appropriate design solution than a dual aspect dwelling, and that it will have adequate passive ventilation, daylight and privacy and avoid overheating.

11.20 The development proposes no single aspect units directly facing the M1 (Motorway) and A1 (Watford Way). The design maximises the delivery of dual aspect units across the floorplates, with no north facing single aspect units.

## Amenity Space

11.21 DMP Policy DM02 (Development Standards) states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough.

- 11.22 As outlined in Barnet’s adopted Sustainable Design and Construction SPD (2016), the Council expect the following minimum outdoor amenity space standards to be achieved.

Table 11.5 -Outdoor Amenity Space Requirements (Sustainable Design and Construction SPD (2016))

Outdoor Amenity Space Requirements	Development Scale
<b>For Flats:</b> 5m <sup>2</sup> of space per habitable room	Minor, Major and Large Scale
<b>For Houses:</b> 40m <sup>2</sup> of space for up to four habitable rooms 55m <sup>2</sup> of space for up to five habitable rooms 70m <sup>2</sup> of space for up to six habitable rooms 85m <sup>2</sup> of space for up to seven more habitable rooms	Minor, Major and Large Scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

- 11.23 Standard 4.10.1 of the Housing SPG requires that a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. (However, it notes that in exceptional circumstances where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings can instead be provided with additional internal living space equivalent to the area of the private open space requirement). This standard is further reiterated in Draft London Plan Policy D4 part D9 (Housing Quality and Standards).
- 11.24 The proposed development comprises 3,210 habitable rooms which would necessitate a Barnet policy compliant amenity space provision of 16,050m<sup>2</sup>. The development exceeds this requirement, providing 16,150m<sup>2</sup> of usable amenity provision – some 100m<sup>2</sup> more than is required.
- 11.25 In respect to the Housing SPG, Standard 4.10.1 would require a total of 5,074sqm to be provided as private outdoor space. The scheme proposes 5,816sqm of private amenity space (winter gardens and balconies) therefore the proposed amenity space provided at the Site significantly exceeds this requirement.
- 11.26 Considering the constraints of the site, the development proposes a substantial amount of amenity space for both private residents and for wider community uses and is a major benefit of the scheme.
- 11.27 The breakdown of the proposed usable amenity space is as follows:-
- Private Balconies and Winter Gardens – Total of 5,723m<sup>2</sup>
  - Private Roof Gardens (used only by the residents of each block) – Total of 3,804m<sup>2</sup>
  - Courtyard style open green spaces – Total of 6,623m<sup>2</sup>.
- 11.28 The new public courtyards will each have their own distinctive character in contrast to the site’s urban context. The spaces will provide shelter from the noise, incorporate varied activities and provide shelter from the noise, incorporate varied activities and provide a legible route through. The landscape chapter of the Design and Access Statement provides further detail of the public open spaces.

### Play Space and Sports Provision

- 11.29 The amenity space provision has been calculated based on child yield arising out of the development in line with London Plan Policy 3.6, the GLA’s SPG on Play Informal Recreation (2012) and the London Plan Housing SPG (2016).
- 11.30 Table 11.6 sets out the number of children expected to live within the development and the amount of playspace required for each group.

Table 11.6 - Playspace

Age Profile	No of Children	Amount of space (m <sup>2</sup> ) required	Playspace Provision (m <sup>2</sup> )
0-4 years	52	520	<b>1,152</b>
5-11 years	23	230	
12+ years	12	120	
<b>TOTAL</b>	<b>87</b>	<b>870</b>	

- 11.31 Within the open spaces proposed across the development, playable features will include play equipment and natural play elements which offers a wider variety of play opportunities for different age groups.
- 11.32 For 0-5 year olds we would provide small climbable objects including changes of levels and seating for carers around them. For 5-11 year olds equipment that allows children to swing, slide and climb. And for 12+ years old space for informal sport or recreation activity, including elements like exercise trails and outdoor exercise equipment.
- 11.33 This provision of on-site play space is supplemented by a number of public parks and open spaces which lie in close proximity of the development including Mill Hill Park. Mill Hill Park is located approximately 100m north-east of the site which contains a range of facilities including sports facilities, gardens, multi-sport courts, play areas, an outdoor gym and a café.

### Outlook and Privacy

- 11.34 DMP Policy DM01(e) (Protecting Barnet's Character and Amenity) states that all development proposals should be designed to allow for adequate privacy and outlook for adjoining and potential occupiers and uses.
- 11.35 Barnet's adopted Sustainable Design and Construction SPD (2016) confirms that in new residential development there should be a minimum distance of 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden.
- 11.36 The proposed development meets the minimum separation distances as set out in the adopted SPD and ensures an adequate privacy is maintained for all proposed residential properties.

### Density

- 11.37 London Plan Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, public transport capacity and the design principle in Chapter 7 of the London Plan. Table 3.2 of the London Plan provides density guidelines in support of this.
- 11.38 The Site comprises 3.87ha and has a Public Transport Accessibility Level (PTAL) rating of between 1a and 3 (the majority of the Site is covered by PTAL 1b). The site falls within an urban location
- 11.39 The GLA's Housing SPG (March 2016, updated August 2017) requires the following density calculation based on 99% of the net site area (reducing the site by 1% - the proportion of proposed non-residential residential floorspace), giving a site area for density purposes of 3.83ha.
- Net Site Area: 3.83ha
  - Residential GIA: 76,316m<sup>2</sup>
  - Non-Residential GIA: 1,028m<sup>2</sup>
  - Number of dwellings: 844 units
  - Number of habitable rooms: 3,210 habitable rooms

11.40 Applying the Site area for density purposes of 3.83ha, the density calculation results in 220 units per hectare, and 838 habitable rooms per hectare.

11.41 A summary of the Site density is set out below, in comparison to Table 3.2 of the adopted London Plan:

Table 11.7 - Site Density

Character	PTAL	Table 3.2 Policy (up to)	Proposal
Urban	1	250hr/ha or 95u/ha	838hr/ha or 220u/ha
Urban	2-3	450hr/ha or 170u/ha	838hr/ha or 220u/ha

11.42 The density proposed as part of this development seeks to maximise the residential quantum whilst responding to the challenging environmental context.

11.43 Draft London Plan Policy D6 states that development must make the most efficient use of land and be designed at the optimum density. The policy requires the following measurements of density to be provided:

- 1) Number of units per hectare = 220 units per hectare
- 2) Number of habitable rooms per hectare = 838 habitable rooms per hectare
- 3) Number of bedrooms per hectare = 397 bedrooms per hectare
- 4) Number of bedspaces per hectare = 765 bed spaces per hectare

11.44 The following additional measurements are also required to be provided:

- 1) The Floor Area Ratio (total Gross External Area of all floors / site area) = 21,676 GEAm<sup>2</sup>
- 2) The Site Coverage Ratio (Gross External Area of ground floors / site area) = 6,596 GEAm<sup>2</sup>
- 3) The Maximum height in metres above ground level of each building and at Above Ordinance Datum (above sea level):

Building	Building Height (Lowest)	Building Height (Highest)
Block A	G (70.85m AOD)+14 = 46.80m	LG (65.00m AOD)+G+14 = 52.65m
Block B	G (70.85m AOD)+10 = 34.40m	LG (65.00m AOD)+G+10 = 40.25m
Block C	G (70.85m AOD)+9 = 31.30m	G (70.85m AOD)+9 = 31.30m
Block D	G (70.85m AOD)+6 = 22.00m	G (70.85m AOD)+10 = 34.40m
Block E	G (70.85m AOD)+7 = 25.10m	G (70.85m AOD)+7 = 25.10m
Block F	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+9 = 31.30m
Block G	G (70.85m AOD)+11 = 37.50m	G (70.85m AOD)+11 = 37.50m
Block H	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+7 = 25.10m
Block I	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+7 = 25.10m
Block J	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+9 = 31.30m
Block K	G (70.85m AOD)+10 = 34.40m	G (70.85m AOD)+10 = 34.40m
Block L	G (70.85m AOD)+12 = 40.60m	G (70.85m AOD)+12 = 40.60m
Block M	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+6 = 22.00m
Block N	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+7 = 25.10m
Block O	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+7 = 25.10m
Block P	G (69.60m AOD)+3 = 12.70m	G (69.60m AOD)+6 = 22.00m
Block Q	G (69.60m AOD)+10 = 34.40m	G (69.60m AOD)+10 = 34.40m
Block R	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+6 = 22.00m

11.45 If the additional land owned by Meadow at the north of the site is included, the site area increases to 4.37ha. The increased site area would result in the following density calculations.

11.46 The density calculation is again based on 99% of the net site area (reducing the site by 1% - the proportion of proposed non-residential residential floorspace), giving a site area for density purposes of 4.33ha.

- Net Site Area: 4.33ha
- Residential GIA: 76,316m<sup>2</sup>
- Non-Residential GIA: 1,028m<sup>2</sup>
- Number of dwellings: 844 units
- Number of habitable rooms: 3,210 habitable rooms

11.47 Applying the Site area for density purposes of 4.33ha, the density calculation results in 220 units per hectare, and 838 habitable rooms per hectare.

11.48 A summary of the Site density is set out below, in comparison to Table 3.2 of the adopted London Plan:

Table 11.8 - Site Density

Character	PTAL	Table 3.2 Policy (up to)	Proposal
Urban	1	250hr/ha or 95u/ha	741hr/ha or 195u/ha
Urban	2-3	450hr/ha or 170u/ha	741hr/ha or 195u/ha

11.49 The density proposed as part of this development seeks to maximise the residential quantum whilst responding to the challenging environmental context.

11.50 Draft London Plan Policy D6 states that development must make the most efficient use of land and be designed at the optimum density. The policy requires the following measurements of density to be provided:

- 1) Number of units per hectare = 195 units per hectare
- 2) Number of habitable rooms per hectare = 741 habitable rooms per hectare
- 3) Number of bedrooms per hectare = 352 bedrooms per hectare
- 4) Number of bedspaces per hectare = 676 bed spaces per hectare

11.51 The following additional measurements are also required to be provided:

- 1) The Floor Area Ratio (total Gross External Area of all floors / site area) = 19,173 GEAm<sup>2</sup>
- 2) The Site Coverage Ratio (Gross External Area of ground floors / site area) = 5,834 GEAm<sup>2</sup>
- 3) The Maximum height in metres above ground level of each building and at Above Ordinance Datum (above sea level):

Building	Building Height (Lowest)	Building Height (Highest)
Block A	G (70.85m AOD)+14 = 46.80m	LG (65.00m AOD)+G+14 = 52.65m
Block B	G (70.85m AOD)+10 = 34.40m	LG (65.00m AOD)+G+10 = 40.25m
Block C	G (70.85m AOD)+9 = 31.30m	G (70.85m AOD)+9 = 31.30m

Building	Building Height (Lowest)	Building Height (Highest)
Block D	G (70.85m AOD)+6 = 22.00m	G (70.85m AOD)+10 = 34.40m
Block E	G (70.85m AOD)+7 = 25.10m	G (70.85m AOD)+7 = 25.10m
Block F	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+9 = 31.30m
Block G	G (70.85m AOD)+11 = 37.50m	G (70.85m AOD)+11 = 37.50m
Block H	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+7 = 25.10m
Block I	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+7 = 25.10m
Block J	G (70.85m AOD)+5 = 18.90m	G (70.85m AOD)+9 = 31.30m
Block K	G (70.85m AOD)+10 = 34.40m	G (70.85m AOD)+10 = 34.40m
Block L	G (70.85m AOD)+12 = 40.60m	G (70.85m AOD)+12 = 40.60m
Block M	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+6 = 22.00m
Block N	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+7 = 25.10m
Block O	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+7 = 25.10m
Block P	G (69.60m AOD)+3 = 12.70m	G (69.60m AOD)+6 = 22.00m
Block Q	G (69.60m AOD)+10 = 34.40m	G (69.60m AOD)+10 = 34.40m
Block R	G (69.60m AOD)+4 = 15.80m	G (69.60m AOD)+6 = 22.00m

11.52 Whilst the density of development is above the guidance offered by Table 3.2, it is considered that given the existing high use value, extent of the site, its location, good design and the extensive amenity space proposed, that the Site can accommodate this density.

## Noise

11.53 DMP Policy DM04(d) (Environmental Considerations for Development) states that proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted unless mitigation of noise impacts through design, layout, and insulation can be demonstrated.

11.54 London Plan Policy 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes) states that separating new noise sensitive development from major noise sources (such as road, rail, air transport and some types of industrial development) through the use of distance, screening or internal layout – in preference to sole reliance on sound insulation.

11.55 In support of this application, a Noise Impact Assessment has been prepared by Mayor Brown and is this is referenced within the Noise Chapter of the Environmental Statement.

11.56 Whilst it is possible to provide high levels of sound insulation to dwellings to control noise intrusion from external sources, it is equally important for the occupants of those properties to have access to relatively quiet amenity space. Access to such space is endorsed in national planning practice guidance. The creation of good quality amenity space has therefore been a primary design objective for the proposed development.

11.57 To minimise noise ingress into the main communal amenity space at the heart of development, the external façade of the blocks form a protective barrier and urban line along the M1, A1 and Bunns Lane.

11.58 The site is further protected by living “Green Walls” along the M1 and A1 boundaries of the site.

11.59 The massing and design of the buildings help create an extensive area of relatively quiet communal amenity space, compliant with the objectives on national planning policy and providing spaces compliant with the World Health Organisation’s outdoor amenity guideline value of 55dB(A).

11.60 Additional communal amenity areas will also be provided at roof level. The areas will be acoustically protected by 2m high glazed screens around the perimeter of each roof space.



- 11.61 Individual dwellings will also benefit from private amenity spaces (balconies). Noise levels on balconies will be reduced to the lowest practicable level. This is achieved by generally locating balconies on the “quiet” side of each building (i.e. overlooking the “internal” courtyard and amenity spaces) to avoid direct noise from the adjoining motorway and dual carriageway. Where balconies are exposed to higher levels of noise, additional mitigation will be provided in the form of “solid” balustrades and acoustically absorptive treatments (for projecting balconies) and the creation of winter gardens where balconies are inset.
- 11.62 Noise intrusion into the proposed flats will be controlled through the use of a carefully designed sound insulation scheme. This will include:
- The use of concrete and brickwork with an internal metal stud wall lining system to optimise the sound insulation of solid wall elements;
  - High performance “acoustic” glazing; and
  - The use of whole house mechanical ventilation systems (MVHR) to provide alternative means of ventilation and thermal control without the need for occupants to open windows.

### Air Quality

- 11.63 DMP Policy DM04(c) (Environmental Considerations for Development) confirms that new buildings should be designed and sited to reduce exposure to air pollutants where there is a localised source of air pollution. In addition, development proposals should ensure that new developments are not contributing to poor air quality.
- 11.64 Draft London Plan Policy SI1 (Improving Air Quality) states that development proposals should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality.
- 11.65 In support of this planning application, an Air Quality Assessment has been prepared by Mayor Brown and appears in the Air Quality Chapter of the Environmental Statement.
- 11.66 A major constraint of developing this site is the existing and future suitability for residential health and amenity with regards to air quality. Currently air quality immediately adjacent to both the A1 (Watford Way) and the M1 (Motorway) exceeds the objective levels for Nitrogen Dioxide (NO<sub>2</sub>). However within areas of the site where internal courtyards and amenity spaces are proposed, monitoring of air quality at internal site locations has concluded that currently NO<sub>2</sub> levels at these locations drop to below objective levels.
- 11.67 Modelling has been undertaken to establish the influence of the proposed building massing upon the dispersion of pollutants both across the site and up the building facades. This has enabled the appropriate siting of ventilation inlets from areas of ‘cleanest’ air.
- The provision of inlets for the whole house mechanical ventilation systems (MVHR) at ‘clean air’ locations (e.g. roof height and/or internal facades) as dictated by modelling, with use of filters where required; and
  - Single aspect units have been designed to overlook the internal courtyard area and amenity spaces which modelling and monitoring indicates will be subject to ‘cleaner’ air. Dual aspect units will ensure that, in addition to communal and amenity spaces, residents will also have access to facades which are subject to ‘cleaner’ air as part of their dwelling.

### Daylight and Sunlight

- 11.68 The revised NPPF now states that daylight and sunlight guidance should be applied flexibly ‘where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)’ (paragraph 123c).
- 11.69 DMP Policy DM01(e) (Protecting Barnet’s Character and Amenity) confirms that development proposals should be designed to allow for adequate daylight and sunlight for adjoining and potential occupiers and users.

- 11.70 Draft London Plan Policy D4 (Housing quality and standards) echoes this, and states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 11.71 A Daylight, Sunlight and Overshadowing Assessment, prepared by Delva Patman Redler, has been carried out in accordance with the recommendations of the Building Research Establishment report “Site Layout Planning for Daylight & Sunlight 2011”. This is the standard specifically identified in Barnet’s Local Plan (2012) by which daylight, sunlight and overshadowing should be assessed.
- 11.72 To assess the development’s potential impact on daylight and sunlight in respect to neighbouring properties, a baseline assessment has been undertaken. The methods of assessment used include the Vertical Sky Component (VSC), No Sky Line (NSL) and Average Daylight Factor (ADF) for daylight and Annual Probable Sunlight Hours (APSH) for sunlight.
- 11.73 Overall the neighbouring daylight analysis illustrates that despite 9 isolated infringements of daylight in daylight distribution (No Sky Line) analysis, generally the quality, quantity and distribution of light within the neighbouring rooms will remain fully BRE compliant.
- 11.74 The sunlight analysis demonstrates that overall the amount of sunlight received by the neighbouring properties will remain fully BRE compliant in APSH terms.
- 11.75 The internal daylight adequacy analysis of the scheme shows that 70.8% of all rooms within the ground and first floor levels will comply with the BRE target values. The scheme has been designed to generally allow sufficient levels of light into the residential units, whilst addressing the wider issues associated with a new residential development at this location given the challenging environmental context.
- 11.76 The overshadowing results show that the proposed amenity areas will comply with the guidance outlined in the BRE. The assessment demonstrates that 68% of all amenity spaces will meet the BRE Guidelines.
- 11.77 The analysis undertaken demonstrates that given the approach recommended by the BRE guidelines, the proposed development will have a negligible impact on the residential amenity adjacent to the development site.

## Sustainability and Energy

- 11.78 Standalone Energy and Sustainability Statements, prepared by ChapmanBDSP, have been submitted with this planning application in line with Core Strategy Policy CS13 (Ensuring the efficient use of natural resources), DMP Policy DM02 (Development Standards), Barnet’s Sustainable Design and Construction SPD 2016 and Chapter 5 of the London Plan. These reports outline the design mechanisms to achieve the above requirements and incorporates a BREEAM Pre-assessment. The Sustainability Statement establishes that the development can achieve a BREEAM ‘Excellent’ status.
- 11.79 The Energy Statement demonstrates that the development will meet the current London Plan CO2 reduction target, and the planned energy efficiency measures are calculated to reduce emissions by 41.8%. An on-site gas-fired Combined Heat and Power (CHP) plant will be installed within the Energy Centre of the development. All residential and non-residential units will be connected to the site-wide communal heating system. Pipework will connect to a heat interface unit within every unit and will provide smart metering and energy monitoring for each residential and commercial premise.
- 11.80 The design of the buildings together with the mechanical, electrical, and plumbing systems and sustainability features have been optimised so that demand for energy is minimised. High level envelope insulation and optimised solid-to-glazing ratios are applied to the façade design to ensure heating demand is minimised; whilst window and door openings are provided for passive ventilation to reduce the need for cooling. Efficient low energy lighting (with LED lighting where appropriate) and mechanical ventilation and heat recovery (MVHR)

systems with high rate of heat recovery are to be implemented throughout to further reduce energy demand. A PV array located on unshaded roofs will further reduce the scheme's electricity demand.

## Car Parking and Cycle Provision

### Residential Car Parking

11.81 DMP Policy DM17(g) (Travel Impacts and Parking Standards) sets out the parking requirements for different types of units (i.e. detached house, semi-detached houses, terraced houses, and flats) where the maximum standards are as follows:

- Four or more bedroom units - 2.0 to 1.5 parking spaces per unit for detached and semi-detached houses and flats;
- Two and three bedroom units - 1.5 to 1.0 parking spaces per unit for terraced houses and flats;
- One bedroom units - 1.0 to less than 1 parking space per unit for development consisting of flats.

11.82 The parking requirement for the proposed development would equate to a parking provision of between 840 (99.53%) to 1,260 (149.29%) parking spaces in accordance with DMP Policy DM17.

11.83 The application proposes 366 residential car parking spaces which will deliver a ratio of 0.43% per unit. 85 of these spaces will be for disabled use. Additional provision has been made to allow for a further 31 residential car parking spaces within landscaped areas adjacent the peripheral road to the west of the site. These could be converted should demand require, and be secured via a planning condition. As a result the development could have 397 spaces, a ratio of 0.47%, plus 10 visitor spaces.

11.84 The standards in DMP Policy DM17 are maximums and therefore Barnet should treat each application on its merits having due regard to all aspects of the development plan. The broader standards in DMP Policy DM17 for 1, and particularly 2 bed flats, do allow Barnet flexibility to vary the parking provision and we argue that this should be considered at this site for the following reasons:

- Given the specific setting of the site e.g. its isolated nature, it is not considered practical that any resident who might not have access to a car parking space would seek to park off site in the surrounding area;
- Research undertaken by Fizzy Living has showed that car ownership by those living in rented accommodation is significantly lower than in traditional market housing with less than 50% of people living and renting in Barnet owning a car;
- Any parking in non-designated bays across the scheme will result in the removal of the vehicle by on-site management. This will be monitored by the management of the development 24hrs a day;
- Provision of a new pedestrian link to Bunns Lane which will improve access to bus services on Bunns Lane itself, and access to the A1 via the existing steps on Bunns Lane;
- Introduction of an on-site car club for occasional users;
- Provision of 1,574 residential cycle spaces;
- Additional surface car parking to that already proposed would greatly jeopardise the qualities of the courtyard style open green spaces proposed across the site;
- An excessive basement would increase CIL charges and construction costs and therefore reduce affordable housing provision on site. This is not deemed a beneficial opportunity cost.

11.85 The proposed residential car parking provision is in line with the maximum standards set out in Table 6.2 of the Parking Addendum to Chapter 6 of the London Plan (Table 11.8 below).

Table 11.9 - Residential Car Parking Maximum Standards – London Plan (2016)

Residential Parking Standards				
Number of beds	1-2 beds	3 beds	4 or more beds	Electric Spaces
Spaces per unit	Less than 1 per unit	Up to 1.5 per unit	Up to 2 per unit	20% active, 20% passive

11.86 The draft London Plan sets out the following maximum residential parking standards for London. Table 11.9 below shows the relevant maximum parking provision for the site, given its Outer London location with a PTAL rating of 1-3. The proposed residential car parking provision is also in line with the maximum draft London Plan standards.

Table 11.10 - Residential Car Parking Maximum Standards – Draft London Plan (2018)

Location	Maximum Parking Provision
Outer London PTAL 3	Up to 0.75 spaces per dwelling
Outer London PTAL 2	Up to 1 space per dwelling
Outer London PTAL 0 – 1	Up to 1.5 spaces per dwelling

### Non-Residential Car Parking

- 11.87 The limited new non-residential uses proposed as part of this application will principally support and aid in meeting the needs of the new population as opposed to forming a new retail destination and therefore are integral in the process of good place making. The non-residential uses will not generate significant new trips.
- 11.88 As a result of this, it is therefore considered that the application of maximum London Plan parking standards for commercial uses (Table 11.10) would represent an overprovision given the site specific context.
- 11.89 The proposed development provides 36 parking spaces for the non-residential uses on the site including 5 disabled spaces.

Table 11.11 - Commercial Car Parking Maximum Standards – London Plan (2016)

Retail			
Food (up to 2,500m)	PTAL 1	PTAL 2-4	Electric Spaces
	1 Space per 18m <sup>2</sup>	1 Space per 35-50m <sup>2</sup>	10% active, 10% passive
Non Food	1 Space per 30m <sup>2</sup>	1 Space per 30-50m <sup>2</sup>	

11.90 The draft London Plan sets out the following maximum retail parking standards for London. Table 11.11 below shows the relevant maximum parking provision for the site, given its Outer London location with a PTAL rating of 1-3.

Table 11.12 - Maximum Retail Parking Standards

Location	Maximum Parking Provision
Outer London retail below 500m <sup>2</sup>	Up to 1 space per 75m <sup>2</sup> (GIA)
Rest of outer London	Up to 1 space per 50m <sup>2</sup> (GIA)

### Cycle Parking

- 11.91 Cycle parking will be provided for both the residential and commercial elements of the proposed development in accordance with London Plan standards (Table 6.3 of Chapter 6).
- 11.92 A total of 1,603 cycle parking spaces will be provided across the site. This comprises 1,574 residential spaces and 29 commercial spaces.

### Traffic, Access and Servicing

- 11.93 Vehicular access and egress to the site is proposed to be maintained in accordance with the existing arrangements via the on and off-slip roads linked to the A1.
- 11.94 The form and landscaping of the proposed development has been designed to maximise the amount of outdoor amenity space within the centre of the development. As such the severance of intrusive vehicular traffic is proposed to be pushed to the periphery of the site by means of a two-way peripheral road located on the western boundary of the site next to the M1. A separate servicing area for the development is proposed adjacent the A1 at the south-east corner of the site adjacent to Block B.
- 11.95 It is from the internal peripheral road that access can be gained to the lower ground floor parking areas for residents. In order to ensure that some activity is maintained within the inner circus, a minimal amount of vehicular traffic will be able to access this area by means of control and for short stay durations (i.e. taxis, small deliveries, refuse collection).
- 11.96 A new pedestrian link is proposed between the site and Bunns Lane that unlocks what was a barrier to the site. This will improve access to bus services on Bunns Lane itself, and access to the A1. The continuation of the link from Bunns Lane permeates through the site, allowing for a coherent and pleasant route for pedestrians and cyclists. The surface treatment to the shared, trafficable surfaces within the inner circus are less intrusive than the peripheral road and highlight that the space is for shared use by pedestrian and cyclists also. The route connects to both the north and the south and facilitates permeability across the site for both pedestrians and cyclists.
- 11.97 To further assist the connections across the site, a pedestrian / cycle route extends from 'Mill Hill Walk' across the commercial parking area. This allows connection to the crossing point on the egress slip road to the A1, which gives access to the A1's footpath and bus stops for route 113.
- 11.98 The proposed site levels also allows for level access to the footpath of the A1 on the Sites eastern extents with connections possible through a proposed area of landscaping which acts as a buffer between the site and A1.

Access to the site for pedestrians and cyclists is proposed to be further improved by the provision of a footpath that connects directly to the bottom of the existing ramp to bridge over the M1 and access Grahame Park Way. The accessibility strategy is shown in Figure 11.1.

Table 11.1 -Accessibility Strategy



11.99 A Transport Assessment, prepared by Velocity Transport Consultant, has been submitted in support of the application to examine the impact of the new development on traffic.

11.100 Potential sensitive receptors were determined following an assessment of baseline conditions, and dialogue with LBB and TfL, as follows:

- Motorised users on the local highway network;
- Pedestrians on the footways adjacent to the Site; and
- Public transport users using public transport facilities around the Site.

11.101 Surveys and site observations have demonstrated that the highway network is a highly sensitive receptor due to the current levels of traffic.

11.102 The completed development has been demonstrated to have only either negligible or minor adverse, permanent effects on the receptors identified. As a result it is concluded that the development should be considered to be acceptable in highway and transport terms.

## Demolition and Construction

- 11.103 It is anticipated that construction of development will be undertaken in one continuous construction phase (i.e. Phased Rolling Programme), commencing in the south east of the site (i.e. Phase 1) progressing and finishing in the north west of the site (i.e. Phase 4). The development is expected to be fully occupied by the fourth quarter of 2023 upon completion of construction activities in the third quarter of 2023. The indicative construction programme for the development is approximately 48 months.
- 11.104 A Construction Environmental Management Plan (CEMP) will be prepared prior to the commencement of enabling, demolition and construction works on-site and adhered to during all works to manage and minimise construction effects. The CEMP provides management procedures and protocols to outline how the project will avoid, minimise and mitigate effects of the environment and surround area during the enabling, demolition and construction phases. A draft Construction Traffic Management Plan (CTMP) has been prepared which deals with traffic related issues associated with the construction works.
- 11.105 The development will seek to reuse materials and minimise waste production, including that of energy and water, wherever possible. Management of waste will be undertaken in accordance with the 'Duty of Care' under the Environmental Protection Act 1970.

## Heritage

- 11.106 A Heritage Statement has been prepared by CgMs to establish the significant effect of the development on any identified heritage assets.
- 11.107 There are no listed buildings located on the site or its immediate vicinity and the site is not located within a conservation area. There are over 60 listed buildings within a 2km radius of the site, with the closest being the Grade II listed Chase Lodge located approximately 600m east of the site. Two Conservation Areas are located in the surround area, these are the Watling Estate Conservation Area, which lies approximately 300m west of the site at its nearest boundary, and the Mill Hill Conservation Area, which lies approximately 750m north east of the Site.
- 11.108 The principal consideration within the assessment has been whether the proposals could cause harm to the significance of any heritage assets through harm to their respective settings.
- 11.109 The heritage assessment concludes that the proposal would not have any direct effects upon the significance of any heritage assets due to the topography of the land and the enclosed character of the site located between two major roads, results in no or limited intervisibility between the site and the identified heritage assets, and that the site does not contribute in any way to significance or setting of any of the heritage assets listed above.

## Lighting

- 11.110 DMP Policy DM01(f) (Protecting Barnet's Character and Amenity) requires new lighting schemes to not impact upon amenity. Barnet's adopted Sustainable Design and Construction SPD (2013) states that new development should take into account neighbouring properties to ensure that nuisance will not be caused from lighting during night time hours.
- 11.111 A Visibility and Light Pollution Assessment has been prepared by EB7 regarding potential light pollution from the site. This also provides advice on the potential impact on the performance of UCL's Observatory which is located about 0.5km north of the site.
- 11.112 No night time construction works are required for the development and therefore light pollution as a result of construction activities has not been considered further within the EIA. However, full details on lighting requirements and positions for activities undertaken during normal construction hours will be outlined within the CEMP prepared for the development.
- 11.113 Once complete and occupied, the potential nuisance due to obtrusive light at night time from the development is likely to result in a negligible or barely perceptible change in the level of sky glow, light spill and glare onto surrounding areas. The Visibility and Light Pollution Assessment concludes that the development is almost

completely obscured from the Observatory and falls below the tree line. As such, their view of the sky will not be altered. Illuminance levels at the windows of residential properties would cause a negligible or barely discernible change to current baseline conditions.

11.114 The potential for light spillage emanating from the lighting installations from the development is considered unlikely to cause an adverse effect on the existing sensitive locations including adjacent residential accommodation (Churchill Place); areas of special night-time interest (UCL Observatory's) or needless spillage into the night sky. Sky glow is happening at this location as a result of the Sites position within an active urban environment, which is bound to the west and east by significant main roads, namely M1 and Watford A1, both of which have active road lighting. Significant effects due to lighting are therefore considered to be unlikely.



## 12 SECTION 106 – CIL

12.1 This section addresses issues relating to Section 106 and CIL.

### Section 106

12.2 Discussions have been held with Barnet Council during the application process regarding the appropriateness of any proposed s.106 obligations against CIL Regulation 122 and 123 of the CIL Regulations 2010 and NPPF paragraph 173.

12.3 In accordance with Paragraph 204 of the NPPF and Community Infrastructure Levy Regulations 122, planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

### Section 106

12.4 The new development will be a CIL liable development as defined by the CIL regulations 2010 (as amended).

12.5 The CIL estimate (including indexation at the date of submission) is calculated as £11,179,469.96, as detailed below:

Table 12.1 - GLA CIL Table (For Whole Scheme)

CIL Charge								
£	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6	Total as single phase	Total for all phases
District/Borough CIL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mayoral CIL	4,939,380.00	0.00	0.00	0.00	0.00	0.00	4,939,380.00	4,939,380.00
<b>Total CIL</b>	<b>4,939,380.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,939,380.00</b>	<b>4,939,380.00</b>
District/Borough social housing relief	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mayoral social housing relief	2,002,531.12	0.00	0.00	0.00	0.00	0.00	0.00	2,002,531.12
<b>Total social housing relief</b>	<b>2,002,531.12</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,002,531.12</b>
Net District Borough CIL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Net Mayoral CIL	2,936,848.88	0.00	0.00	0.00	0.00	0.00	4,939,380.00	2,936,848.88
<b>Total Net CIL</b>	<b>2,936,848.88</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,939,380.00</b>	<b>2,936,848.88</b>

Table 12.2 - Barnet CIL Table (For Whole Scheme)

CIL Charge								
£	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6	Total as single phase	Total for all phases
District/Borough CIL	13,884,237.28	0.00	0.00	0.00	0.00	0.00	13,884,237.28	13,884,237.28
Mayoral CIL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total CIL</b>	<b>13,884,237.28</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>13,884,237.28</b>	<b>13,884,237.28</b>
District/Borough social housing relief	5,641,616.20	0.00	0.00	0.00	0.00	0.00	0.00	5,641,616.20
Mayoral social housing relief	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total social housing relief</b>	<b>5,641,616.20</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,641,616.20</b>
Net District Borough CIL	8,242,621.08	0.00	0.00	0.00	0.00	0.00	13,884,237.28	8,242,621.08
Net Mayoral CIL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Net CIL</b>	<b>8,242,621.08</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>13,884,237.28</b>	<b>8,242,621.08</b>

12.6 The CIL Report, prepared by Quod, provides a detailed breakdown of the CIL calculation inputs and social housing relief including all completed forms.

## 13 CONCLUSION

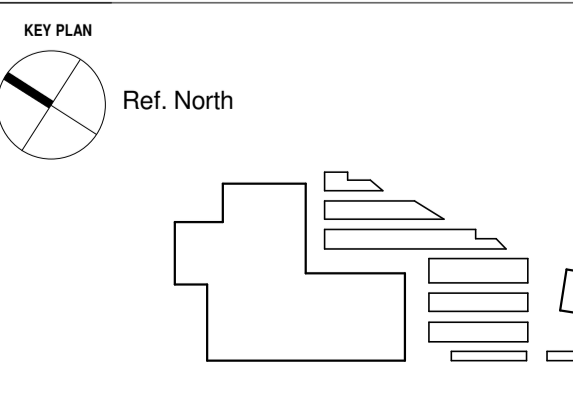
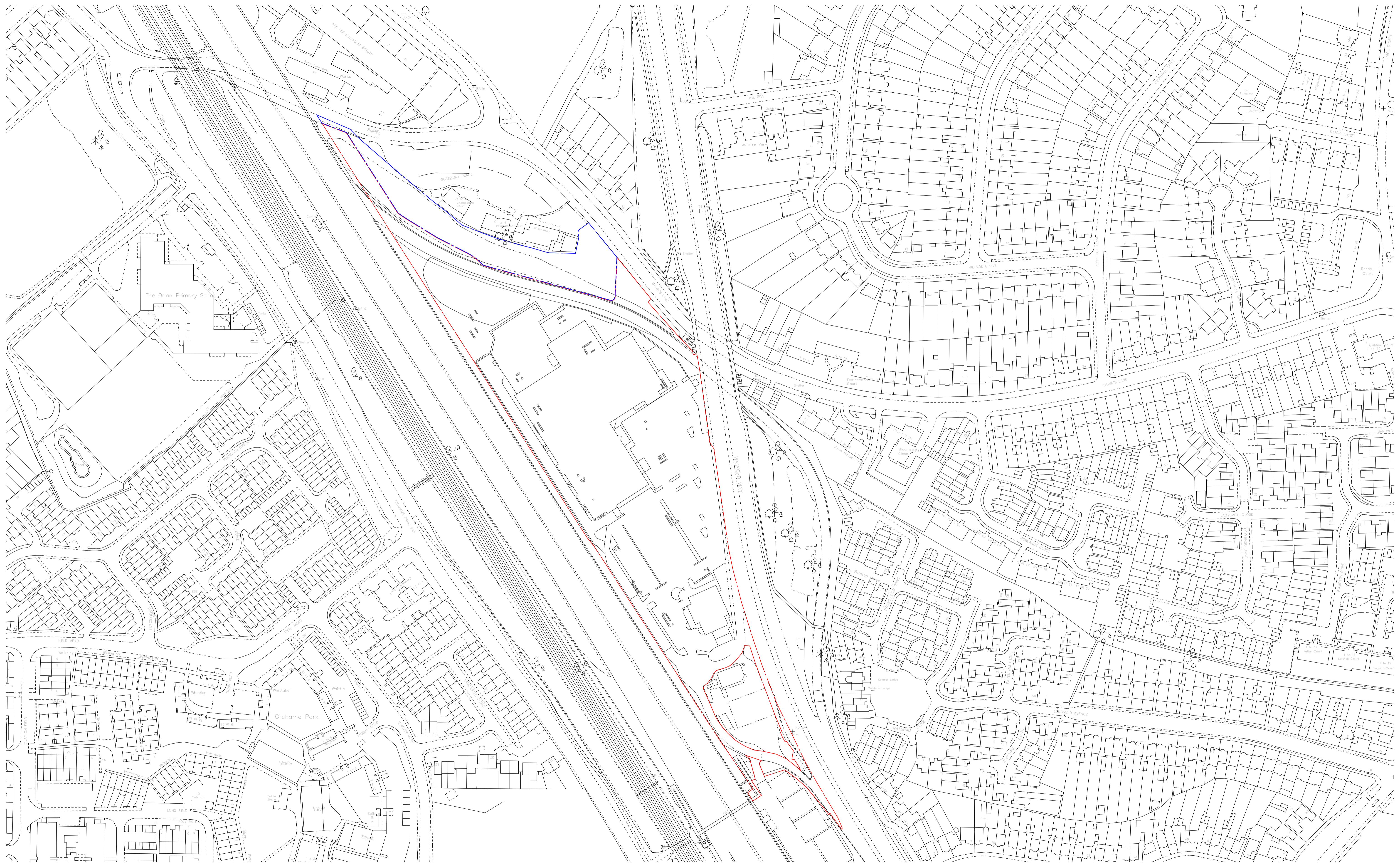
- 13.1 The Proposed Development as amended would generate a significant number of public benefits, in excess of those previously presented to the London Borough of Barnet Planning Committee and supported by the Mayor of London.
- 13.2 The following conclusions can be drawn from this submission:
- This is an excellent development opportunity to maximise development of a constrained brownfield Site and create a new residential community. It has been previously considered by Barnet Council and the GLA as a good Site for intensification of development.
  - The existing use of the Site remains an unrestricted open A1 and A3 retail park (out of centre) which is the most valuable of all non-residential uses. The Council's objective remains to promote its network of town centres and therefore does not support any enhancement of this Site as a retail park;
  - The Site has significant potential to create new public realm, a sense of place and real public benefit through improvements to the existing transport infrastructure, enhancing pedestrian and cycle links and the delivery of affordable homes;
  - The Site is not allocated for any particular use and lies close to residential areas to the north, east and west of the Site. The Site can therefore be considered a genuine "windfall" Site for new residential development;
  - The innovative building design has emerged from an iterative process of testing and consultation including the consideration of alternative layouts, massing solutions and façade treatments. As a result, the design itself is intended to mitigate the potential impacts of building scale and massing and respond to the challenging environmental context whilst forming part of the emerging surrounding context.
- 13.3 The development also proposes a number of strategic benefits including:
- The delivery of a mixture of Build to Rent and Conventional Sale housing which will contribute towards Barnet's housing need and housing choice which is currently in deficit;
  - The Build to Rent homes will be covenanted for rental use and owned and managed by Meadow Residential to secure a range of benefits including professional on-site management/ maintenance support, fair tenancy terms and faster delivery owned;
  - Delivery of a significant quantum of on-site affordable housing meeting identified requirements of the London Borough of Barnet;
  - The creation of new on-site interconnecting green spaces which would serve the needs of future residents and the wider community;
  - The provision of new high quality small-scale 'non-destination' commercial uses that will contribute positively to creating a sense of place and a new community which will also deliver a net increase in employment generation to help meet the employment needs of Barnet
  - The creation of new public realm and landscaping that will enhance this location on the edge of Mill Hill as well as improve local biodiversity;
  - The demolition of existing detracting buildings and the delivery of a high quality and innovative architectural solution that provides necessary screening from the M1 (Motorway) and A1 (Watford Way) to create a new environment for the residential community;
  - Improvements to the existing transport infrastructure and the creation of new pedestrian and cycle links which reconnect the Site with Bunns Lane and Mill Hill;
  - A substantial contribution to Borough and Mayoral CIL of circa £11.2 million enhancing local infrastructure and Crossrail;
  - The creation of 47 to 70 new jobs (FTE) and up to £1.4 million new annual wages which will help the local economy; and
  - The redevelopment of an unfettered Class A1 and A3 retail park which contributes little towards the development plan objectives of the London Borough of Barnet and the GLA.
- 13.4 It is for these reasons that planning permission and listed building consent should be granted.



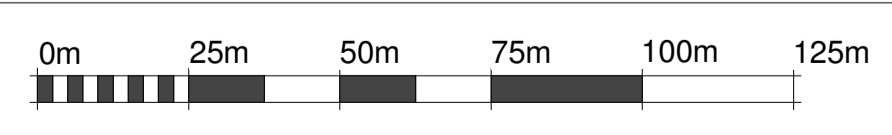
## APPENDIX 1

### PLANNING APPLICATION BOUNDARY PLAN

---



REV	DATE	DESCRIPTION
P1	15.03.19	Planning issued for information



SITE BOUNDARY ————  
 APPLICATION BOUNDARY ————

**NOTES**  
 Check and verify all dimensions prior to commencement of work.  
 This drawing shall be read in conjunction with all other contract documents including those by other consultants, and including specifications.  
 Seek clarification of inconsistencies/ conflicts.  
 Figured dimensions shall take precedence to scaled dimensions.

DRAWN	CHECKED	JOB NO.
PA	JC	44032

This drawing is COPYRIGHT and shall remain the property of  
**ARNEY FENDER KATSALIDIS**

**CLIENT**  
 Meadow Residential

**PROJECT**  
 Mill Hill - London

**ARCHITECTS:**  
 ARNEY FENDER KATSALIDIS  
 44-46 SCRUTTON STREET, LEVEL 1  
 LONDON, EC2A 4HR, UNITED KINGDOM  
**CLIENT:**  
 MEADOW RESIDENTIAL  
 FIRST FLOOR, 50 GREAT MARLBOROUGH STREET, LONDON, W1F 7JL

**STRUCTURAL ENGINEER:**  
 GUS ARBUTHNOTT  
 4 PEAR TREE COURT, LONDON, EC1R 9DB  
**MECHANICAL / ELECTRICAL ENGINEER:**  
 CHEAPMAN BROS  
 54/55/56 KIRBY STREET, LONDON, EC1N 8TS

**LANDSCAPE ARCHITECT:**  
 GUS ARBUTHNOTT  
 THE BOATHOUSE, 27 FERRY ROAD, TEDDINGTON, TW11 9RN

**Arney Fender Katsalidis**

**SCALE**  
 1 : 1250 @ A1

**REVISION / DRAWING No.**  
 P1 | PLANNING | A01-00-02



## APPENDIX 2

### RELEVANT PLANNING HISTORY

---

## DOCUMENT 2

### PENTAVIA RETAIL PARK – PLANNING HISTORY

---

#### 1) Planning Permission Ref. W00408A

- 1.1 Planning permission was granted on the 13th October 1988 (ref. W00408A) for the following development:

*"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, conversion, refurbishment and extension of a car showroom, (including service bays and parts storage), plus car parking, landscaping, access and associated facilities."*

- 1.2 The Permission was granted subject to 18 conditions. Condition 18 restricted the retail use, and states:

*"Except as may otherwise be agreed in writing by the Local Planning Authority, the retail premises hereby permitted may only be used for retail sales or hire within the following categories and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument amending or revoking and re-enacting that order):-*

- a) Electrical goods including domestic appliances;*
- b) Goods for home improvement, maintenance, repair or decoration, do-it-yourself and builders merchant's products including ironmongery and plumbing goods;*
- c) Timber, furniture, furnishings, and floor coverings;*
- d) Goods for garden improvement and maintenance, including plants;*
- e) Motor parts and accessories;*
- f) Household hardware and table ware;*
- g) Household goods and associated products, including stationary, books, posters and luggage appropriate to the Habitat range;*
- h) Gas appliances;*
- i) Cycles and accessories*
- j) Photographic equipment save that the aggregate retail floorspace on the site allocated to the sale of photographic equipment shall not exceed 9.3m<sup>2</sup> (100ft<sup>2</sup>); and*
- k) Food and drink for consumption on the premises where such sales take place within a retail unit for which the primary purpose is the sale of goods other than food and drink."*

#### 2) Planning Permission Ref. W00408C

- 1.3 On 13 September 1989, the Council granted planning permission for the following:

*“Variations of Conditions 2, 3, 10, 11, 12 and 13 of permission HQ/W00408A for construction 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 (including Class A1 use and car wash), restaurant; partial demolition, conversion, refurbishment and extension of a car showroom, (including service bays and parts storage) and car parking, landscaping access and associated facilities, to require the completion of the development the parking loading and/or turning spaces to be constructed and marked out, the landscaping to be carried out, the site to be enclosed, the provision of screened facilities for the storage of refuse containers and the construction of any retaining wall, before any part of the element of the development to which it relates is occupied, instead of before any part of the permitted buildings are occupied.”*

- 1.4 The permission was granted subject to 31 conditions. Condition 31 restricts the retail use to the same range of goods specified in Condition 18 of Planning Permission ref. W00408A (as detailed in section a) above).

**3) Planning Permission Ref. W00408AG**

- 1.5 An application was made in 1994 to vary the wording of Condition 31 of planning permission W00408C and Condition 18 of the original 1988 planning permission to enable *“the retail premises to be used for the sale of non-food goods other than food or drink for the consumption on the premises where such sales take place within a retail unit for which the primary purpose is the sale of goods”*.
- 1.6 Planning permission was granted on the 26<sup>th</sup> January 1994 for the variation of these conditions (ref. W00408AG). The permission did not include any of the conditions which had been attached to either the 1988 and 1989 permissions. Additionally, it did not include a proposed reworded condition.

**4) Planning Permission Ref. W00408BQ/06**

- 1.7 An application for a Certificate of Lawfulness of Proposed Use was refused by Barnet Council on 11<sup>th</sup> December 2006 for unrestricted Class A1 use of the retail warehouses (ref. W00408BQ/06). The applicant considered that because no conditions were attached to permission W00408AG, granted in 1994, the original conditions attached to the development no longer applied.
- 1.8 Barnet Council considered that the 1994 permission could not be taken as a free standing permission without regard to the previous permissions it sought to vary, and refused to grant the Certificate. The applicant appealed against this refusal.
- 1.9 On 1<sup>st</sup> February 2008 the Inspector granted a Lawful Development Certificate confirming that as of 13<sup>th</sup> October 2006 the use of the retail units at Pentavia Retail Park could be used for any purpose within Use Class A1 (ref. W00408BQ/06). The Inspector determined that the 1994 permission, through failing to attach any conditions, did not restrict the range of goods that could be sold from the retail premises.

**5) Planning Permission Ref. W00408BR/06**

- 1.10 Alongside the appeal against the Council’s decision to refuse application ref. W00408BQ/06, a second Certificate of Lawfulness was submitted which included additional information that had not been included as part of the original certificate of lawfulness package. This was refused by Barnet on the 25<sup>th</sup> May 2007.

## 6) Planning Permission Ref. H/03195/10

- 1.11 On 28<sup>th</sup> April 2011 planning permission (ref. H/03195/10) was granted for the creation of additional mezzanine floorspace to the Comet Retail Unit (Unit 1). Condition 3 of this permission restricted the use of this floorspace in respect of the items that could be sold:

*“No more than 354m<sup>2</sup> of the floorspace hereby permitted at mezzanine level shall be used for the retail sales or hire of all categories of goods within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any Statutory Instrument amending or revoking and re-enacting that order.*

*The remaining floorspace at mezzanine level shall be used for the retail sales or hire within the following categories and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any Statutory Instrument amending or revoking and re-enacting that order):-*

- a) Electrical goods including domestic appliances;*
- b) Goods for home improvement, maintenance, repair or decoration, do-it-yourself and builders merchant's products including ironmongery and plumbing goods;*
- c) Timber, furniture, furnishings, and floor coverings;*
- d) Goods for garden improvement, and maintenance, including plants;*
- e) Motor parts and accessories;*
- f) Household hardware and tableware;*
- g) Household goods and associated products, including stationary, books, posters, and luggage;*
- h) Gas appliances;*
- i) Cycles and accessories;*
- j) Photographic equipment save that the aggregate retail floorspace on the site allocated to the sale of photographic equipment shall not exceed 9.3m<sup>2</sup> (100m<sup>2</sup>);*
- k) Food and drink for consumption on the premises where such sales take place within a retail unit for which the primary purpose is the sale of goods other than food and drink; and*
- l) Sports goods, toys and games.”*

## 7) Planning Permission Ref. H/02192/11

- 1.12 Notwithstanding that planning permission was granted for the creation of a mezzanine level of 831m<sup>2</sup>, an application was subsequently made requesting that Barnet Council issue a Certificate under Section 192 of the 1990 Act confirming that a proposed mezzanine extension of 200m<sup>2</sup> constituted lawfully permitted development, and did not require planning permission. Barnet Council granted a Certificate of Lawful Use decision on 9<sup>th</sup> November 2011 (ref. H/02192/11) confirming that the proposed formation of an additional 200m<sup>2</sup> mezzanine was lawful.

- 1.13 These mezzanine works were not implemented.



**8) Planning Permission Ref. 14/08075/FUL, 15/01820/FUL and 15/01825/FUL**

1.14 On the 5th August 2016, three planning applications were approved for the redevelopment of Pentavia Retail Park. This comprised of the following:

**i. Planning Application Ref. 14/08075/FUL**

1.15 This application proposed the following works:-

*“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”*

1.16 This application proposed not to create any net additional floorspace but to reconfigure the site layout and the arrangement of the retail and restaurant units into 7 no. Open A1 unrestricted retail units and 2 no. Class A3 restaurants. This would result in the demolition of circa 1,009m<sup>2</sup> of the existing floorspace albeit this floorspace would be re-provided as part of the scheme.

**ii. Planning Application Ref. 15/01820/FUL**

1.17 This application proposed the following works:-

*“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”*

1.18 15/01820/FUL is as per planning permission ref. 14/08075/FUL, albeit this permission will result in the demolition of circa 1,601m<sup>2</sup> of the existing floorspace. This floorspace will be re-provided as part of the scheme which proposes to create 7 no. Open A1 unrestricted retail units, 2 no. Class A3 restaurant units and a single Class D2 unit in a reconfigured arrangement.

**iii. Planning Application Ref. 15/01825/FUL**

1.19 This application proposed the following works:-

*“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)”*

1.20 As per planning permission ref: 15/01820/FUL albeit this permission will result in a different configuration to the retail units on site.

1.21 Works on site have yet to commence for any of these approved applications.

**9) Planning Application Ref: 16/6420/FUL**

1.22 On 4<sup>th</sup> October 2016, the following application was validated by the London Borough of Barnet:-

*“Redevelopment of the site to provide 4 new blocks ranging from 7 to 9 storeys following demolition of all existing buildings. Provision of 695 Build to Rent residential units with ancillary facilities; 846 m<sup>2</sup> A1 (retail); 570 m<sup>2</sup> A3 (restaurant and café) and A4 (drinking establishment); and 289 m<sup>2</sup> D1 (community) use floorspace. New vehicular and pedestrian access off Bunn's Lane linked to new internal roads and provision of new privately and publicly accessible outdoor amenity space. Provision of lower ground floor and surface level parking and new associated refuse and recycling arrangements. The application is accompanied by an Environmental Statement.”*

1.23 The application was accompanied by an ES (dated September 2016) as the proposals fell within the description of development in Schedule 2, paragraph 10(b) for ‘urban development projects’ and exceeded the associated threshold, ‘the development includes more than 150 dwellings’.

1.24 The application was subsequently amended on 3<sup>rd</sup> February 2017 for the following development:-

*“Redevelopment of the site to provide 4 new blocks ranging from 6 to 9 storeys following demolition of all existing buildings. Provision of 685 Build to Rent residential units with ancillary facilities; 846m<sup>2</sup> A1 (retail); 570m<sup>2</sup> A3 (restaurant and café) and A4 (drinking establishment); and 289m<sup>2</sup> D1 (community) use floorspace. New vehicular and pedestrian access off Bunn's Lane linked to new internal roads and provision of new privately and publicly accessible outdoor amenity space. Provision of lower ground floor and surface level parking and new associated refuse and recycling arrangements. The application is accompanied by an Environmental Statement. [Amended Description and Amended Plans].*

*Amendments to application include reduction to numbers of residential units from 695 to 685 resulting in a decrease in height of Block D by one storey; reduction of on-site car parking provision from 479 to 343 spaces; reduction of on-site cycle parking spaces; design and landscaping amendments; alterations to the access arrangements; submission of new technical reports and changes to the Environmental Statement.”*

1.25 A key concern regarding the September 2016 application and the subsequent February 2017 amendment was the mass, height and bulk of the proposed buildings and its consequential visual impact on the surrounding area. The planning application was subsequently withdrawn on 3<sup>rd</sup> January 2018.

**10) Planning Application Ref: 16/6420/FUL**

1.26 A revised application (ref: 17/8102/FUL) was then submitted 21<sup>st</sup> December 2017 (‘December 2017 application’) for the following development:

*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) (AMENDED DESCRIPTION). APPLICATION 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.*

- 1.27 In June 2018, an addendum to the December 2017 application was prepared by Quod to accompany a post submission amendment to the design.
- 1.28 The proposed amendments to the December 2017 application focused primarily on internal residential unit reconfigurations and alterations to the Site's access. The amendments did not change the proposed footprint, layout or heights of the building blocks within the December 2017 application.
- 1.29 On 25<sup>th</sup> July 2018, the application was presented to Members of the Planning Committee with an officer's recommendation for refusal. Following lengthy discussions, the London Borough of Barnet resolved to refuse permission for this application for the following reasons:
- 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 polices CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Polices (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 adopted Pentavia Retail Park Planning Brief.*
  - 2. In the absence of a Section 106 Agreement, the application does not include a formal undertaking to secure the planning obligations which are necessary to make the application acceptable. The application is therefore contrary to London Plan polices 3.12, 3.13, 4.3, 4.12, 6.3, 6.9 6.10, 8.2, policies DM10, DM14, DM17, CS4, CS15, CS8, CS9 of the Barnet Local Plan Core Strategy and Development Management Polices (adopted September 2012), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Document, the Barnet Supplementary Planning Document on Delivering Skills, Employment and Enterprise Training (SEET) (adopted October 2014) and the Mayor's Supplementary Planning Guidance on Affordable Housing and Viability (2007).*
  - 3. The proposed development would fail to provide adequate levels of affordable housing, contrary to Policy CS4 of the Barnet Core Strategy (2012), Policy Dm10 of the Barnet Development Management Polices Document (2012) and Polices 3.11, 3.12 and 3.13 of the London Plan (2016).*



## APPENDIX 3

### ADOPTED PENTAVIA RETAIL PARK PLANNING BRIEF

---

SJH/KEC

22<sup>nd</sup> March 2019

L Goldberg Esq  
Meadow Residential LLP  
1st Floor  
50 Great Marlborough Street  
London  
W1F 7JS

Direct Line No: 020 7647 4807

Email: [simon.horner@gcw.co.uk](mailto:simon.horner@gcw.co.uk)

Dear Lee

## **MILL HILL, PENTAVIA– COMMERCIAL MARKETING REPORT**

### **INTRODUCTION**

Following confirmation of the Mayoral Hearing at the end of May 2019, Meadow Residential has instructed GCW to prepare a commercial tenants report in respect of the proposed development at Pentavia. Meadow Residential is seeking a detailed planning permission and therefore we provide below clarity as to the demand and viability of the commercial floor space being proposed as part of the proposed Scheme.

The proposed Scheme reflects the advice received previously that Pentavia, as a former retail warehouse location, can support commercial floor space as a matter of fact. However, given the nature of the redevelopment proposals and the new linkages that they create, it is our view that a reduced quantum of retail provision from the current existing situation as a former retail warehouse location, should be provided of a more “local” scale to support the emerging community and to create animation and activity as part of a spatial solution to this site e.g. having a cup of coffee in a southerly aspect overlooking new areas of recreational space.

### **GCW CREDENTIALS**

GCW are a firm of chartered surveyors who have been established now for over 30 years. We are well placed both to understand the kind of tenant mix that works within mixed use, predominantly residential lead regeneration schemes and also assess viability and likely tenant demand for commercial space within a proposed Scheme.

### **LOCATION**

The site is boarded by the M1 immediately to the south west with Watford Way providing the boundary to the south east and Bunns Lane linking those two to the north.

Mill Hill Broadway and Rail Station is less than 800m to the north of the site where the majority of traditional retailing to serve the immediate catchment is focused with a mix of national and local operators including the likes of M&S, Barclays, Boots, Tesco Express and WH Smiths. As well as retailing, there is a reasonable café / catering element incorporating the likes of Costa, Pizza Express and numerous local cafes and restaurants. This centre therefore provides the immediate catchment of Mill Hill with their everyday convenience retailing and food offer.



A map is enclosed in Appendix 1 showing the approximate location of the subject site.

## **ACCOMMODATION**

We received plans (dated 1<sup>st</sup> February 2019) from Arney Fender Katsalidis (Appendix 2) showing the ground and lower ground levels of the scheme. From this we note the following commercial units:-

- A1 local supermarket 250 sq. m / 2,691 sq. ft.
- A1 dry cleaners 59 sq. m / 635 sq. ft.
- A1 hairdressers 92 sq. m / 990 sq. ft.
- D1 nursery 153 sq. m / 1,647 sq. ft.
- D1 / A1 use 141 sq. m / 1,518 sq. ft.
- A3 coffee shop 169 sq. m / 1,819 sq. ft.
- A3 bar / restaurant 153 sq. m / 1,647 sq. ft.

For the purposes of this report we do not provide comment on the floor space denoted as C3. This floor space is part of the specific Build to Rent offer, delivered by Meadow and is ancillary to the Build to Rent homes on site, for use by those residents. This floor space is provided as part of the Build to Rent offer, as found throughout all successful Build to Rent schemes.

For the purposes of report it is assumed that all of the premises are provided in shell and core condition ready for occupiers fit out.

## **ASSESSMENT OF DEMAND FROM OPERATORS FOR MILL HILL**

It is worth commenting on demand from operators for Mill Hill as a location. There are a number of national multiples who have outstanding requirements to cover the Mill Hill catchment (focused principally on securing representation in the Broadway) including the likes of Savers, Holland and Barratt and our client Specsavers. Whilst none of these are likely to be a target for the proposed development at Pentavia given that they are looking for a "High Street" location with active footfall, it is worth mentioning that there is pent up demand for Mill Hill and very limited supply. It is unusual for these nationals to not be able to find space in a High Street.

Of more relevance in respect to the application proposals, there are stated requirements for the catchment around the Broadway, which would include the Pentavia site, from branded operators including the likes of Majestic Wine 3,000 sq. ft. Boys and Girls nursery 5,000 sq. ft. Bright Horizons nursery 5,000 sq. ft. Kumon math and English tuition 700 sq. ft.

## **COMMENT ON DEMAND AND VIABILITY OF COMMERCIAL UNITS**

All proposed units at the Pentavia site will be available either to let on conventional occupational leases (i.e. 10/15 year terms) at an appropriate market rental, or, as a purchase on a long leasehold basis bases at a ground rent (i.e. 125 years or longer). Whilst an occupational lease will be the preferred means of securing representation for multiples such as the likes of Majestic, independents are just as likely to want to own their site as rent, and we can see this as increasing the appeal of these opportunities.

### A1 local supermarket 2,691 sq. ft.

Mill Hill currently has a M&S Simply Foods, Tesco Express and Iceland on the Broadway. There is also a small M&S offer as part of the BP petrol station to the immediate south of this site. Co Op are very acquisitive at the moment, and Sainsbury do consider new options -we would therefore expect both would want to consider this development. As shown with the examples of comparable residential schemes, the larger supermarket chains tend to look for slightly larger units. Otherwise there are plenty of independent operators, some with multiple sites, who trade under Cost cutter, Premier Foods, Nisa banners whom we think would be interested in a

convenience food store at the site. A convenience food supermarket operation tends to be supported well by the immediate catchment in higher density residential developments such as this.

#### A1 dry cleaners 635 sq. ft.

Currently there are a number of dry cleaners on the Broadway and whilst it is clear from the examples we have provided (Appendix 3) that this is a use where there are independents taking units within residential schemes, there may well also be demand for other convenience retailing and service operators as well as A2 office/ estate agent type tenants for this space.

#### A1 hairdressers 990 sq. ft.

Again as shown from the recent examples, this type of operation is seen as part of the tenant mix within other developments, especially where hairdressing is combined with other services including beauty treatment, nails, massage etc. The size of the unit could also appeal to A2 office users and A1/ A3 food users. To maintain flexibility it should be possible to combine this unit with the adjacent unit to create one larger space if there is demand for that type of configuration.

#### D1 Nursery

The proposed D1 Nursery unit comprises 1,650 sq. ft. of floor space as shown. In order to be compliant with OFSTED the landscaped area immediately in front of the unit will need to be demised. The larger nursery operators such as Busy Bees and Bright Horizons, will need larger space to accommodate 50 plus children. The space to the rear, if these uses could be rehoused elsewhere in the scheme would present a larger unit which would appeal to wider pool of operators.

It is worth pointing out that there is a nursery quite close to your development just off Bunns Lane operated by Bright Little Stars. This was opened in 2013 and due to excess demand they have recently had to close their intake for new applicants from September through to March. This would suggest pent up demand and not enough supply for nursery spaces locally.

We would also suggest this could appeal to D2 operators specifically class based gyms/ yoga/ Pilates and personal trainers offering one on one training programmes.

#### D1 /A1 Use 1,500 sq ft

At present there is steady demand across London suburbs from beauty clinic offering cosmetic and laser treatments, especially in more affluent areas. In addition occupiers such as dentists, physiotherapists, and chiropractors are typical of type of uses attracted to this kind of space within mixed use scheme.

Our comment above regarding D2 operators could also equally apply to this opportunity.

#### A3 Coffee Shop 1,800 sq ft

We don't see interest from branded major multiple for this. However an independent all day coffee / food operator, especially with the benefits from outside seating and a sunny corner position should prove popular. Certainly it is a use that is provided in most large regeneration schemes and in the examples we gave where space has been available to accommodate this.

#### A3 Bar / Restaurant 1,600 sq ft

Again a popular use within regeneration schemes, multiple restaurateurs tend to want slightly larger premises if they are targeting more than say 50 covers. However independents and local operators are likely to be more flexible on their size and configuration. Again this unit occupies a corner position and an ability to have outside seating in a nice landscaped environment, so we would expect that to be good demand from independent operators for this opportunity (typically Italian and Asia seem to be the most prevalent offers).

## **CONCLUSION**

It is likely with the large amount of residential units going in to the Pentavia site that there will be demand from a variety of users for the commercial space. We have set out in Appendix 3 examples of recent schemes that GCW have had involvement with either as agent for the landlord / developer or acquiring space for occupiers. All these schemes are completed and give a good example of the ranges of use and operations that have been secured across a variety of locations.

All the examples we have used are regeneration developments that do not have the benefit of transport interchanges and / or existing established locations which generate foot traffic. Yet they have been successful in attracting a wide variety of commercial uses and occupiers. We would see this scheme predominantly being occupied by independents and entrepreneurs, buying the premises they occupy on long leaseholds as well as renting these. We think that operators who will be able to drive customers to this location using social media, websites etc. rather than relying on the traditional method of opening a location where there is existing foot traffic, will find this opportunity attractive.

Kind regards

Yours sincerely

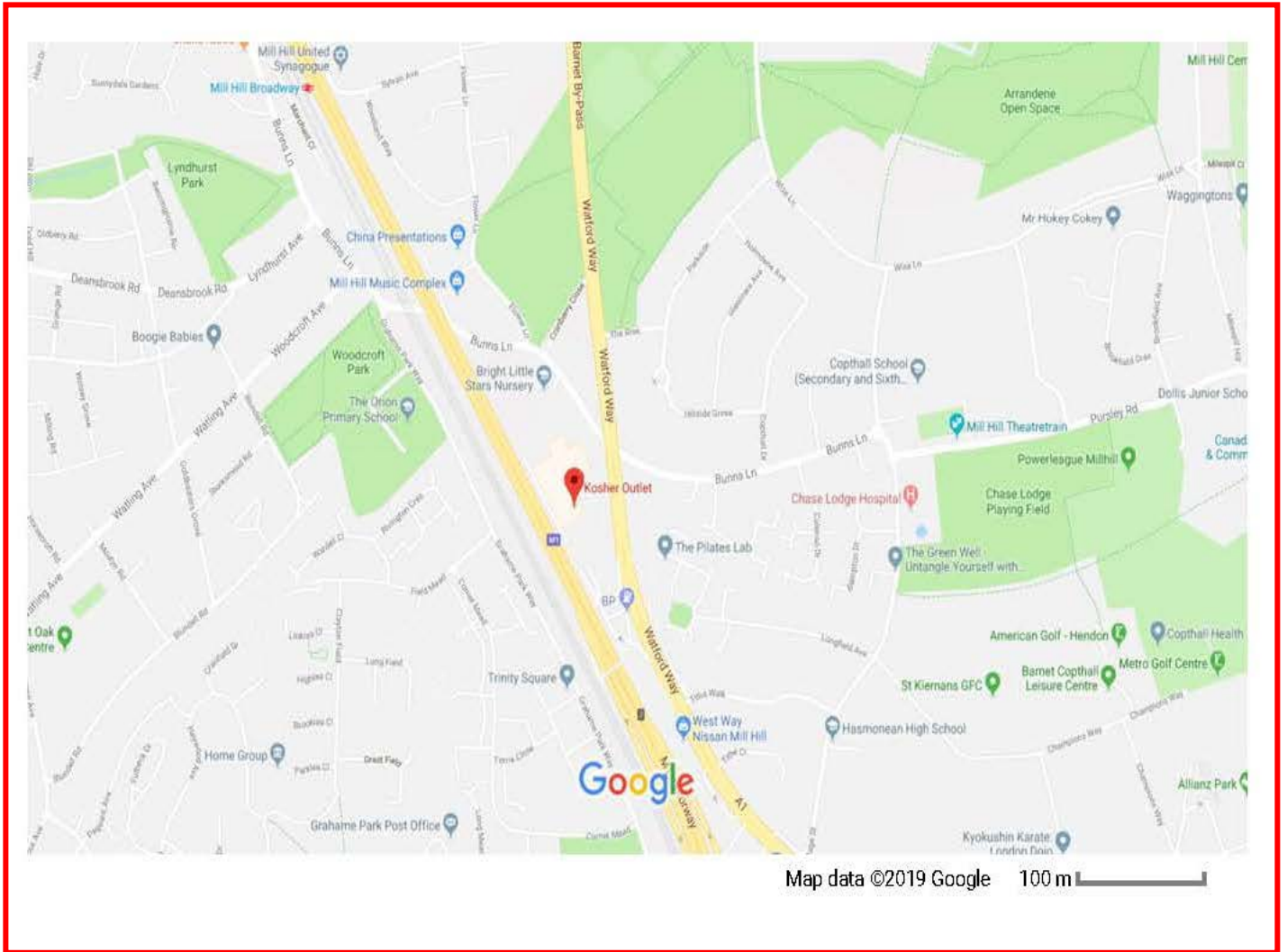
*Simon Horner*

**SIMON HORNER**

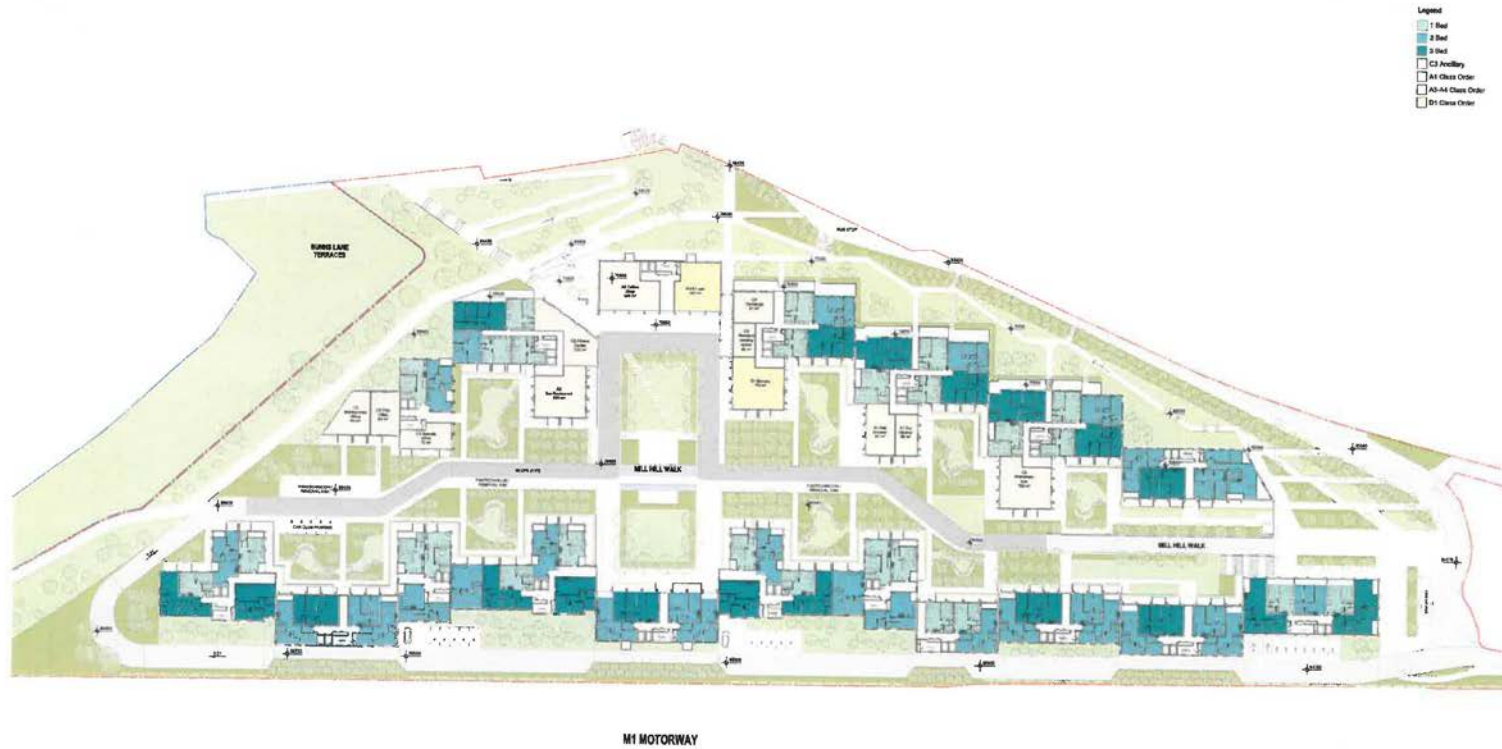
Enc.



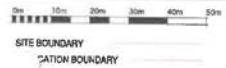
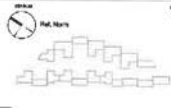
APPENDIX 1  
PENTAVIA SITE, MILL HILL



# APPENDIX 2



LEVELS ARE SUBJECT TO CHANGE



NOTES  
 1. This plan and any other drawings are for information only.  
 2. All drawings shall be read in conjunction with the contract documents.  
 3. All drawings shall be read in conjunction with the contract documents.  
 4. All drawings shall be read in conjunction with the contract documents.  
 5. All drawings shall be read in conjunction with the contract documents.

PROJECT  
 Meadow Residential  
 Mill Hill, London

DATE  
 10/10/2023  
 DRAWN BY  
 GA\_LEVEL\_00\_OVERALL PLAN

Amey  
 Foyler  
 Katsalidis  
 SCALE  
 1:500@ A1  
 P1 | PLANNING | A10-00-01

## APPENDIX 3

### EXAMPLES OF COMPARABLE RESIDENTIAL LED GENERATION SCHEMES

Below highlight some developments which are completed and where GCW has advised in some capacity. We believe they have some relevance here in helping assessing demand and viability for the commercial element within the proposed Scheme.

#### **Colindale - Beaufort Park**

Large scale regeneration scheme by St Georges providing over 2000 homes with commercial element including a children's nursery, variety of retail and leisure and office accommodation.

GCW advised on both the nursery and gym accommodation for clients. The nursery was taken by Bright Horizons who occupy circa 6,000 sq. ft. with dedicated outside space. There is an independent hairdresser/ beautician circa 800 sq. ft. dry cleaners 500 sq. ft., coffee shop 1000 sq. ft. specialist gym offering personal training 1,500 sq. ft. and Tesco Express 3,700 sq. ft. There is also an independent Italian and Chinese restaurant.

As well as being close to the subject development, the commercial element is not linked to any existing centre outside the scheme and therefore the commercial element very much caters to new catchment created by the surrounding residential.

#### **Southwark-Blackfriars Circus**

Development by Barratt London incorporating some 360 residential units with variety of commercial retail, leisure and office units on ground floor.

GCW was retained as letting agent for the retail and leisure elements and helped secure Tesco Express 4,100 sq. ft., independent dry cleaners 750 sq. ft. and Starbucks 1,500 sq. ft. There is one remaining unit of 2,500 sq ft which there is strong demand for D2 gym operators for especially offering class based training.

Whilst this does have street frontage the location at the bottom of Blackfriars at St George's Circus is not a known location so there was no obvious passing foot traffic to this locality and therefore occupiers are being asked to initially assess this on being a destination in its own right.

#### **Reading - Charter Place**

Regeneration by Muse to provide some 600 residential units with a small number of commercial units on ground floor.

These included Anytime fitness 5,000 sq. ft., Studio 42 an independent yoga centre of 2,800 sq. ft. Protemp recruitment consultants 2,000 sq. ft. and 1300 kitchen showroom.

Whilst this was adjacent to the town centre, the commercial element of the scheme was inward facing and therefore not obviously connected to the rest of the town centre population.



### **Stamore - Stanmore Place**

Development by St Edwards of some 800 residential units incorporating new car, with business centre and children's nursery.

GCW provided advice to Busy Bees on the potential acquisition of this site. They did not eventually secure the premises and this is now occupied by Bright Little Stars who occupy circa 3,500 sq ft on two levels with approximately 800 sq. ft. of outside space.

### **Brentford – Great Western Quarter**

Development by Barratt London providing over 900 residential units and commercial space including offices and hotel accommodation.

GCW acquired a unit for client energie fitness which consisted of just over 7,000 sq. ft. In addition there is a convenience store of some 4,650 sq. ft. occupied by Sainsbury Local, children's nursery of nearly 8,000 sq ft (including outside space) occupied by Cybertotes and rada café 1,500 sq ft and Reunion café/bar circa 2,000 sq. ft

## APPENDIX 4

### **BARNET PAST HOUSING COMPLETIONS (ALL TYPES) VS PREVIOUS LONDON PLAN TARGETS AND LOCAL PLAN (CORE STRATEGY TARGETS)**

---



## **Pentavia Retail Park, Mill Hill**

### **Draft Planning Brief**

# Contents

<b>Introduction</b> .....	<b>2</b>
Purpose of the Planning Brief.....	2
Objectives for the Pentavia site .....	2
<b>The Existing Site</b> .....	<b>4</b>
Site History.....	5
Built Character of the Surrounding Area .....	7
<b>Planning Policy Framework</b> .....	<b>8</b>
National Planning Policy Framework (NPPF) .....	8
London Plan 2016.....	9
Barnet’s Local Plan Policies.....	10
<b>Constraints</b> .....	<b>13</b>
Levels .....	13
Mill Hill and Watling Estate Conservation Areas (adjoining building scale) .....	13
Site Permeability and Accessibility .....	14
Environmental Factors.....	15
Constraints Plan .....	16
<b>Relationship with Surrounding Area</b> .....	<b>17</b>
Adjoining Sites .....	17
Connectivity .....	19
<b>Approaches to Redevelopment</b> .....	<b>20</b>
Land use.....	20
Urban Form and Character .....	22
<b>Details to be Considered</b> .....	<b>25</b>
Privacy and overlooking .....	25
Outdoor Amenity Space.....	25
Building heights and bulk.....	26
Access and Connectivity .....	27
<b>Planning Application Requirements</b> .....	<b>30</b>
Energy and Carbon Reduction.....	30
Surface Water Management .....	31
<b>Development Contributions</b> .....	<b>32</b>
Community Infrastructure Levy .....	32
S106 Requirements .....	32
<b>Appendix 1 - Relevant National, Regional and Local Planning policies</b> .....	<b>34</b>
<b>Appendix 2 - Community Engagement</b> .....	<b>37</b>

## Introduction

### **Purpose of the Planning Brief**

- 1.1 Surrounded by the A1 / A41, M1 and Midland Mainline, the former Pentavia Retail Park presents an opportunity to create a sustainable mixed use development on a physically constrained site of low environmental quality in an outmoded out of town centre location, reuniting the site with the surrounding residential area of Mill Hill.

### **Objectives for the Pentavia site**

- 1.2 The objectives for the site are:

- a sustainable mixed use development, creating a new place where people will chose to live with a range of new affordable homes that contribute to housing choice;
- new employment space to serve the needs of modern businesses, in particular small to medium enterprises;
- new outdoor amenity space and landscaping of a quality that enhances this location on the edge of Mill Hill;
- new and ancillary small-scale 'non-destination' retail and leisure uses that serves the needs of the new development;
- new and ancillary community space, such as a nursery, that serves the needs of Colindale and Mill Hill;
- exemplary standards of sustainable design and environmental quality in order to mitigate and adapt to the effects of a changing climate as well as respond to the challenging environmental context of the location; and
- improvements to existing transport infrastructure and creation of new pedestrian and cycle links to Mill Hill Town Centre, Colindale, Mill Hill Park, Copthall and local transport nodes.

- 1.3 In order to deliver these objectives, the sustainable redevelopment of the Pentavia site presents a number of opportunities. These include:

- bringing this brownfield site back into a beneficial and more sustainable use through the removal of the existing out of centre retail park primarily accessible by car;



- new residential uses that contribute towards housing delivery and choice in Barnet;
- new commercial uses to serve the needs of SME businesses and community uses primarily to serve the needs of Colindale and Mill Hill;
- new green infrastructure that contributes to the amenity of residents as well as local biodiversity;
- a development of an innovative and exemplary design that helps to re-integrate the site with surrounding residential areas and screen it from the M1 and A1 / A41; and
- new pedestrian and cycle links that contribute to the re-integration of the site with Colindale and Mill Hill.

## 2 The Existing Site

- 2.1 The site is the former Pentavia Retail Park, as shown in Figures 1 and 2, which is in the Mill Hill ward to the north of the London Borough of Barnet. The 3.45 hectare site, see Figure 3, forms an island surrounded by major transport infrastructure and consists of a former out-of-town retail park with associated parking. The retail development comprised 9600 m<sup>2</sup> of A1 / A41-A3 floorspace.



Figure 1: Former Comet building



Figure 2: Existing TGI Friday

- 2.2 Consisting of large single buildings exhibiting a coarse grain of built form without an overarching urban structure, the retail park falls within the primary typology of a box development as set out in the Barnet Characterisation Study.
- 2.3 The retail buildings occupied the northern part of the site. Existing buildings are considered to be architecturally poor and do not contribute to the character and appearance of Mill Hill. The site is not subject to any other Local Plan designation, is not part of a conservation area and there are no listed buildings on site.

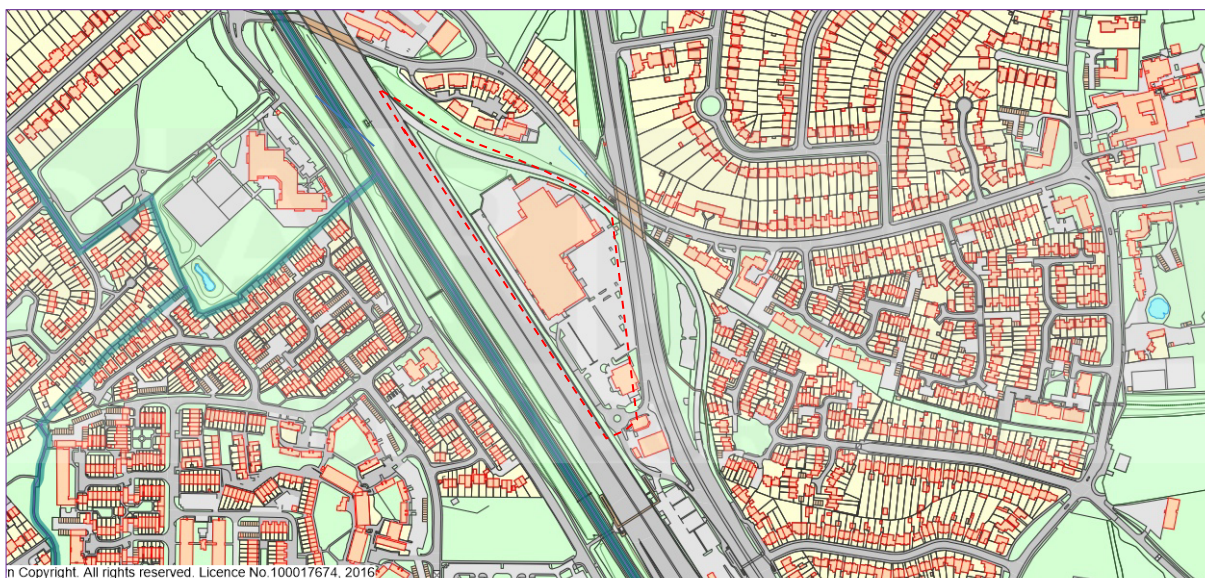


Figure 3: Existing site shown in red dashed line

## Site History

2.4 The site has a short development history. The Pentavia Retail Park was built in the early 1990s following planning consent in 1988 for a scheme comprising non-food retail warehouses, a garden centre and petrol station. Prior to 1988 the site had been used as allotments and a sports ground as well as a construction site for the M1. The historical development of the site over the last 150 years is shown in Figures 4, 5, 6 and 7. The isolation of the Pentavia site was clearly the product of the development of the A1 / A41 and M1.

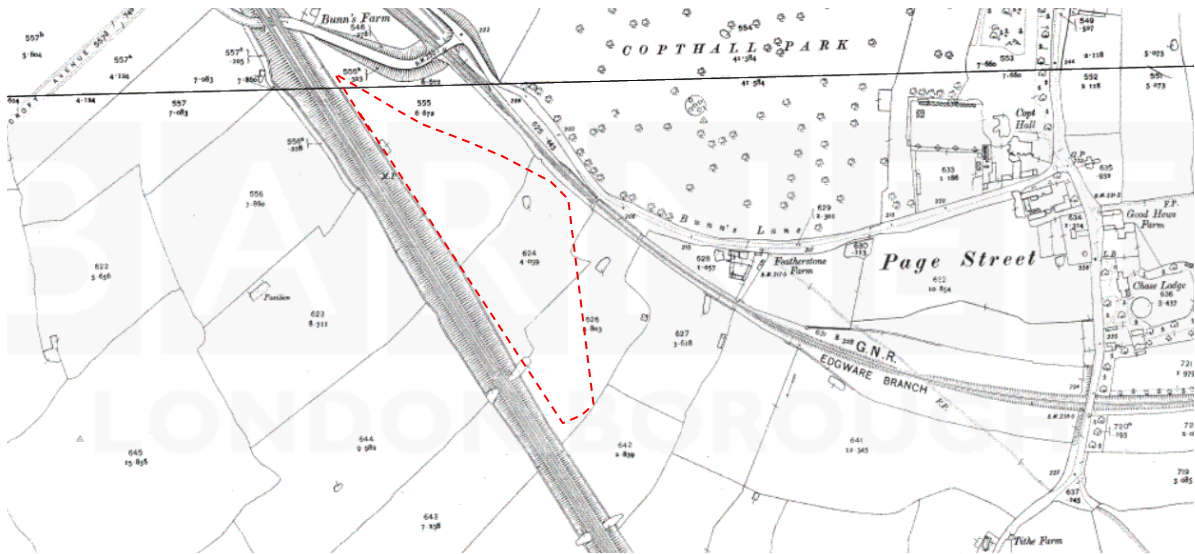


Figure 4: Map showing site between 1865-1894, before construction of A1 / A41

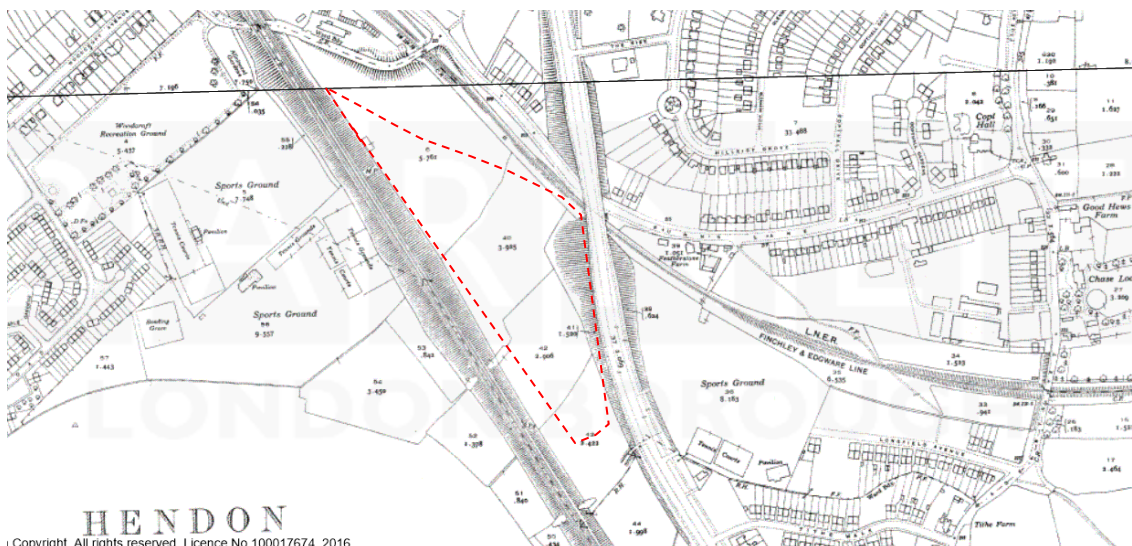


Figure 5: Map showing agricultural uses from 1932-1941



Figure 6: Aerial photograph 1945

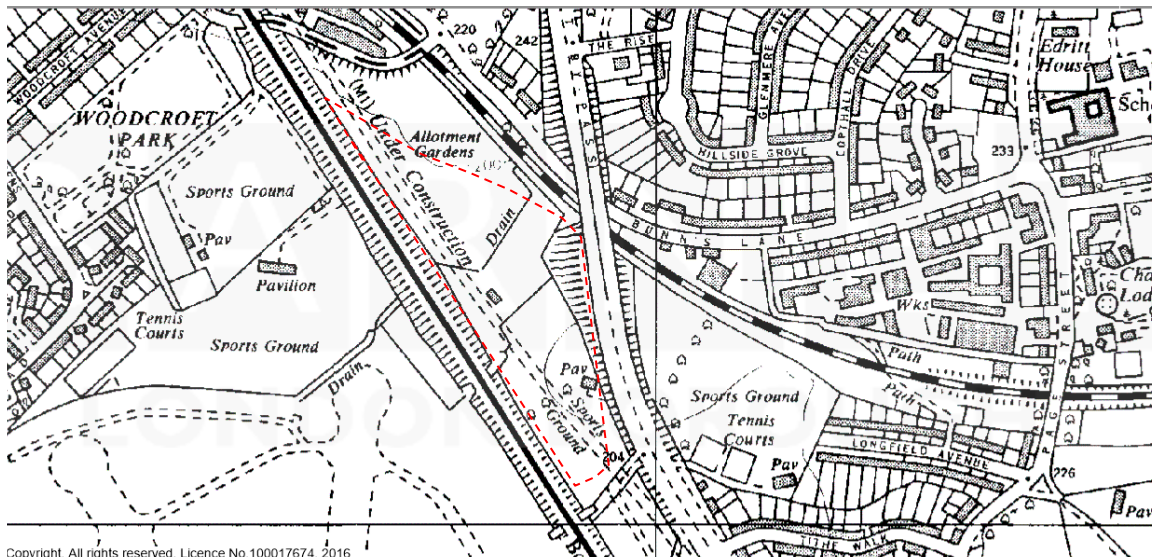


Figure 7: Map show site between 1958-1968 with allotment and sports uses

2.5 Like many out of town centre retail parks in London, the Pentavia site became outmoded as national planning policy and investment has been directed towards the renewal of town centres, focusing on making such centres of historic trade more vibrant and vital places which are accessible by a range of sustainable transport

modes. With an emphasis on car trips combined with constraints linked to the access to and from the A1 / A41, the Pentavia Retail Park is considered to have failed as a modern and sustainable development. Up until 2015 the site had been occupied by major national retailers including Homebase, Comet and Argos (Use Class A1 / A41). Since September 2015 the site has been temporarily occupied by Kosher Outlet Store. The TGI Friday restaurant (Use Class A3) remains open.

### **Built Character of the Surrounding Area**

- 2.6 The former retail park site is adjoined by A1 / A41 to the east and the M1 to the west.
- 2.7 To the north west of the Pentavia site are Bunns Lane and the route of the former rail link between Mill Hill East and Edgware. Between Pentavia and Bunns Lane there is a new 34 unit residential development, Churchill Place, which was approved in 2013 (planning reference H/02796/11) and completed in 2016. The impact on this new adjoining residential area will be a key consideration in determining the acceptability of proposals for the site subject to this Planning Brief.
- 2.8 Further to the north of Bunns Lane are the Mill Hill Industrial Estate and Bunns Lane Works. Both of these sites are designated as Locally Significant Industrial Sites in the Local Plan.
- 2.9 Mill Hill Town Centre is 0.8 miles from Pentavia (about 16 minutes walk). The residential areas to the west of the site consist of two storey houses. To the south west (about 300 metres away) is the Watling Estate Conservation Area which typically consists of rows of two storey terraced dwellings or pairs of semi-detached properties with pitched roofs. Residential also characterises the east of the site with several blocks of flats of three to four storeys. To the south there is a BP petrol station and a car dealership West Way Nissan at 517 Watford Way showroom, together with slip roads connected to the A1 / A41/A41. This narrow neck of land is closest to the M1 and A1 / A41/A41.

### **3 Planning Policy Framework**

- 3.1 The Barnet statutory development plan is the 2012 Local Plan Core Strategy and Development Management Policies, alongside the 2016 London Plan (consolidated with alterations since 2011) which was published in March 2016. Regard has to be had to the National Planning Policy Framework (NPPF) in decision making.
- 3.2 The site is within the Mill Hill Neighbourhood Plan Area. The Mill Hill Neighbourhood Forum is in the early stages of producing a Neighbourhood Plan. The emerging Mill Hill Neighbourhood Plan will, subject to adoption eventually form part of Barnet's development plan. Should this be in place when an application is considered it will be a material consideration.
- 3.3 Rather than repeat policies as part of the Brief a Planning Policy Matrix has been produced to highlight the main planning issues for consideration and enable cross-reference to relevant parts of the Local Plan, London Plan and the National Planning Policy Framework (NPPF). The Matrix is set out in **Appendix 1**. The key policy issues relevant to the site are housing, employment, transport, design, environmental quality and community uses. These are summarised below.

#### **National Planning Policy Framework (NPPF)**

- 3.4 The NPPF sets down the Government's planning policies for England and how they expect these to be applied to all forms of development. There is a presumption in favour of sustainable development which will be achieved if development is in line with the NPPF policies and objectives.
- 3.5 Paragraph 58 sets out the following aims for the design requirements for development that will:
- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
  - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
  - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
  - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
  - be visually attractive as a result of good architecture and appropriate landscaping.

- 3.6 The NPPF states at paragraph 59 that design policies should avoid unnecessary prescription or detail and should not attempt to impose architectural styles or particular tastes.

## **London Plan 2016**

### *Residential Uses*

- 3.7 **Policy 3.5 Quality and Design of Housing Developments** requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. The design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, addressing in particular the needs of children and older people.

- 3.8 **Policy 3.8 Housing Choice** also requires that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors in meeting these. The 2016 London Plan specifically highlights in Policy 3.8 that the planning system should provide positive and practical support to sustain the contribution of the Private Rented Sector (PRS) in addressing housing needs and increasing housing delivery.

### *Open Space*

- 3.9 **Policy 3.6 Children and Young People's Play and Infant Recreation Facilities** requires that all children and young people have safe access to good quality, well-designed, secure and stimulating play and informal recreation provision, incorporating trees and greenery wherever possible. The quantum is dependent on the final mix of unit sizes; further detail is contained in the Barnet Local Plan Development Management Policies and Barnet Planning Obligations SPD.

### *Economic Uses*

- 3.10 **Policy 2.7 Outer London: Economy** supports consolidating and developing the strengths of outer London's office market through mixed use redevelopment and encouraging new provision in competitive locations.
- 3.11 **Policy 4.1 Developing London's Economy** states that the Mayor will promote and enable the continued development of a strong and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces including suitable environments for small and medium sized enterprises.
- 3.12 **Policy 4.7 Retail and Town Centre Development** highlights that boroughs should firmly resist inappropriate out of centre development and manage existing out of

centre retail and leisure development in line with the sequential approach, seeking to reduce car dependency, improve public transport, cycling and walking access and promote more sustainable forms of development.

- 3.13 **Policy 4.10 New and Emerging Economic Sectors** encourages boroughs to work with developers to ensure availability of a range of workspaces, including start-up space, co-working space and 'grow-on' space.

## **Barnet's Local Plan Policies**

### *Residential Uses*

- 3.14 **Policy CS4: Providing quality homes and housing choice in Barnet** seeks to ensure a mix of housing products in the affordable and market sectors to provide choice for all households. New developments should provide a range of dwelling sizes and types of housing including family homes which does not undermine suburban character or local distinctiveness. Affordable Housing should be provided in line with the Council's strategic borough-wide target of 40% provision, subject to viability, for all new homes with a tenure mix of 60% social rented and 40% intermediate. In accordance with the London Plan, affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated robustly that this is not appropriate, it may be provided off-site.
- 3.15 Any affordable housing proposal which does not meet the Council's policy will need to be supported by a Viability Assessment. The Council expects the developer to enter into dialogue regarding the proposed level of affordable housing to be provided prior to the submission of a planning application and after the Council has been supplied with sufficient detail of the proposed scheme so that it can carry out its own assessment. This will help agree the assumptions to be included in a viability assessment reach an early agreement on the level of provision and avoid a protracted S106 negotiation.
- 3.16 **Policy DM08: Ensuring a variety of sizes of new homes to meet housing need** recognises that the development should include a mix of residential units. Maintaining and increasing the supply of family housing is a priority in Barnet. Barnet's Housing Strategy 2015 recognises the market's pre-disposition to provide 1 and 2 bedroom units, and maintains the priority for family homes across all tenures.
- 3.17 **Policy CS5: Protecting and enhancing Barnet's character to create high quality places** means that the Council seeks to ensure development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. All development should maximise the opportunity for community diversity, inclusion and cohesion and should contribute to people's sense of place, safety and security.



- 3.18 Given the proximity of the Watling Estate Conservation Area and potential for visual impact in relation to Mill Hill Conservation Area, we highlight the requirement of Policy CS5 that we will require proposals within or affecting the setting of heritage assets to provide a site assessment which demonstrates how the proposal will respect and enhance the asset.
- 3.19 Policy CS5 identifies eight strategic locations in the Borough where Tall Buildings (8 storeys (or 26 metres) or more) may be appropriate. Pentavia Retail Park is not one of these locations.

#### *Town Centre Uses*

- 3.20 National guidance defines the main town centre uses. This definition includes retail development, leisure, entertainment facilities such as cinemas, restaurants, pubs, offices and theatres, museums and hotels.
- 3.21 Town centre first has been firmly established as national planning policy for more than 20 years. On this basis Local Plan policies are clear in demonstrating which uses are more appropriately located in Barnet's town centres.
- 3.22 Pentavia has not been successful as an out of centre retail park and the Council's objective remains to promote its network of town centres. It therefore does not support any enhancement of this out of centre location in terms of uses such as retail and leisure that make the development a destination.
- 3.23 Mill Hill town centre is one of Barnet's district centres and given moderate levels of demand for retail, leisure or office floorspace combined with transport capacity is considered to have medium growth potential according to the London Plan.
- 3.24 **Policy CS6: Promoting Barnet's Town Centres** states that we will promote successful and vibrant centres throughout Barnet to serve the needs of residents, workers and visitors and ensure that new development is of an appropriate scale and character for the centre in which it is located;
- 3.25 **Policy DM11: Development principles for Barnet's town centres** states 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. Edge of centre proposals will not normally be appropriate and therefore should demonstrate why they are not locating in a town centre site. Appropriate mixed use re-development will be expected to provide re-provision of employment use, residential and community use.

#### *Employment Uses*

- 3.26 **Policy CS8: Promoting a strong and prosperous Barnet** states that we will support businesses by encouraging development that improves the quality of existing

employment provision. CS8 also highlights that in order to support small to medium sized enterprises new employment provision should include a range of unit sizes and types such as affordable and flexible workspaces and home working hubs. This policy also states that we will require major developments to provide financial contributions to and deliver employment and training initiatives. Further details are set out in the Supplementary Planning Document on Delivering Skills, Employment, Enterprise and Training (SEET) from Development through S106.

## **4 Constraints**

4.1 The following constraints will need to be addressed in any future development:

- Levels
- Mill Hill and Watling Estate Conservation Areas
- Site permeability and accessibility
- Environmental Factors

4.2 A Constraints Plan is set out at para 4.12.

### **Levels**

4.3 The extent of level changes across the site is currently not known. Topographical or cross sectional drawings/surveys will therefore need to be provided in the event of an application. Observations of the site indicate that there are no significant level changes on the site itself. However, there are significant level differences between the site and surrounding areas. This is particularly significant at the northern boundary close to which lies Churchill Place; and the western boundary towards Grahame Park Way.

4.4 These level changes may have an impact on any new development achievable within the site, which will need to be addressed with any redevelopment proposal especially in terms of privacy and overlooking.

### **Mill Hill and Watling Estate Conservation Areas (adjoining building scale)**

4.5 The Mill Hill Conservation Area sits atop Mill Hill extending round to Holcombe Hill and Highwood Hill. Although Pentavia does not fall within this Conservation Area, there is an impact in terms of views from the Conservation Area (see Mill Hill Conservation Area Character Appraisal, April 2008) which is on higher ground. Pentavia is in a location surrounded by low rise suburban housing. Relevant viewpoints include the view from Mill Field, a public open space located within the Conservation Area together with the view from St Joseph's Missionary College that sits on the adjacent hillside. In both cases Pentavia Retail Park lies to the south and any denser form of development would act as a dominant impression on the skyline from these locations.



*Figure 8: View of the site from Mill Hill field*

- 4.6 The Watling Estate Conservation Area is located within 300 metres of the Pentavia Retail Park. This Conservation Area is characterised by small scale two storey properties, which form pairs of semi-detached properties or rows of terraces. The proximity to the Watling Estate Conservation Area boundary coupled with the elevated nature of the site means that there is potential for any proposed development to impact on the setting of this Conservation Area. Any proposed development will therefore need to have due regard to character and appearance (see Watling Estate Conservation Area Character Appraisal, July 2007) and must not have a harmful impact on views of the Watling Estate and its setting.

### **Site Permeability and Accessibility**

- 4.7 At present there is only one vehicular entrance to the site from the A1 / A41 Watford Way. As the A1 / A41 is a dual carriage way, this entrance is one way in, one way out. The exit is northbound only, and in order for vehicles leaving the site to travel in a southerly direction, they have to turn right at the junction at Mill Hill Broadway. This access arrangement presents a significant obstacle to the redevelopment of the site and the improvement of public transport accessibility for the site.
- 4.8 In terms of pedestrian access the only opportunity for pedestrians to cross the southbound carriageway of the A1 / A41 is either the four flights of stairs (two down and two up again) via Bunns Lane (see Figure 10) or to go via the subway adjacent to the West Way Nissan car dealership (also multiple flights of stairs).

- 4.9 To the southwest there is a pedestrian bridge (see Figure 9) which crosses over the M1 and then goes underneath the Midland Mainline via a pedestrian tunnel providing a connection to the former site of Barnet College. This pedestrian bridge has step and ramp access potentially making it suitable for bicycles.



Figure 9: Pedestrian bridge over M1



Figure 10: External stairs connecting Watford Way to Bunns Lane

## Environmental Factors

- 4.10 Due to the site's proximity to the M1, A1 / A41 and Midland Mainline, the site is exposed to poor air quality, high levels of particulate and severe acoustic problems. Measurements taken on site show that National Air Quality Objectives for Nitrogen Dioxide and Particulate Matter (PM10) are exceeded.
- 4.11 Detailed mapping of particulates across the site will be required due to its constrained nature between transport corridors. Furthermore, an on-site assessment will be required to identify if more permanent measuring systems and controls to limit health risks are required in order to ensure proposed uses support improvement of health and wellbeing as envisioned within the Council's Health and Wellbeing Strategy.

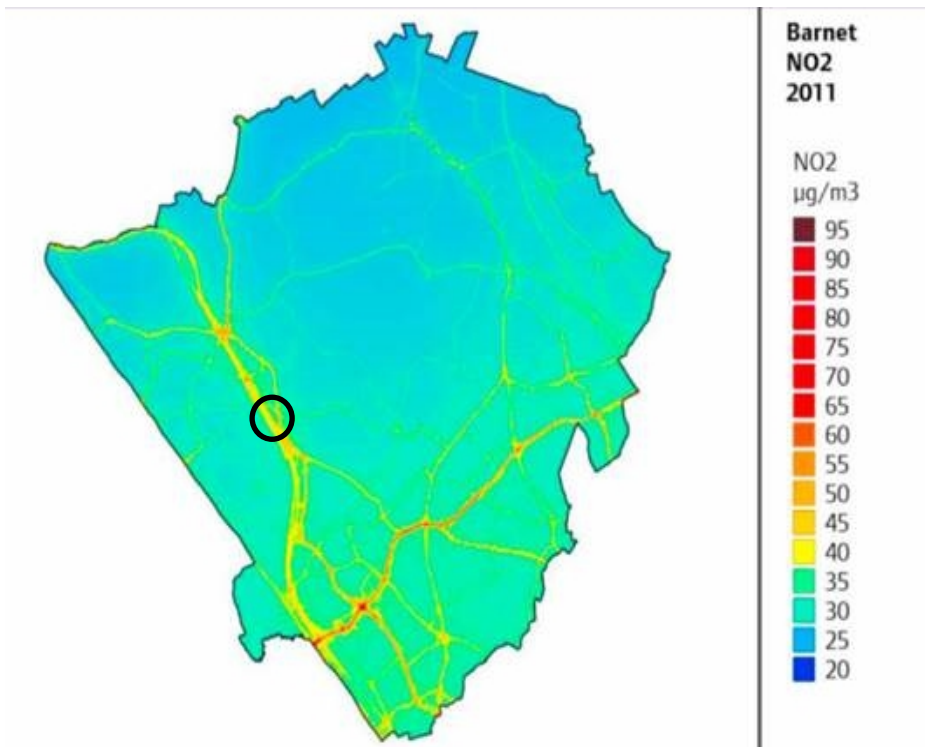


Figure 11: NO<sub>2</sub> emissions within Barnet (Pentavia site circled)

## Constraints Plan

4.12 The main constraints are shown on the below plan:



Figure 12: Site Constraints

## 5 Relationship with Surrounding Area

### Adjoining Sites

- 5.1 Due to adjoining strategic transport infrastructure that acts more as a barrier than a connection for the site, the site itself only directly borders other forms of development to the north and south.
- 5.2 The only residential area bordering this site is the new development at Churchill Place. Churchill Place directly adjoins the M1 and Midland Mainline and has environmental issues from being exposed to noise and air pollution. However, Churchill Place also benefits from its location bordering Bunns Lane with Mil Hill Park directly opposite and the disused railway line woodland buffer to the rear sitting between the residential properties and the Pentavia Retail Park.
- 5.3 Individual residential properties on this site have been protected from the transport corridors through the installation of sound proof walling, which runs along the western boundary. As outlined above, the Churchill Place development is downslope of the site. Topographical / cross sectional drawings will need to be submitted for the Pentavia site in order to ascertain the extent of the level change.
- 5.4 Bunns Lane provides the closest route from the site to the nearest local town centre, Mill Hill. The only link between the Pentavia site and Bunns Lane is a set of pedestrian stairs which lies to the north of the site accessed via Watford Way. Access improvements in and around this location would be essential to enabling any residential development to be considered within the site instead of the current limit to such development defined by Churchill Place.



*Figure 13: Churchill Place properties fronting Bunns Lane*

- 5.5 To the east of the site is the A1 / A41 dual carriageway; beyond this road is a disused exit ramp from the M1 that formerly enabled direct connection from the M1 into the A41 at this location. Adjacent to this are low rise houses that are screened from the A1 / A41 and Pentavia by existing mature trees. These properties would be sensitive to matters of building height and massing.
- 5.6 To the south are the West Way Nissan dealership and the BP petrol station. These sites are squeezed between the transport corridors as they gradually come together at Junction 2 of the M1. The considerations associated with these corridors become increasingly significant as one travels from north to south through the site.



*Figure 14: West Way Nissan dealership – 517 Watford Way*

- 5.7 Around 100 metres to the west of Pentavia is Grahame Park Way which consists of two storey terraced and semi-detached houses together with public open space at Woodcroft Park. This area falls within the Colindale Regeneration Area identified as an Opportunity Area in the London Plan and subject to the Colindale Area Action Plan adopted in 2010. Colindale is expected to deliver a minimum of 12,500 new homes before 2031. The area of Grahame Park Way closest to Pentavia is not identified as a development site in the Area Action Plan. However it is adjacent to the Grahame Park Way Corridor of Change which focuses on the regeneration of the Grahame Park Estate and the site at Barnet College. Further detail on the master planning of the Grahame Park Estate is set out in the Grahame Park Supplementary Planning Document adopted in May 2016. The relationship with Grahame Park is another key consideration for any future development of Pentavia.
- 5.8 There appears to be significant level changes between the site and Grahame Park Way. This requires further investigation. It is, however, anticipated that this area of low rise residential housing may be affected by any future development on the Pentavia site. Again careful consideration will need to be given to building height and mass as well as set back distances at this boundary.



## Connectivity

- 5.9 The Pentavia site has a PTAL rating of 1b. There is a bus stop directly outside the site on the A1 / A41 Watford Way which serves routes 113 and N113. These buses serve Mill Hill and Hendon on a route that runs from Edgware to Trafalgar Square at a frequency of every 6-11 minutes during peak times. A key consideration for any future development is making effective use of this bus route improving the poor connectivity from the site to the bus stops along the northbound and southbound carriageways of Watford Way. The bus stop at Bunns Hill Bridge serving destinations to the south including Hendon is closer to the Pentavia site than the northbound bus stops serving Mill Hill and Edgware.
- 5.10 The other accessible bus route is the 221 that runs along Bunns Lane. This route serves both Mill Hill Broadway and Mill Hill East stations with a frequency of every 4-6 minutes during peak times. The lack of direct access to Bunns Lane and the 221 bus service needs to be considered in any future proposal for the Pentavia site. Even with improvements to accessibility, the variation across the site is likely to be significant in defining the approach to layout and the nature of any proposed development.
- 5.11 The nearest rail station is Mill Hill Broadway which is 0.9 miles from the site when accessed by the external stairs to the north of the site (17 minutes' walk). The nearest underground station is Colindale a distance of 1.3 miles which is accessed via the footbridge over the M1 and pedestrian tunnel under the Midland Mainline, followed by a 15 minute walk along Grahame Park Way and Colindale Avenue.
- 5.12 Due to the low PTAL rating combined with difficult pedestrian and cycling linkages any future development will need to both improve these access routes and also provide suitable car parking that complies with the Council's parking standards as outlined in Policy DM17 Travel Impact and Parking Standards. The Policy requires:
- 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)*
- 5.13 The area is already dominated by adjacent vehicle corridors, therefore the impact of parking on internal streetscape within the site should be minimised to ensure a high quality of environment and landscaping. We recommend strong consideration is given to the use of basement parking.

## 6 Approaches to Redevelopment

### Land use

- 6.1 This is a site largely surrounded by barriers in the form of major transport routes which limit permeability and accessibility. Due to these restrictions, careful consideration must be given regarding appropriate uses for any future development to ensure that they do not result in a level of movement into and out of the site which has a detrimental impact on surrounding road networks.
- 6.2 Although there have been no previous residential uses on this site, there are residential areas to the north, east and west of the site. Residential use as part of a mixed use development is considered appropriate for the site. The Council recognises that as housing need increases new innovative and non-conventional housing products will come forward. Given the environmental constraints of this location the Council will consider well-designed, high quality products which help to widen housing choice. We will support such products on the basis that they:
- demonstrate how they meet identified housing needs and contribute to the delivery of mixed and balanced communities;
  - contribute to the maximum reasonable amount of affordable housing in line with Local Plan and London Plan policies;
  - comply with Housing Act standards and requirements;
  - demonstrate effective management arrangements, lettings policies and support services for occupiers;
  - do not have a negative impact on surrounding neighbourhoods and
  - are not converted to student accommodation, HMO, hotel or temporary homeless accommodation without planning consent.
- 6.3 Flexible business uses as part of a mixed use scheme would be appropriate. Any future development would need to provide a range of unit sizes and tenures to meet a variety of business needs.
- 6.4 The Council will expect new business space to be delivered in a specific part of the site. The narrowest part of the site which is closest to the A1 / A41 and M1 would be an appropriate location for new business accommodation (see Figure 12). The Council will support provision of a range of new business spaces that are both flexible and affordable, providing the conditions for start-ups to grow and to enable existing small to medium enterprises to prosper.
- 6.5 The scale of development also triggers a requirement to manage development related job opportunities. The Council will use a Local Employment Agreement (LEA) to manage such opportunities. A LEA sets out the skills, employment and training opportunities to be delivered from development and must include all employment

opportunities generated by construction as well as the end use where the development creates more than 20 FTE (full time employee) jobs.

**(i) Impact on transport corridors and access**

6.6 It is important that future uses do not result in a level of vehicular movement into and out of the site which has a detrimental impact on surrounding road networks, particularly where they are already congested at peak times.

6.6 The introduction of residential land uses would be subject to demonstrating the ability to provide suitable accessibility for future residents through the creation of new and improved vehicular and transport connections, alongside improvements to cycling and pedestrian access and choice.

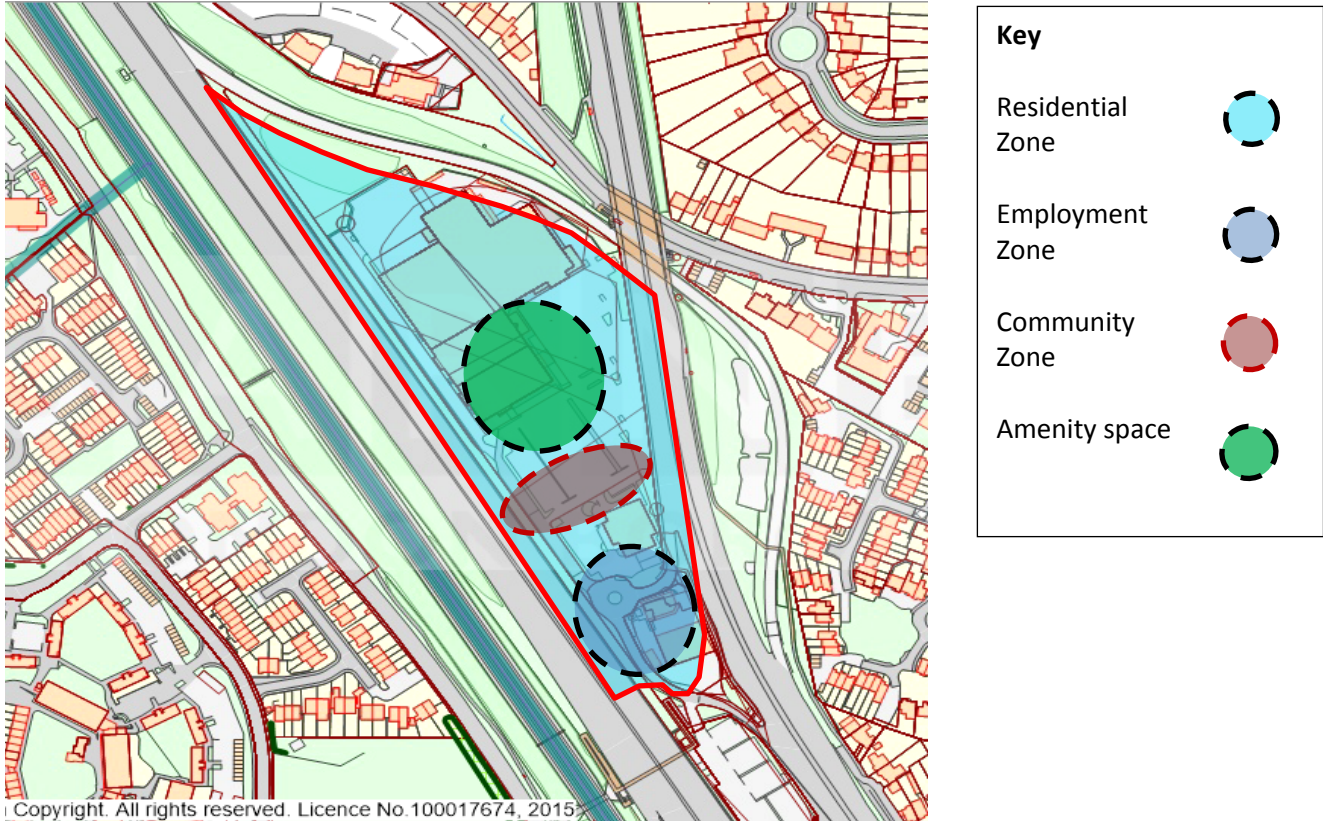


Figure 15: Zoning Map

## **(ii) Suitability of the environmental context**

- 6.7 The suitability of different land uses within the site is highly influenced by the environmental constraints highlighted earlier. Suitability for any residential use is a key consideration. Proven mitigation measures and controls need to be in place to give certainty that the environmental issues resulting from the adjoining transport routes and poor permeability will not affect the health and wellbeing of residents and employees. The Council's Joint Strategic Needs Assessment and Strategy identifies that the cost of health services for individuals and their life expectancy are strongly related to the broad environmental context in which they live.
- 6.8 If residential development is to be provided on site, this will need to be as part of a mixed use development. It is important that, in order to comply with the objectives of the National Planning Policy Framework (NPPF) which seeks sustainable, inclusive and mixed communities, the new residential properties should be supported by a range of on-site community and retail uses. These uses should be ancillary to the residential elements of the mixed use development and not form a destination in themselves.

## **(iii) Designing for a changing economy**

- 6.9 Flexible business uses as part of a mixed use scheme would be appropriate. Any future development would need to provide a range of unit sizes and tenures to meet a variety of business needs.
- 6.10 The Council will expect new business space to be designed in order to provide larger spaces that can be easily sub-divided, changed and re-used in a variety of ways over time to adjust to the changing nature of business within the wider economy. Affordable workshop spaces are particularly sought after within the local economy; but whatever provision is proposed it should consider the importance of a balance of suitable internal and external spaces, quality ventilation arrangements and arrangements such as loading areas and parking.
- 6.11 The site is not located within a town centre and therefore the business uses should be appropriate to the lower public transport accessibility of the site.

### Urban Form and Character

## **(i) Responding to the local built form and skyline**

- 6.12 The current form of development on site consists of low rise, warehouse style buildings with large footprints (8200 m<sup>2</sup>). As the site is separated from surrounding built environments by major transport infrastructure, there is an opportunity to create a distinctive built form which can help to inform and instruct the 'place making' essential for any residential development.

- 6.13 Local Plan policies CS5 and DM6 set out the Council's approach to managing tall buildings in Barnet. There is a clear direction that they should be restricted to strategic locations within the Borough. As this site is not within a strategic location, tall buildings of 8 storeys or more in height will not be supported.
- 6.14 Any development proposals for Pentavia should demonstrate successful integration into the existing urban fabric and have regard to topography and no adverse impact on Local Viewing Corridors identified in Map 8 of the Local Plan Core Strategy, local views and the skyline. 'Viewing Corridor A' passes close to the site and therefore the impact of proposed development on the context of this view and adjacent views will be given particular attention.
- 6.15 Density should have regard to Table 3.2 of the London Plan, which guides density in terms of the surrounding character of the area, and access to public transport.
- 6.16 The proximity of the site to low rise residential areas of Grahame Park Way to the west, Bunns Lane to the north and Mill Hill to the east, entails that the height of any new build should not have a detrimental impact on these neighbouring properties in terms of overbearing and overshadowing.
- 6.17 As the site is highly visible from these locations as well as the Watling Estate and Mill Hill Conservation Areas, the appearance of the development in terms of height, mass and bulk of any new buildings will require careful consideration so as not to appear excessively dominant within this low rise landscape.
- 6.18 Particular consideration will need to be given to visible elevations, as the appearance of untreated walls will be detrimental to the views. The treatment of visible elevations should utilize modern building techniques in order to make any visible proposed structures more pleasing to the eye whilst ensuring overall legibility of the views from all adjacent areas.
- 6.19 Any development proposals should further account for roofline interest, by varying the height of structures in the appropriate places. This should stem from detailed massing and view studies of the proposed buildings. A monotonous roofline motif will have a detrimental impact on surrounding areas. However some roofline interest might frame the sky exposure of views from adjacent areas and make any structures less overbearing.

**(ii) Responding to the environmental context**

- 6.20 If the site is to be occupied by residential uses, appropriate mitigation measures will need to be installed to ensure that future residents are not exposed to detrimental levels of noise and air pollution. The Council's Environmental Health department will assess the proposed mitigation measures. Mitigation measures will need to be designed into the development to ensure that residential units are not exposed to noise levels exceeding 55db or poor air quality.
- 6.21 As well as consideration of external mitigation measures such as noise barriers, building design techniques and green buffers, the design of the scheme will need to be considered carefully to determine if the built structures proposed can in fact provide sufficient mitigation to overcome the environmental problems and provide satisfactory screening to noise and air pollution.
- 6.22 The internal layout of units will also need to be carefully considered to ensure that main habitable rooms are not exposed to more sensitive locations and single aspect units do not face onto transport infrastructure.

## **7 Details to be considered**

### Privacy and overlooking

- 7.1 Any proposed development should respond to nearby residential properties in terms of their height and proximity to adjoining boundaries with a view to avoiding loss of privacy. In new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden.

### **Outdoor Amenity Space**

- 7.2 Provision of outdoor amenity space is vital in Barnet and is a key consideration for new residential developments. Gardens/outdoor amenity spaces make a significant contribution to local character, specifically towards biodiversity, tranquillity, amenity, setting and sense of space.
- 7.3 Any proposed development will need to meet the minimum outdoor amenity space standards as outlined in Barnet Council's Sustainable Design and Construction SPD. The location of this amenity space, within the site, will need to be carefully considered in terms of the surrounding uses to ensure that proposed amenity space provides appropriate space for residents as well as employees. Private gardens should not be overlooked and all amenity space must be sheltered from surrounding major forms of transport infrastructure to provide suitable spaces.
- 7.4 The incorporation of high quality soft landscaping into the proposed street scene will be important to ensure visual interest and seasonal diversity of any new development. A key part of this will be the introduction of trees to the site; with particular attention being given to their location, function, and sufficient maturity and variety of ages to ensure the benefits are experienced early in the life of the development. Soft landscaping will be important to provide relief and privacy screening. Particular attention should be paid to the boundaries between the site and the adjoining Bunns Lane development as this will impact on both the development and the quality of life for those existing residents.
- 7.5 It is recognised that in order to ensure a high quality redevelopment is delivered that secures an excellent quality of streetscape; the soft landscaping, refuse and parking measures will all need to be considered in detail at the planning application stage rather than being dealt with through a condition. This is essential to enable assessment of the capability of these features to support the objectives of the scheme as a whole; and thus the suitability of the overall scheme design.

## Building heights and bulk

- 7.6 As noted the site is separated from other adjoining residential areas by major transport infrastructure and therefore there is the opportunity to construct a distinctive built form that utilises modern building techniques to mitigate constraints and deliver an efficient and flexible form of development for the site.
- 7.7 However, as this site is elevated above the surrounding area, it is visible from a number of locations including Mill Hill Village and the Watling Estate, as well as a number of parks and recreation areas. For this reason, any proposed redevelopment incorporating blocks of 4 to 7 storeys is likely to be quite visible. The design must not appear overbearing on the Barnet skyline nor to adjoining residential areas and as noted previous must give full and due consideration.
- 7.8 Lastly, it will be important to bear in mind the nearby context of the Mill Hill Observatory run by the University of London. By ensuring appropriate built form (height and massing) any development should avoid artificial light impacting on the operation of the observatory due to the direct line of sight across Mill Hill Park.



Figure 16: Location of Mill Hill Observatory



## Access and Connectivity

- 7.9 The current site has poor permeability and accessibility due to the boundary effects of surrounding major road transport infrastructure (M1 and A1 / A41), with a single left-in left-out access via the A1 / A41 Watford Way northbound carriageway, which is part of the Transport for London road network (TLRN).
- 7.10 Access to the site for traffic travelling southbound on the A1 / A41 requires vehicles to undertake a legal U-turn manoeuvre at Fiveways Corner; 1.8km south of the site whilst traffic egressing the site and heading south are required to use the roundabout at Mill Hill Circus to return in the opposite direction; 2.5km north of the site. In both directions the junctions can become heavily congested at peak times. Therefore the additional traffic movements from proposed new uses for the site need to be carefully considered and might become a constraint on the scale of development.
- 7.11 Pedestrian access to the site is also constrained, only being possible from the east via the existing A1 / A41 footway and the west via a pedestrian bridge over the M1 and then a subway under the Midland Mainline. Facilities for cyclists are also limited, although there is an off-road cycle route along the east side of the A1 / A41 which extends south to Hendon and on to Brent Cross (accessed from the site via a subway, so cyclists would be required to dismount). Grahame Park Way that runs parallel to the M1 is also signed for cyclists; this route can be accessed via the subway and footbridge, however cyclists are required to dismount as cycling is not permitted in the subway and on the footbridge.
- 7.12 The Pentavia site has a low PTAL rating of between 1a (very poor) and 3 (Moderate), with the majority of the location being 1b (very poor). The nearest railway station is Mill Hill Broadway which is 960m from the site and is served by Thameslink services. The typical daytime service from the station is four trains per hour to central London, Wimbledon and Sutton, of which two terminate at St Albans and two at Luton. The nearest underground stations are Colindale, Burnt Oak and Mill Hill East, all on the Northern line. Bus routes 113 and 221 provide reasonably frequent services as discussed earlier. However innovative solutions need to be found to provide better access to these and other bus routes; ensuring high quality sustainable transport connections, including continuous, safe and accessible pedestrian and cycle links are essential.
- 7.13 Improving linkages to existing and potentially new public transport services and facilities, as well as other key local centres and amenities, will be critical for the redevelopment of this site. In effect, direct and safe links that provide accessibility to all should be provided to adjacent bus stops, local primary / secondary schools, Mill Hill Broadway Town Centre, Mill Hill Broadway Station and one or both of the nearest Underground Stations. In addition to infrastructure measures it is envisaged that a

range of sustainable transport proposals, including the introduction of car clubs and other travel plan incentives for the site, will need to be implemented.

- 7.14 The primary vehicular access to this site for entry is expected to continue to be via the A1 / A41 Watford Way. However, there is an opportunity to provide better pedestrian and cycle access to and from the site by creating a new link to Bunns Lane. Due to existing traffic congestion on Bunns Lane any new vehicular connection between the development and this road will need to demonstrate it can be safely accommodated and have nil detriment on the connections in both directions.
- 7.15 A full Transport Assessment (TA) will therefore be required to examine the impact of the proposed development and how such impacts will be mitigated. It will therefore need to include a detailed assessment of any new link road/s. The impact of the development on the local road network, as assessed in the TA, should include, and not be restricted to the following junctions:
- i. A41 / Page Street / Hall Lane / A1 / A41 Great North Way (Fiveways Corner);*
  - ii. A1 / A41 / The Broadway (Mill Hill Circus);*
  - iii. Bunns Lane / Grahame Park Way;*
  - iv. Page Street / Pursley Road / Bunns Lane;*
  - v. Both ends of Flower Lane; and*
  - vi. Bunns Lane / Hale Lane / The Broadway.*
- 7.16 Any vehicular access onto Bunns Lane from the site will create a new appealing connection between the A1 / A41 Watford Way northbound and Bunns Lane / Grahame Park Way. Therefore consideration as to the need for installation of robust entry and exit control measures should be given to discourage through movement. Full details of such control measures will be required to be considered as part of the planning application, and are expected to be conditioned under any planning consent.
- 7.17 The design of the proposals should take into account the Council's Draft Developer's Design Guide, and current applicable standards.
- 7.18 Residential parking provision must be in accordance with Local Plan policy DM17, and also take into account provision for disabled drivers and electric vehicle charging points as set out within the London Plan. Non – residential parking standards should also accord with the London Plan. Parking restrictions on the local streets adjacent to the site will require review, with changes likely to be required to existing CPZs and potentially the introduction of new controls. Cycle parking provision on site should also accord with the London Plan.
- 7.19 To minimise the impact of the development on the highway network, Travel Plans will be required for both residential and commercial elements of any development.

These will contain associated required targets and monitoring, a Servicing and Delivery Strategy, as well as a Construction Transport Management Plan. Within the site a Car Parking Management Plan will be required to support the developer's proposals alongside an Access Management Plan. Together such plans and measures will require suitable monitoring as well as joined-up site leadership. This will be addressed through a Planning Agreement associated with any application.

- 7.20 The collection of refuse will be required to be in accordance with Council policies with refuse facilities to be located within 10m of the highway for collection.
- 7.21 It is likely that any approved application will require contributions to be made to improve local sustainable transport modes in order to help support any new residential community as well as the success of future business uses on site. The developer will likely also need to fund offsite highway works that may be considered necessary to mitigate any detrimental impacts of the development.

## **8 Planning Application Requirements**

- 8.1 A full planning application will need to be submitted for the site. This will enable the Council to consider the detailed design issues alongside the general principles of redevelopment, as the two are inter-related.
- 8.2 The Council has a Validation Checklist, which sets out the national and local requirements for planning applications. The developer, through the pre-application process should engage with the Council's planning officers to agree the range of documents to be submitted and the scope and standard expected. This will help to ensure that there are no delays in the validation process, and that requests for additional information are minimised once the application has been received.
- 8.3 This Brief identifies a number of elements of any application (landscaping, refuse, parking, and details of any new road links) that should be considered in full within the application rather than being left to future consideration under a condition. Early discussion is welcomed on these issues.
- 8.4 Furthermore, it is recommended that early discussions with Council officers on the likely conditions should any application be approved. Where conditions require the submission and discharge of further documents, the scope of those documents should be agreed before they are submitted. This will also help with the smooth discharge of those conditions.
- 8.5 The Council's requirements for consultation on planning applications are set out in the Statement of Community Involvement as adopted in June 2015. The applicant will need to demonstrate that the proposal has undergone significant community engagement in order to consult with different groups including the Mill Hill Neighbourhood Forum within the local community. This will be detailed within the Community Involvement Statement as submitted with the application.

### **Energy and Carbon Reduction**

- 8.6 The London Plan Policy 5.2 Minimising Carbon Dioxide Emissions emphasises that development proposals should make a contribution to minimising carbon dioxide emissions in conjunction with the energy hierarchy. Within major developments this leads to zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019.
- 8.7 Development proposals should 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

- 8.8 Development should demonstrate how its Lean, Clean and Green through submission of an Energy Statement.
- 8.9 The London Plan highlights that the move to zero carbon from major development should take account of the ease and practicability of connection to existing networks, context, size, nature, location, accessibility and expected operation.

### **Surface Water Management**

- 8.10 The development should not have a harmful impact on the water environment, water quality and drainage systems. There are no water features on site and the site does not fall within a flood zone. However, the site is expected to provide suitable mechanisms for managing surface water flows and runoff within the site to avoid and redirect run-off from the mains drainage system.
- 8.11 A site wide Surface Water Drainage Strategy is required and this would need approval from the Council in its capacity as Lead Local Flood Authority. New water features should be natural to improve biodiversity. Dependant on the findings of the Surface Water Management Report, the uses of Sustainable Urban Drainage Systems (SUDS) may be appropriate.

## 9 Development Contributions

### Community Infrastructure Levy

- 9.1 The purpose of CIL is to pay for infrastructure required to mitigate the impact of development across the Borough. Barnet's CIL charging rate has been set at: £135 per m<sup>2</sup> indexed linked. It applies to the 'net additional floorspace' of new development which is delivering 100 m<sup>2</sup> or more of gross internal floorspace or the creation of one additional dwelling. Provided such floorspace is demonstrated as meeting the relevant tests to show that it has been 'in use'.
- 9.2 In addition to Barnet's CIL the Mayoral CIL applies to all chargeable development in the borough this is currently a flat rate of £35 per m<sup>2</sup>, index-linked.

### S106 Requirements

- 9.3 The items sought through a planning obligation will vary depending on the development scheme and its location. Considerations that may be included in a Section 106 agreement are included below, the highlighted elements are those considered most likely to apply to a proposed scheme at this site:

- improvements to public transport infrastructure, systems and services
- education provision
- affordable or special needs housing
- health facilities
- small business accommodation and training programmes to promote local employment and economic prosperity
- town centre regeneration and promotion
- management and physical environmental improvements including heritage and conservation
- improvements to highways and sustainable forms of transport
- environmental improvements
- provision of public open space and improving access to public open space including sport pitches
- other community facilities including policing
- other benefits sought as appropriate.

- 9.4 In accordance with Paragraph 204 of the NPPF and Community Infrastructure Levy Regulations 122, planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

- 9.5 In considering planning obligations, we will take into account the range of benefits a development provides. It will also be important to ensure that the scale of obligations are carefully considered so they do not threaten the viability of development, in accordance with paragraph 173 of the NPPF.
- 9.6 The extent to which a development is publicly funded will also be taken into account and policy applied flexibly in such cases. Pooled contributions will be used when the combined impact of a number of schemes creates the need for infrastructure or works, although such pooling will only take place within the restrictions of the Community Infrastructure Levy Regulations 2010.

## Appendix 1 - Relevant National, Regional and Local Planning policies

### Key Policy Documents

National Planning Policy Framework

The London Plan 2015

LB Barnet Core Strategy

LB Barnet Development Management Policies

### Policy Summary Index

Planning Issue	National Planning Policy Framework (NPPF)	London Plan Policy	Local Plan Policy
Accessibility	Protecting Sustainable Transport – paragraph 32	Policy 7.2: An inclusive environment	Policy DM 3: Accessibility and inclusive design
Employment	Delivering sustainable development - paragraph 22	<p>Policy 4.1: Developing London’s Economy</p> <p>Policy 4.7: Retail and Town Centre Development</p> <p>Policy 4.10: New and emerging economic sectors</p> <p>Policy 4.11: Encouraging a connected economy</p> <p>Policy 4.12: Improving opportunities for all</p>	<p>Policy DM14: New and existing employment space</p> <p>Policy CS 8: Promoting a strong and prosperous Barnet</p>



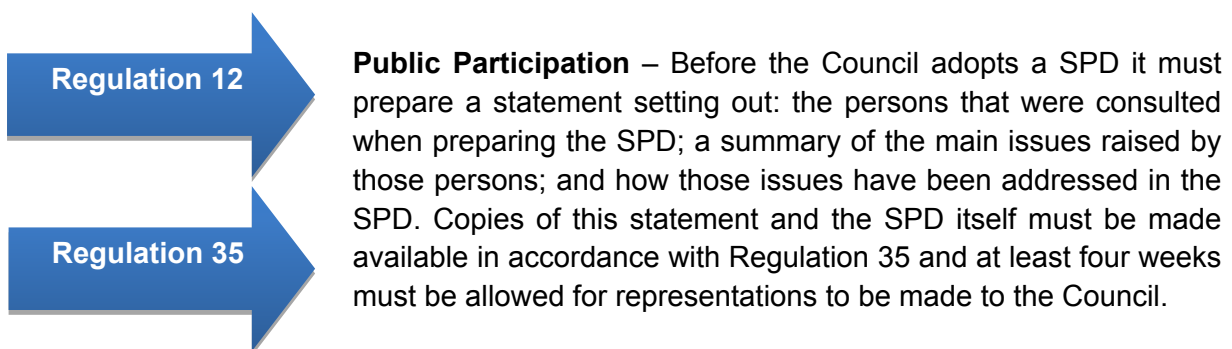
<p>Housing Delivery</p>	<p>Delivering a wide choice of high quality homes – paragraph 50</p>	<p>Policy 2.6:Outer London - Vision and strategy</p> <p>Policy 2.7:Outer London - economy</p> <p>Policy 2.8:Outer London - transport</p> <p>Policy 3.4:Optimising housing potential</p> <p>Policy 3.5: Quality and design of housing developments</p> <p>Policy 3.6 - Children and Young People’s Play and Infant Recreation Facilities</p> <p>Policy 3.8: Housing Choice</p> <p>Policy 3.12: Negotiating affordable housing on individual private residential and mixed use schemes</p>	<p>Policy CS4: Providing quality homes and housing choice in Barnet.</p> <p>Policy DM08: Ensuring a variety of sizes of new homes to meet housing need.</p>
<p>Heritage and Landscape character</p>	<p>Conserving and enhancing the historic environment – paragraph 126</p>	<p>Policy 7.4: Local character</p> <p>Policy 7.8:Heritage assets and archaeology.</p>	<p>Policy CS5: Protecting and enhancing Barnet’s character to create high quality places</p> <p>Policy DM06: Barnet’s heritage and Conservation</p>

Health	Promoting healthy communities - paragraph 72	Policy 3.17: Health and social care facilities	Policy DM14: Community and education uses
Environment and Biodiversity	Conserving and enhancing the natural environment – paragraph 109	<p>Policy 2.18: Green Infrastructure – The multi-functional network of green and open spaces</p> <p>Policy 7.19: Biodiversity and access to nature</p> <p>Policy 7.21: Trees and woodlands</p>	<p>Policy CS7: Enhancing and protecting Barnet’s open spaces</p> <p>Policy DM 15: Green Belt and open Spaces</p> <p>Policy DM 16: Biodiversity</p>

## Appendix 2 - Community Engagement

Whilst Planning Briefs do not have a consultation requirement in the Council's Statement of Community Involvement they will be treated for consultation purposes as equivalent to a Supplementary Planning Document (SPD).

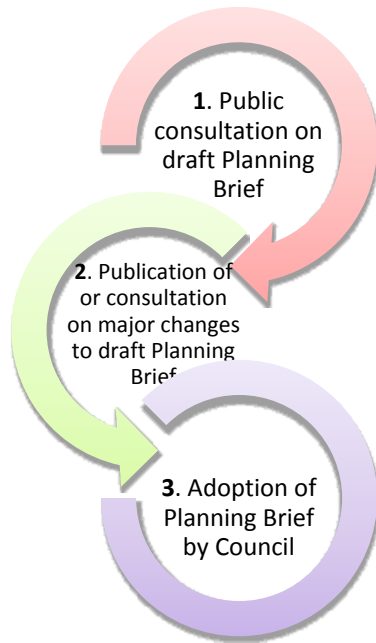
The statutory requirements for preparing SPDs are laid out in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#).- the key points of which are set out in Figure 1. Like an SPD, Planning Briefs are not subject to independent examination, but do require Council agreement before adoption.



*Figure 17: Regulations for Consulting on SPDs and Planning Briefs*

When engaging the community on planning documents, we understand the importance of providing feedback to those who have made the effort to respond. There is usually just one stage of public consultation in the production of a Planning Brief. With Pentavia it is anticipated that consultation will last 6 weeks commencing in September 2016. Comments received will be taken into consideration when drafting the final document and documented in a Consultation Statement.

A Consultation Report will be produced and published alongside the Planning Brief consultation. This is comprised of a Representation Report; essentially a schedule of submitted comments together with the Council's responses. The other part of the Consultation Report is the Consultation Statement itself. This sets out who was consulted, how they were consulted, a summary of the main comments received and how these have been addressed. The Consultation Statement will be reported to Committee as part of the decision making process of the Planning Brief.



*Figure 18: Stages in production of a Planning Brief*

### **Opportunities to be involved**

During consultation on a Planning Brief, the relevant documents will be made available for inspection on the Planning Policy pages of the Council’s website and hard copies of the relevant documents will also be made available in Mill Hill and Colindale libraries and in the Council’s offices at Planning Reception at Barnet House, Whetstone, N20 0EJ. A public notice will also be advertised in the local press to publicise the consultation.

We will consult as widely as resources will allow using Barnet’s Local Plan Consultation Database and use email as a primary communication method. There will be engagement with local groups in Mill Hill including the Mill Hill Neighbourhood Forum, Mill Hill Preservation Society and Mill Hill Residents Association, as well as the Colindale Communities Trust. Briefings on the draft Planning Brief will also be provided for local councillors of both Mill Hill and Colindale wards.

All groups and individuals who have made comments during the consultation will be notified of further stages of production of the Planning Brief and will be informed of its formal adoption at the end of the process.

The Council will expect the developers to exhibit proposals publicly in order to raise awareness and to give local residents and stakeholders the opportunity to raise their concerns and for these to be taken into consideration prior to any planning application being made.

## APPENDIX 5

### **BARNET PAST HOUSING COMPLETIONS (ALL TYPES) VS PREVIOUS LONDON PLAN TARGETS AND LOCAL PLAN (CORE STRATEGY TARGETS)**

---

**Barnet Housing Trajectory Detail**

**BARNET trajectory summary**

Local Plan start year													1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Year		2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
Vacants returned to use	Past						568	531			173	8	314	639	130	229	120																
	Projected																		230	230	230	230	230	230	230	230	230	230	230	230	230	230	
	All	0	0	0	0	0	568	531	0	0	173	8	314	639	130	229	120	230	230	230	230	230	230	230	230	230	230	230	230	230	230	230	
Conventional supply and non self contained accommodation	Past completions MAJORS	1240	250	610	1510	970	770	1010	1010	960	1070	810	1080	1147	786	1243	1426	1881															
	Projected major completions																		1619	3010	2907	2194	1960	1977	1220	1038	1315	1162	1075	730	840	1060	2548
	Past completions MINORS	24	139	194	256	336	463	319	408	421	426	329	389	262	295	221	309	346															
	Projected small sites/w indfall																			341	341	341	341	341	341	341	341	341	341	341	341	341	341
	All past completions	1264	389	804	1766	1306	1233	1329	1418	1381	1496	1139	1469	1409	1081	1464	1735	2227															
	All projected completions																			1960	3351	3248	2535	2301	2318	1561	1379	1656	1503	1416	1071	1181	1401
<b>TOTAL SUPPLY (all housing types)</b>	<b>Total completions all types (past/projected)</b>	1264	389	804	1766	1306	1233	1897	1949	1381	1496	1312	1477	1723	1720	1594	1964	2347	2190	3581	3478	2765	2531	2548	1791	1609	1886	1733	1646	1301	1411	1631	3119



## APPENDIX 6

### BARNET'S PAST HOUSING COMPLETIONS

---

**Barnet's Past Housing Completions (All Types) vs. Previous London Plan Targets and Local Plan (Core Strategy Targets)**

Local Plan (Core Strategy) Start Year	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	Total
London Plan (March 2016)									1	2	3	4	5	6	
Year															
<b>Barnet's Total Past Housing Completions p.a (All Housing Types)*</b>	1,766	1,306	1,233	1,897	1,949	1,381	1,496	1,312	1,477	1,723	1,720	1,594	1,946	2,347	23,147
Net additional homes p.a (excluding vacants)	1,766	1,306	1,233	1,329	1,418	1,381	1,496	1,139	1,469	1,409	1,081	1,464	1,735	2,227	20,453
<b>Local Plan (Core Strategy) Target p.a</b>									1,866	1,866	1,866	1,866	1,866	1,866	9,330
<b>London Plan Target p.a</b>	890	890	890	890	2,055	2,055	2,055	2,055	2,255	2,255	2,255	2,255	2,349	2,349	25,498
<b>Local Plan (Core Strategy) % of Target p.a (All Housing Types)</b>									79.2%	92.3%	92.7%	85.4%	104.3%	125.7%	96.6%
% of Target p.a (Net additional homes - excluding vacants)									78.7%	75.5%	57.9%	78.5%	92.9%	119.3%	83.8%
<b>London Plan % of Target (All Types)</b>	198.4%	146.7%	138.5%	213.1%	94.8%	67.2%	72.8%	63.8%	65.5%	76.4%	76.3%	70.7%	82.8%	99.9%	105.3%
% of Target p.a (Net additional homes - excluding vacants)	198.4%	146.7%	138.5%	149.3%	69.0%	67.2%	72.8%	55.4%	65.1%	62.5%	47.9%	64.9%	73.8%	94.8%	93.8%



Year	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	Total
<b>Local Plan (Core Strategy) Overprovision / Deficiency p.a (All types)</b>									-389	-143	-146	-272	-80	+481	-549
	Overprovision / Deficiency p.a (Net additional homes - excluding vacants)								-397	-457	785	-402	-131	+361	-1,811
<b>London Plan Overprovision / Deficiency (All Types)</b>	+876	+416	+343	+1,007	-106	-674	-559	-743	-778	-532	-661	-272	-403	-2	-2,086
	Overprovision / Deficiency p.a (Net additional homes - excluding vacants)	+876	+416	+343	+439	-637	-674	-559	-916	-786	-846	-1174	-791	-614	-122

\*Data identified in Barnet's Authorities Monitoring Report 2016/17 document. This includes conventional supply, non self-contained accommodation and vacants returned to use. Please note that there are slight differences between this data and the net housing completions as identified in the London Plan Annual Monitoring Reports.