

Former Abbots and Winters Haulage Site

in the London Borough of Barnet

planning application no.15/04005/FUL

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

The relocation of the waste management, highways and fleet maintenance facilities provided by London Borough of Barnet, currently based at the Mill Hill Depot at Bittacy Hill, to the site referred to as the Abbots Depot Site. The proposed scheme will provide the following facilities:

- a vehicle maintenance building;
- staff office and welfare building;
- a covered bulking facility for transferring dry recyclables and food waste to larger vehicles for processing outside the borough;
- a salt barn for winter gritting;
- parking for Barnet's refuse and recycling collection vehicles; and winter gritting fleet;
- a vehicle cleaning bay;
- fuel station and
- parking for employees.

The applicant

The applicant is **London Borough of Barnet (Street Scene Services)** and the agent is **Capita**.

Strategic issues

The proposal is welcomed as it will enable the continuation of intensification and regeneration of the Mill Hill area. It also supports London Plan policy 5.17 (waste); is of good design; and has the necessary conditions and informatives secured to mitigate against amenity issues together with drainage matters. Verification of energy savings and appropriate transport mitigation measures are also secured and no outstanding concerns are raised by TfL on the Crossrail 2 safeguarding at this site.

The Council's decision

In this instance Barnet Council has resolved to grant permission subject to an amended condition relating to a car parking management plan.

Recommendation

That Barnet Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct

refusal or direct that he is to be the local planning authority.
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Context

1 On 17 July 2015 the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 2B of the Schedule to the Order 2008: *“Waste development where the development occupies more than one hectare.”*

2 On 25 August 2015, Sir Edward Lister, Deputy Mayor and Chief of Staff, acting under delegated authority considered planning report D&P/3701/01, and subsequently advised Barnet Council that the application did not comply with the London Plan, for the reasons set out in paragraph 55 of the above-mentioned report; but that the possible remedies also set out in that paragraph of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Deputy Mayor’s concerns (see below). On 1 October 2015 Barnet Council decided that it was minded to grant planning permission, and on 28 October 2015 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Barnet Council under Article 6 to refuse the application or issue a direction to Barnet Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. The Mayor has until 10 November 2015 to notify the Council of his decision and to issue any direction.

4 The decision on this case, and the reasons will be made available on the GLA’s website www.london.gov.uk.

Update

5 At the consultation stage Barnet Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 55 of the above-mentioned report; but that the possible remedies also set out in that paragraph of that report could address these deficiencies:

- **Design:** The proposals are broadly supported in strategic design terms, however the Council is encouraged to secure key details of facing materials to ensure a high quality appearance is built through.
- **Air quality:** Outstanding matters raised in this section of the report require further work before the case is referred back to the Mayor at stage 2. Attention is required to be given to other aspects of air quality, beyond the current transport assessment.
- **Noise:** It is recommended that a revised noise assessment be submitted to address the issues and observations set out above, whilst noting that this is also a local policy matter for which appropriate mitigation and conditions will be required.
- **Flood risk:** The applicant is advised to consider a rainwater harvesting system. Overall, given the nature and location of the proposals, the approach to sustainable drainage is considered to comply with London Plan Policy 5:13 and should be secured via an appropriate planning condition.

- **Energy:** The applicant has broadly followed the energy hierarchy. Sufficient information has been provided to understand the proposals as a whole. Further revisions and information are required before the proposals can be considered acceptable and the carbon dioxide savings verified.
- **Transport:** The Council is advised to continue discussions with TfL on matters concerning the Crossrail 2 safeguarding direction at the site. As part of the proposal, the Council should provide travel plan and TMP. Clarification is sought on the number of cycle spaces and EVCPs to be provided. A fleet operators recognition scheme should also be included as part of the TMP.

6 Since then, the applicant has responded to the matters raised in the Stage One report as set out below. The application has also been amended as follows:

- Air quality assessment clarifications,
- additional acoustic survey undertaken, and
- additional conditions secured relating to the travel plan and Crossrail safeguarding

Design

7 As commented at Stage 1, the scheme is broadly supported in strategic urban design terms. Buildings are arranged on site so as to enable tree retention while resulting in a minimal impact on neighbouring residential amenity while also being scaled to respond to the immediate context. This is welcomed.

8 Where proposed buildings are visible, the applicant has implemented a refined palette of high quality facing materials that provide a contemporary industrial appearance, in keeping with the proposed use. It is noted that the Council has included a condition requesting details and samples of all facing materials. This is welcomed and will assist in securing the best possible build quality and ease of maintenance.

Air quality

9 The view from the air quality assessment finds that dust and air quality would be better than the existing use by Winters, due to sealed containers versus the current skips and an entirely modern fleet against the old vehicles. The air quality assessment submitted also concludes that the proposal would comply with relevant legislation and would represent an improvement over the existing use of the site. Air monitoring equipment is already installed close to the site in Oakleigh Road South allowing for on-going monitoring of air quality. The continuation of this monitoring is welcomed.

Noise

10 The issues raised at stage one were addressed in an additional acoustic survey. The layout of the site is designed to minimise noise disturbance to neighbouring properties with the noisiest uses i.e. the bulking facility and the salting barn being set in the middle of the site away from any residential properties. The noise reports submitted with the application indicate that the operation of these facilities would not be audible from neighbouring residential properties. This is in part due to the daytime nature of the use and existing noise sources including Oakleigh Road South, the railway and existing adjoining industrial uses.

11 Notwithstanding this, several conditions are attached to minimise noise including condition 6 relating to the construction of the depot, condition 7 regarding delivery and servicing to the depot, condition 23 requires details of all extraction and ventilation equipment, condition 24 requires details of acoustic barriers, condition 25 requires noise from plant to be at least 5db(A) (10 db(A) of tonal) below background level 1m from the window of any neighbouring residential property and condition 28 requires all vehicles which operate outside the hours of 7-7 Monday to Friday, 7-1pm on Saturday or on Sundays to only operate in accordance with a management plan designed to minimise noise nuisance. Further to this, the Council has advised that a requirement for vehicles to park in such a way that they can exit in a forward gear in the morning and not to leave engines running prior to departure. These measures are welcomed and address other amenity concerns collectively.

Drainage

12 The applicant has proposed to utilise a tanked attenuation system to meet the requirements of London Plan Policy 5:13. This has been proposed to achieve a run-off rate restricted to 7.5l/s. At Stage 1 it was recommended that a rainwater harvesting system was investigated as this could utilise attenuated water for use on site. Whilst the proposed SuDS techniques are lower down the hierarchy, the applicant will investigate the cost effectiveness of rainwater harvesting and the final drainage scheme will be approved by LB Barnet via Condition 20 on the draft decision notice. Therefore the proposals are acceptable in terms of London Plan Policy 5:13.

Energy

13 The applicant has provided further information to address overheating matters raised in the stage 1 report. The demand for cooling will be minimised through reducing internal gains through specifying energy efficient equipment. The applicant has also provided the BRUKL document which shows that the scheme will be below the Part L solar gains limits by a comfortable margin. No further information is required.

14 The applicant has demonstrated that the proposal will achieve the 35% reduction in regulated emissions, from both efficiency measures and renewables.

Transport for London's comments

15 At Stage 1, TfL's principal concern with this development was to ensure it complies with the Crossrail 2 safeguarding directive and the London Plan policies 6.2 and 6.4 that promote Crossrail 2 as important to London's future growth and economic prosperity. Barnet Council acknowledges the importance of Crossrail 2 to London; its decision to approve the development does not undermine the ability of the site to be redeveloped for a Crossrail 2 depot in the future and draft conditions provide sufficient safeguards in restricting permitted development rights and compliance with the approved plans. Therefore, TfL does not object to this application being approved.

16 In addition, TfL welcomes measures to promote sustainable transport choices for staff and manage movement of vehicles safely and therefore welcomes the provision of travel plan and traffic management plan (TMP) and therefore acknowledges the Council's draft condition that will regulate this aspect of the sites' operation, including during the construction phase.

Response to consultation

17 Barnet Council publicised the application by sending notifications to 1,669 local residents on 1 July 2015, as well as issuing site and press notices on 9 July 2015. The Council also made copies of the plans available online and in both North London Business Park and Barnet House Council offices.

18 A number of complaints were received by the Council that some of the plans were not immediately available for public viewing, and so a second letter was sent on the 24 July 2015 to 1,688 neighbouring residents (including additional persons who had made representations), extending the consultation period for responses to the 20 August 2015.

19 The extension consultation was consequently re-advertised in the local press and by site notices on site on 30 July 2015. The letters stated that copies of the plans were made available online and in both North London Business Park and Barnet House.

20 The Council received 86 responses, including 84 objections and 1 response which neither supports nor opposes the application and 1 letter of support. A petition was also received signed by 693 people objecting to the proposal. The objector numbers above include a residents group (Coppies Grove Residents Association) and a campaign group (Residents against Abbots Depot RAAD).

21 The Council received seven requests from objectors to speak at the committee meeting from Andrew Dismore (London Assembly Member), Cllr Kathy Levine (Councillor), Residents Against Abbots Depot (RAAD) and the Coppies Grove Residents Association and 4 members of the public.

22 A re-consultation was undertaken on 10 September 2015 for fourteen days, by letters being sent to neighbouring residents so to allow them to consider the additional information that has been submitted or amended following the initial application submission.

23 The comments received have been summarised below beneath relevant headings:

Consultation and procedural aspects

- Not all documents initially online;
- consultation over the summer means many people not able to comment;
- not all letters received by persons on consultation list;
- the consultation period was formally extended due to all documents not being online initially;
- start of the initial consultation was three weeks before the start of the school holidays; and
- concerns about the land deal connected with the application.

Principle of development

- site is unsuitable for use as a waste facility being surrounded by residential properties;
- existing use of part of the site by Winters should not act as a precedent as
- the expansion of Winters into part of the former Abbots site is unauthorised;
- proposed site is constrained with steep embankments and restricted access;
- the site will be needed for Crossrail 2 at some stage in the future and as such will
- not be a long term solution and will have to be relocated;
- developing this site for a limited period will be a waste of money and
- result in unnecessary disturbance to neighbouring residents; and
- given Crossrail 2 an alternative use of the site should be considered which is of benefit to neighbouring properties and will improve their amenity.

Design and Layout

- Visual impact of buildings which are taller and closer to site boundaries than existing structures on the site. This is exacerbated by elevated position of the site in comparison to surrounding buildings;

- buildings particularly Salt Barn is too high;
- the proposed layout should be amended to provide staff office on southern boundary and bulking plant moved nearer to entrance to minimise vehicular movements; and
- Landscape Impact Assessment views and photomontages are misleading with some instances of views being obstructed by fences or trees.

Environmental Health, Amenity and Safety

- Noise and general disturbance impact from operation of plant and vehicles;
- existing use already noisy;
- achieving the same noise disturbance as the existing use would still adversely affect neighbouring amenity;
- lorries and staff cars will start arriving and leaving early in the morning which is earlier than Winters and will result in disturbance to neighbouring properties;
- noise disturbance from lorries travelling along Oakleigh Road as houses currently shake when heavy lorries go past;
- air pollution from operation of plant and machinery, dust and vehicles exacerbating health problems of local residents and children at schools and the park;
- In the event of an approval air monitoring equipment should be installed in the gardens of neighbouring residential properties to ensure that pollution levels are within acceptable levels;
- chemicals used for cleaning lorries and buildings may lead to pollution of water course and surrounding residential properties;
- fire/ explosion risk in connection with the storage of fuel on the site, particularly given close proximity to residential properties;
- danger of unexploded ordinance (UXO's) being disturbed as a result of earth works;
- smell from food waste;
- food waste will encourage rats, seagulls and other vermin; and
- light pollution from proposed lights, which will operate at early hours in the morning and in the case of the salt barn throughout the night

Transport

- traffic along Oakleigh Road is busy and is also a major bus route. The road is often blocked at the entrance to the site, proposal will exacerbate this with larger vehicles entering and exiting the site and could obstructed buses or emergency vehicles;
- measures to reduce congestion problems i.e. parking restrictions will harm adjoining businesses and users of the adjoining park;
- traffic along road rarely comply with the speed limit, increasing the danger of accidents;
- the site is in close proximity and is within the walking routes of several schools and nurseries in the area, as well as users of the local path.
- the proposed use involving heavy vehicles would affect their safety while travelling in proximity to this site;
- traffic is also congested around the roundabout, where lorries will have to pass through;
- the underpass adjoining the site should be improved;
- increased number of large vehicles will be dangerous to cyclists;
- errors on transport survey over exacerbated existing use by Winters and does not measure all vehicles travelling along this road. Residents group has conducted own survey which shows no improvement over the existing operation;
- If Winters stops operating, other skip hire companies i.e. GBN will increase their business resulting in no improvement;
- insufficient car parking has been provided for staff resulting in parking pressure on adjoining residential roads; and

- refuse lorries will be larger than existing Winters vehicles.

Energy, Sustainability & Resources

- Additional vehicles would not accord with environmental legislation which seeks to reduce car use

Landscape and Biodiversity

- Tree loss including three mature oak trees on Oakleigh Road; and
- bats and other wildlife utilise the site. The submitted bat survey is inadequate and failed to physically inspect trees which are likely to be used by bats.

Other relevant material planning considerations

- Impact to utilities including electricity, Water and telephone and particular sewerage system given recent episodes when this has burst.
- Objections have been made to previous applications by GBN, which were ignored and a previous application for soil grading by Winters was refused due to concerns regarding residential amenity.

Non Material Planning Matters

- Impact to property prices

Response in support of the proposal

- One response was received supporting the scheme on the grounds that the proposed depot be very much better than the existing skip lorries and the articulated lorries using the site currently and the current use being seen as a menace.

Consultation responses from statutory bodies and other persons/bodies

- **Councillor Levine** - objected to the proposal stating that it is in a residential area and will have a major impact on the quality of life, health and safety of local residents. Further stating that the Council has only considered it now because a new base for its waste depot is required having sold the previous site. Mention made of community engagement should not just be a tick box exercise and raising many of the above cited objections concerning noise and odour, light pollution, air quality, vermin, ecology, impact of vehicles using the site and traffic, parking, road safety and concern that mitigation of some of these matters does not mean the application should be pushed through.
- **Andrew Dismore (GLA Assembly Member)** – raised concerns about the additional vehicle movements, additional traffic to the areas, consequent pollution- adding to the already poor air quality in the area. HGV will be left to idle to warm up (for 5-10 minutes) and the engines will add to air pollution and noise in the morning. The proposal will cause parking problems and lead to the loss of mature trees, impact bats and owls detected by RAAD, cause foul odours, noise, light pollution, and increase traffic on small residential roads.
- **Natural England** -raised no objection advising that the proposal is unlikely to affect any statutorily protected sites or landscapes and neither would it affect protected species. It does advise however that a licence be obtained from Natural England to translocate Slow Worms which have been recorded as being present on the site, and that no works should commence until such consents have been received.
- **The Environment Agency (EA)** – raised no objection but stated that an environmental permit would be required unless a waste exemption applies and thus recommended an informative.

- **Thames Water** – raised no objection in regard to the sewage infrastructure capacity, however recommended surface water drainage be regulated; trade effluent consent be sought by application to Thames Water or Waste Water Quality. Enforcement of effective use of petrol/oil interceptors to prevent oil polluted discharges entering water courses. Conditions and informatives are recommended to address these matters.
- **Enfield Council** – issued a holding objection on the grounds that a number of figures are missing from the available documents. This additional information was provided to Enfield Council by Barnet Council officers.

24 By the time of the Council committee meeting, four additional objections were received by the Council which included three from previous respondents. These objections raised the matters detailed above and in addition also raised the following matters:

- the documents were difficult to read online, use of abbreviated term harzard IPV's queried (impact protection vehicles);
- what guarantees vehicles will be cleaned correctly?;
- on-going monitoring- what guarantee that this will be correctly monitored?
- No guarantee landscaping or subway will be maintained post approval.

25 Comments from Residents Against Abbots Depot (RAAD) raised concerns relating to bats being detected at the site, the felling of trees knowing of their presence, that this is unlawful as per NPPF and ODPM 06/2005.

Representations made to the Mayor of London

26 The GLA has received 32 objections. These include objection letters from Cllrs Levine and Loannidis and from Andrew Dismore (GLA Assembly Member). These mirror the nature of objections received by the Council, in particular identifying concerns about traffic, parking, noise, light pollution, child drop off time and HGV blocking the road, safety of the activities etc.

27 Andrew Dismore also met with GLA officers to raise objection to this proposal in July 2015 to voice the concerns of his constituents.

28 Strategic matters relating to the principle of development, design, air quality, noise, energy, drainage and transport (including Crossrail safeguarding) have been addressed in this report and the previous stage I report. Local matters have been considered in the Council's committee report. Conditions have been imposed, where appropriate.

Article 7: Direction that the Mayor is to be the local planning authority

29 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions (if applicable) and a planning obligation, (amend as appropriate if a dual recommendation) which satisfactorily addresses the matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

30 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application (the next four words are optional) and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

31 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

32 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

33 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

34 The principle of waste use on this safeguarded waste and industrial site is supported and in line with London Plan policy 5.17 since it would be a continuation of waste use/storage. The proposal will also facilitate the ongoing regeneration at Mill Hill. The necessary mitigation measures and conditions/informatives imposed at the site, as part of this proposal, address the stage 1 concerns. Therefore the principle of a Council depot, with the associated operations, would be acceptable in this location and is supported in strategic planning terms.

for further information, contact GLA Planning Unit (Development & Projects Team):

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25 August 2015

Former Abbots and Winters Haulage Site

in the London Borough of Barnet

planning application no.15/04005/FULL

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

The relocation of the waste management, highways and fleet maintenance facilities provided by London Borough of Barnet, currently based at the Mill Hill Depot at Bittacy Hill, to the site referred to as the Abbots Depot Site. The proposed scheme will provide the following facilities:

- a vehicle maintenance building;
- staff office and welfare building;
- a covered bulking facility for transferring dry recyclables and food waste to larger vehicles for processing outside the borough;
- a salt barn for winter gritting;
- parking for Barnet's refuse and recycling collection vehicles; and winter gritting fleet;
- a vehicle cleaning bay;
- fuel station and
- parking for employees.

The applicant

The applicant is **London Borough of Barnet (Street Scene Services)** and the agent is **Capita**.

Strategic issues

The proposal is welcomed in principle as it will enable the continuation of intensification and regeneration of the Mill Hill area. It also supports London Plan policy 5.17, subject to further technical details and commitments being provided in relation to waste tonnages being replaced/lost; good design; clarification of air quality and noise impacts; sustainable drainage conditions being secured; verification of energy savings and appropriate transport mitigation measures. Particularly concerning the Cross Rail 2 safeguarding at this site.

Recommendation

That Barnet Council be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 55 of this report; but that the possible remedies also set out in that paragraph of this report could address these deficiencies.

Context

1 On 17 July 2015 the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 27 August 2015 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 2B of the Schedule to the Order 2008: "Waste development where the development occupies more than one hectare."

3 Once Barnet Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site is located to the southwest of Oakleigh Road South (A109), north-east of Coppies Road and also bordered by the East Coast Main Line (ECML) railway line in an area of land to the north west of Friern Barnet. The site has a public transport accessibility level of 2, where 1 is the lowest accessibility and 6 is the highest. There are direct bus services to the site that connect with London Underground services on the Northern Line and Piccadilly Lines respectively. TfL is responsible for the Transport for London Road Network (TLRN) – the A406 North Circular Road, which is some 1.5 km to the east. TfL also has oversight responsibility for the Strategic Road Network (SRN); the A1003 is approximately 600 metres to the east and A1000 some 2km to the west.

6 The application site is within the southern section of a larger area of employment land between Oakleigh Road South and the East Coast mainline known as Oakleigh Road South employment site. The site is identified in Barnet Council's Core Strategy (Map 9) as an employment site, although it is not formally designated in the Local Plan.

7 The proposed depot site consists of two separate plots and is currently used in part by Winters Haulage Ltd (to the north) with the remainder currently vacant following a fire at the Abbots Packaging warehouse (to the south). This part of the site is currently being used for bailed waste and skips storage. The Winters Haulage site has modular type offices and a trommel shed for transferring recycled waste. The site occupies an area of 2.5 hectares, which includes the access road to the site.

8 The eastern and southern perimeter of the site has tree and vegetation cover, which heavily screens the site. This is identified as a green chain in the proposed revisions to the Council's Proposals Map. There are industrial uses to the north and residential properties to the east and south. The site is bounded by the East Coast Mainline to the west.

9 There are open spaces near to the site including Bethune Park to the west and New Southgate Recreation Ground to the east, which is designated Metropolitan Open Land (MOL). St Paul's CE School is approximately 220m south of the site. Coppetts Wood and Glebelands local nature reserves (LNR) are 1km away to the south-west.

10 This site is within the Crossrail 2 Safeguarding Zone and is also located in an air quality management area (AQMA).

Details of the proposal

11 The application will facilitate the relocation of the waste management highways and fleet maintenance facilities provided by London Borough of Barnet, currently based at the Mill Hill Depot at Bittacy Hill. The proposed scheme will provide the following facilities:

- a vehicle maintenance building;
- staff office and welfare building;
- a covered bulking facility for transferring dry recyclables and food waste to larger vehicles for processing outside the borough;
- a salt barn for winter gritting;
- parking for Barnet's refuse and recycling collection vehicles; and winter gritting fleet;
- a vehicle cleaning bay;
- fuel station and
- parking for employees.

12 Dry recycling material is to be transferred from site by articulated lorries and food waste is proposed for transfer in sealed containers. No material is proposed to be left on site overnight.

Case history/site overview

13 There is no strategic history for the application site. The Council's current depot is located in Mill Hill East. However, the Mayor of London identified Mill Hill East as an 'Intensification Area' where the land should be prioritised for housing and employment uses. This area included the former Ministry of Defence barracks and was subsequently the subject of The Mill Hill Area Action Plan, adopted in 2009. Outline planning permission to re-develop the Mill Hill East area was granted in 2011 for over 2,000 new homes, a new school and commercial uses. The existing depot site sits at the heart of the development and therefore needs to relocate to unlock this part of the intensification area enable the full implementation of the mixed use residential development.

14 The replacement depot site is the subject of this report and is currently part vacant, used by a household, commercial and industrial waste transfer station and is used for industrial use, although the site is currently undesignated in the absence of a site allocations DPD. (The Council's UDP Proposals Map does not show any designation for the site).

Strategic planning issues and relevant policies and guidance

15 The relevant issues and corresponding policies are as follow

- | | |
|---------------------------|--|
| • Waste/minerals | <i>London Plan</i> |
| • Urban design | <i>London Plan</i> |
| • Air quality | <i>London Plan</i> |
| • Ambient noise | <i>London Plan</i> |
| • Flooding | <i>London Plan</i> |
| • Sustainable development | <i>London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy</i> |
| • Transport | <i>London Plan</i> |
| • Crossrail | <i>London Plan</i> |

16 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Barnet Core Strategy and the Development Management Policies DPD which were both adopted by the Council on 11 September 2012, the Barnet Unitary Development Plan Proposals Map 2006 and the London Plan (Consolidated with Alterations since 2011).

17 The following are also relevant material considerations:

- The National Planning Policy Framework, Technical Guide to the National Planning Policy Framework and National Planning Practice Guidance.
- The draft Site Allocations DPD – and the Mill Hill East Area Action Plan (AAP), adopted on 27 January 2009.

Principle of development

18 As stated above, the Council owned depot on Bittacy Hill is located within the AAP area. The site will be available for redevelopment subject to satisfactory relocation of the depot activities. The depot occupies a highly visible site opposite the entrance to Mill Hill East Station, creating a poor gateway to this regeneration area. As stated above the current operation needs to be relocated to unlock the full potential of the Intensification Area.

19 Barnet Council originally planned to relocate its depot at the former Friern Barnet sewage works site on Pinkham Way in Haringey. The depot proposal on that site would have been developed alongside a North London Waste Authority (NLWA) facility. However, the NLWA took the decision to focus its operations at its existing site in Edmonton, Enfield. Barnet Council was then required to identify an alternative site. The Council undertook a site selection exercise in 2014 and carried out an option appraisal considering financial, operational and planning implications for the sites deemed most appropriate, which included: the Abbots Depot Site; Lupa House, Borehamwood; Unit 1, Rowley Lane, Borehamwood; Bunns Lane, Barnet; Land near South Mimms Service Area; and 1-8 Capitol Way, Brent. The Abbots Depot Site is considered to be the preferred option following this exercise.

20 The proposed site has no local planning designation (as stated in paragraph 14 above), but is recognised as *“land that is providing important local services and employment.”* (Planning statement page 11). The Abbots Depot Site is known as an area of longstanding employment land between Oakleigh Road South and the East Coast Main Line and therefore has established industrial uses along railway sidings. The site is also a safeguarded waste site in the draft North London Waste Plan (currently out for consultation). The principal of a Council depot, with the associated operations, would be acceptable in this location and is therefore supported.

Waste

21 The Oakleigh Road South, Abbots Depot site is an existing waste management site which is therefore a strategic waste site, safeguarded in the London Plan and in the Barnet Local Plan

22 The site is also identified in the North London Waste Plan (NLWP) consultation document (reference: BAR1, formerly site 4 in the previous NLWP) as a transfer station for non-hazardous waste. The Winters Haulage Company has a licenced capacity from the Environment Agency to manage up to 74,999 tonnes per annum (tpa), although the site’s actual maximum throughout in the last six years has been logged to be 42,301 tpa of commercial and industrial (CI) and construction, demolition and excavation (CDE) waste streams.

23 The Council proposes a maximum annual operational throughput of approximately 32,000 tpa of municipal waste, which is based on throughput figures in the period 2014-15. The Council has an expectation that recycling rates should increase over the next few years however this is a guide of the current position. As a breakdown, dry recyclables will be in the region of 26,467 tpa and food waste, 5,830.92 tpa.

24 Policy 5.17 of the London Plan (waste capacity) states that (G) land to manage borough waste apportionments should be brought forward through: (a) protecting and facilitating the maximum use of existing waste sites, particularly waste transfer facilities and landfill sites. Section H further states: If, for any reason, an existing waste management site is lost to non-waste use, an additional compensatory site provision will be required that normally meets the maximum throughput that the site could have achieved.

25 The continued use of the site for waste management/storage is therefore supported by the London Plan.

Design

26 The scheme implements a simple arrangement of building forms on this largely secluded site, with a limited palette of high quality facing materials that results in a contemporary industrial appearance while also providing ease of maintenance and robustness. The buildings are distributed across the site and are sized to meet the functional requirements of the plant. The resulting form and massing sits comfortably with the scale of surrounding residential development and the railway line to the west and swathe of mature trees along the eastern site boundary providing sufficient separation from residential areas so as not to have any negative impact on residential amenity. The proposals are therefore broadly supported in strategic design terms, however the Council is encouraged to secure key details of facing materials to ensure a high quality appearance is built through.

Air quality

27 The air quality assessment focusses on impacts from transport, concluding that the proposed development will generate fewer heavy goods vehicle (HGV) trips than the existing site use that is being removed and will therefore provide a positive impact on the local highway network. However, consideration of construction and operational air quality impacts is also required.

Construction phase

28 Dust and emissions during the construction phase should be assessed and the appropriate level of dust mitigation, according to the Institute of Air Quality Management (IAQM) guidance, applied. The London emission standards for non-road mobile machinery (NRMM) need to be considered and the relevant standards should be applied.

Operational phase

30 Both the London Plan and the 2010 Mayor's Air Quality Strategy (MAQS) make reference to new developments being air quality neutral. The London Plan policy 7.14 B c states: "Development proposals should be at least 'air quality neutral' and not lead to any further deterioration of existing poor air quality". The MAQS includes a policy which states: "New developments in London shall as a minimum be 'air quality neutral' through the adoption of best practice in the management and mitigation of emissions". Further discussion is required regarding the need for further mitigation or offsetting to achieve this. The proposed control of odours should be explained to address concerns raised by residents at the consultation stage.

31 It is understood that dry recycling material is to be transferred from site by articulated lorries and food waste is to be transferred in sealed containers; and no material is to be left on site overnight as proposed mitigation measures by the Council, which are supported.

Noise

Construction phase

32 Construction noise should be controlled through conditions.

Operational phase

33 The assessment concludes that the development can meet criteria provided by London Borough of Barnet during consultation and therefore the impacts are not significant. This outcome is dependent upon part-enclosure of the bulking facility as a mitigation measure.

34 It is recommended that a revised noise assessment be submitted to address the issues and observations set out below and to follow the appropriate assessment methodology, BS4142:2014:

- The assessment does not deal specifically with noise rating levels as described in BS4142:2014 and has therefore not accounted for tonality or impulsivity in this respect. If rating levels are applied, the criteria may not be achieved. Similarly, reference time periods are not adhered to and there is no specific consideration of day and night-time noise impacts.
- It is not clear how sound power levels are derived for the various sources of plant and reference is made to documents not supplied with the application.
- The impacts are not considered at all residential receptors and the assessment in places does not conclude what the expected level of noise from the activities at a receptor is likely to be.
- Site activities are considered in isolation and not in combination.
- Background noise levels derived for the residential receptors appear to include contributions from the existing noise sources at the site. Assessment on this basis does not comply with the requirements of BS4142:2014 and is likely to result in an increase in overall levels of noise, given the proximity to the railway line.
- The calculated noise levels at receptors are approximately 70 dB. This is a high level of noise and there is no consideration of existing ambient noise levels at receptors at the site entrance through the baseline noise survey. This level of noise within the night time period could give rise to significant effects.
- There are errors in the acoustic theory introduced in the calculations.
- No consideration of maximum noise levels is provided for activities that are likely to occur during night-time periods.

35 These impacts are considered to be local issues which the Council should address, and apply appropriate mitigation and conditions.

Flood Risk

36 The Flood Risk Assessment (FRA) for the site confirms that the site is within Flood Zone 1 and has a low level of surface water flood risk. Therefore the proposals are acceptable.

Sustainable Drainage

37 There are significant areas of high surface water flood risk in close proximity to the site, therefore the application of the London Plan Sustainable Drainage policy (5:13) is particularly important for this site. The Drainage Strategy, prepared by Capita states that the development will restrict surface water run-off to greenfield run-off rates. This will be achieved through the use of a sub-surface attenuation tank. It is accepted that due to the nature of the site's operations and soil conditions, infiltration techniques are not feasible, and that due to the presence of turning HGVs permeable road surfaces are not appropriate.

38 The applicant is advised to consider the merits of a rainwater harvesting system, particularly given the likely need for non-potable water for wash down/cleansing on site, this could represent a medium to long term cost saving.

39 However, given the nature and location of the proposals, the approach to sustainable drainage is considered to comply with London Plan Policy 5:13 and should be secured via an appropriate planning condition.

Energy

40 In terms of energy efficiency, a range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and mechanical ventilation heat recovery.

41 The applicant should provide evidence of how London Plan policy 5.9 has been addressed to avoid overheating and minimise cooling demand.

42 The applicant should provide the required tables detailing the carbon emissions in tonnes per annum for each stage of the energy hierarchy. The applicant should demonstrate that the Part L 2013 target emissions are met by efficiency measures alone. The BRUKL sheet including efficiency measures alone should be provided to support the savings claimed. See Table 1 and Table 2 in the latest GLA assessment guidance for the required format:

<https://www.london.gov.uk/sites/default/files/GLA%20guidance%20on%20preparing%20energy%20assessments%20April%202015.pdf>

43 In terms of district heating, the applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant has, however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available.

44 The applicant has investigated the feasibility of CHP. However, due the intermittent nature of the heat load, CHP is not proposed. This is accepted in this instance.

45 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install air source heat pumps (ASHP) for heating and 175 sq.m of photovoltaic (PV) panels on the roof. A diagram of the roof detailing the location of the PV has been provided.

46 Overall, based on the energy assessment submitted at stage 1, a 35% reduction in regulated emissions compared to a 2013 Building Regulations compliant development is expected. The applicant should update the energy statement and include the required tables detailing the carbon emissions in tonnes per annum for each stage of the energy hierarchy. The comments above should be addressed before compliance with London Plan energy policy can be verified.

Transport for London (TfL)

47 TfL's principal concern with this development is to ensure it complies with Crossrail 2 safeguarding directive and the London Plan policies 6.2 and 6.4 that promotes Crossrail 2 as important to London's future growth and economic prosperity. TfL is currently discussing how the terms of any planning permission, including appropriate conditions may achieve this with Barnet Council, in respect of the safeguarded area. The conditions currently promoted include strict adherence to the proposed site layout and the removal of any future permitted development rights. TfL welcomes ongoing discussion with Barnet Council in that respect.

48 For the operation of the proposed use, TfL would also like to promote sustainable transport choices and therefore welcomes the provision of a travel plan and traffic management plan (TMP). The applicant should clarify how many cycle spaces are proposed as there is a discrepancy in the supporting material and confirm whether electric vehicle charging points (EVCPs) will be provided.

49 The adoption of a TMP represents an opportunity to promote safe driving behaviour among heavy good vehicles drivers. TfL suggests Silver membership of the Fleet Operators Recognition Scheme (or similar recognition scheme) should be an aspiration for the fleet as a whole. All drivers should have regular training including around upon cycle safety. TfL suggests this forms part of the TMP objectives.

50 The approach to HGV routing appears reasonable and TfL agrees that it is preferable to provide facilities within the Borough where possible, to reduce unnecessary mileage elsewhere, since this site is located close to main road networks and the Council's waste and recycling collection routes.

Local planning authority's position

51 The Council's position is that the use of the land for waste recycling and vehicular maintenance is compatible with the retained employment use and the site's allocation as an existing waste site. The Council has also indicated that the Draft Planning Brief which identified part of the site for housing was drawn up in 2006 in conjunction with plans for the north London business park, pre-dating the Council's Core Strategy, most of the London Plan revisions and the NPPF. No planning application was ever submitted to this effect and there is no current intention of any part of the site being built out for housing.

Consultation

52 GLA officers have met with the Assembly Member for the London Borough of Barnet and have been informed of the local community's opposition to the proposal.

Legal considerations

53 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

54 There are no financial considerations at this stage.

Conclusion

55 London Plan policies on **waste, employment, urban design, air quality, noise, flood risk, climate change** and **transport** are relevant to this application. Further discussion is required regarding the following issues:

- **Waste:** The principle of waste use on this industrial site is supported.
- **Design:** The proposals are broadly supported in strategic design terms, however the Council is encouraged to secure key details of facing materials to ensure a high quality appearance is built through.
- **Air quality:** Outstanding matters raised in this section of the report require further work before the case is referred back to the Mayor at stage 2. Attention is required to be given to other aspects of air quality, beyond the current transport assessment.
- **Noise:** It is recommended that a revised noise assessment be submitted to address the issues and observations set out above, whilst noting that this is also a local policy matter for which appropriate mitigation and conditions will be required.
- **Flood risk:** The applicant is advised to consider a rainwater harvesting system. Overall, given the nature and location of the proposals, the approach to sustainable drainage is considered to comply with London Plan Policy 5:13 and should be secured via an appropriate planning condition.
- **Energy:** The applicant has broadly followed the energy hierarchy. Sufficient information has been provided to understand the proposals as a whole. Further revisions and information are required before the proposals can be considered acceptable and the carbon dioxide savings verified.
- **Transport:** The Council is advised to continue discussions with TfL on matters concerning the Cross Rail 2 safeguarding direction at the site. As part of the proposal, the Council should provide travel plan and TMP. Clarification is sought on the number of cycle spaces and EVCP to be provided. A fleet operators recognition scheme should also be included as part of the TMP.

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