

representation hearing report D&P/3967/03

6 October 2017

National Institute for Medical Research (NIMR),

The Ridgeway

in the London Borough of Barnet

planning application no. 16/4545/FUL

Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 (“the Order”) and Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The proposal

Redevelopment of the site to provide 460 new residential units following demolition of all existing buildings. New residential accommodation to consist of 448 self-contained flats within 19 blocks ranging from three to nine storeys with basement car parking levels and 12 two storey houses with lower ground floor levels. Associated car and cycle parking spaces to be provided. Provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible cafe (A3). Reconfiguration of the site access and internal road arrangements and provision of new publicly accessible outdoor amenity space. New associated refuse and recycling arrangements.

The applicant

The applicant is **Barratt London**, and the architects are **Hawkins Brown/DMFK**.

Recommendation summary

The Mayor, acting as Local Planning Authority for the purpose of determining this application,

- i. grants conditional planning permission in respect of application 16/4545/FUL for the reasons set out in the reasons for approval section below, and subject to the prior completion of a section 106 legal agreement;
- ii. delegates authority to the Assistant Director - Planning and the Executive Director of Development, Enterprise and Environment to issue the planning permission and agree, add, delete or vary, the final detailed wording of the conditions and informatives as required, and authority to negotiate, agree the final wording, and sign and execute, the section 106 legal agreement;

- iii. delegates authority to the Assistant Director – Planning and the Executive Director of Development, Enterprise and Environment to agree any variations to the proposed heads of terms for the section 106 legal agreement;
- iv. delegates authority to the Assistant Director - Planning and Executive Director of Development, Enterprise and Environment to refuse planning permission, if by 5 January 2018, the section 106 legal agreement has not been completed;
- v. notes that approval of details pursuant to conditions imposed on the planning permission would be submitted to, and determined by, Barnet Council;
- vi. notes that Barnet Council would be responsible for the enforcement of the conditions attached to the planning permission.

Drawing numbers and documents

Existing plans and drawings	
1623_DWG_PL_00_001 Site Location Plan	1623_DWG_PL_00_052 Existing Ground Floor Plan
1623_DWG_PL_00_002 Existing Site Plan	1623_DWG_PL_00_053 Existing First Floor Plan
1623_DWG_PL_00_003 Existing Levels	1623_DWG_PL_00_054 Existing Second Floor Plan
1623_DWG_PL_00_004 Existing Site Roof Plan	1623_DWG_PL_00_055 Existing Third Floor Plan
1623_DWG_PL_00_010 Existing Site Demolition Plan	1623_DWG_PL_00_056 Existing Fourth Floor Plan;
1623_DWG_PL_00_020 Existing Site Section A (North-South)	1623_DWG_PL_00_057 Existing Fifth Floor Plan
1623_DWG_PL_00_021 Existing Site Section B (East-West)	1623_DWG_PL_00_058 Existing Sixth Floor Plan
1623_DWG_PL_00_022 Existing Site Section C (North-South)	1623_DWG_PL_00_059 Existing Seventh Floor Plan
1623_DWG_PL_00_023 Existing Site Section D (North-South)	1623_DWG_PL_00_070 Existing Section AA
1623_DWG_PL_00_030 Existing Site Elevation J - The Ridgeway	1623_DWG_PL_00_071 Existing Section BB
1623_DWG_PL_00_031 Existing Site Elevation K - St Vincent's Lane	1623_DWG_PL_00_080 Existing Cruciform Elevation 1
1623_DWG_PL_00_032 Existing Site Elevation L - Burtonhole Lane	1623_DWG_PL_00_081 Existing Cruciform Elevation 2
1623_DWG_PL_00_050 Existing Basement Plan	1623_DWG_PL_00_082 Existing Cruciform Elevation 3
1623_DWG_PL_00_051 Existing Lower Ground Floor Plan	1623_DWG_PL_00_083 Existing Cruciform Elevation 4
Proposed plans and drawings	
<i>Site plans</i>	
1623_DWG_PL_00_101B Proposed Masterplan Finished Floor Levels	1623_DWG_PL_00_104A Proposed Masterplan Surface Car Parking Layout

1623_DWG_PL_00_102B Proposed Masterplan Roof Plan	1623_DWG_PL_00_105A Proposed Masterplan Ground Layout Plan
1623_DWG_PL_00_103B Proposed Masterplan Block References	1623_DWG_PL_00_106B Proposed Masterplan Basement/Lower Ground Plan
<i>Site sections and elevations</i>	
1623_DWG_PL_00_150 Proposed Site Section A (North- South);	1623_DWG_PL_00_173 Proposed Site Elevation M;
1623_DWG_PL_00_151 Proposed Site Section B (North-South);	1623_DWG_PL_00_174 Proposed Site Elevation N;
1623_DWG_PL_00_152 Proposed Site Section C (North-South);	1623_DWG_PL_00_175A Proposed Site Elevation P;
1623_DWG_PL_00_153A Proposed Site Section D (North-South);	1623_DWG_PL_00_176B Proposed Site Elevation Q;
1623_DWG_PL_00_170 Proposed Site Elevation J - The Ridgeway;	1623_DWG_PL_00_177B Proposed Site Elevation R;
1623_DWG_PL_00_171A Proposed Site Elevation K - St Vincent's Lane;	1623_DWG_PL_00_178 Proposed Site Elevation S;
1623_DWG_PL_00_172A Proposed Site Elevation L - Burtonhole Lane;	1623_DWG_PL_00_179 Proposed Site Elevation T;
<i>Layout plans</i>	
1623_DWG_PL_ABC_201B Proposed Basement Plan;	1623_DWG_PL_F_203 Proposed Lower Lane Pavilions - First Plan;
1623_DWG_PL_ABC_202 Ridgeway Cruciform Cluster Lower Ground Floor Plan;	1623_DWG_PL_F_204A Proposed Lower Lane Pavilions - Second Plan;
1623_DWG_PL_ABC_203 Ridgeway Cruciform Cluster Ground Floor Plan;	1623_DWG_PL_F_205A Proposed Lower Lane Pavilions - Third Plan;
1623_DWG_PL_ABC_204 Ridgeway Cruciform Cluster First Floor Plan;	1623_DWG_PL_F_206A Proposed Lower Lane Pavilions - Fourth Plan;
1623_DWG_PL_ABC_205 Ridgeway Cruciform Cluster Second Floor Plan;	1623_DWG_PL_F_207A Proposed Lower Lane Pavilions - Roof Plan;
1623_DWG_PL_ABC_206 Ridgeway Cruciform Cluster Third Floor Plan;	1623_DWG_PL_G_201 Proposed Lower Lane Belvedere- Lower Ground Plan;
1623_DWG_PL_ABC_207 Ridgeway Cruciform Cluster Fourth Floor Plan;	1623_DWG_PL_G_202 Proposed Lower Lane Belvedere- Ground Plan;

1623_DWG_PL_ABC_208 Ridgeway Cruciform Cluster Fifth Floor Plan;	1623_DWG_PL_G_203 Proposed Lower Lane Belvedere- First Plan;
1623_DWG_PL_ABC_209 Ridgeway Cruciform Cluster Sixth Floor Plan;	1623_DWG_PL_G_204 Proposed Lower Lane Belvedere- Second Plan;
1623_DWG_PL_ABC_210 Ridgeway Cruciform Cluster Seventh Floor Plan;	1623_DWG_PL_G_205 Proposed Lower Lane Belvedere- Third Plan;
1623_DWG_PL_ABC_211 Ridgeway Cruciform Cluster Roof Plan;	1623_DWG_PL_G_206 Proposed Lower Lane Belvedere- Roof Plan;
1623_DWG_PL_DE_201A Proposed Ridgeway Courtyard- Basement;	1623_DWG_PL_H_201 Proposed Lower Lane Houses 4 Bedroom Houses - Plans;
1623_DWG_PL_DE_202 Proposed Ridgeway Courtyard- Lower Ground Plan;	1623_DWG_PL_H_202 Proposed Lower Lane Houses 5 Bedroom Houses - Plans;
1623_DWG_PL_DE_203 Proposed Ridgeway Courtyard- Ground Plan;	1623_DWG_PL_JK_201A Proposed Woodland Cluster Basement Plan;
1623_DWG_PL_DE_204A Proposed Ridgeway Courtyard- First Plan;	1623_DWG_PL_JK_202A Proposed Woodland Cluster Ground Plan;
1623_DWG_PL_DE_205A Proposed Ridgeway Courtyard- Second Plan;	1623_DWG_PL_JK_203A Proposed Woodland Cluster First Plan;
1623_DWG_PL_DE_206A Proposed Ridgeway Courtyard- Third Plan;	1623_DWG_PL_JK_204A Proposed Woodland Cluster Second Plan;
1623_DWG_PL_DE_207A Proposed Ridgeway Courtyard- Roof Plan;	1623_DWG_PL_JK_205A Proposed Woodland Cluster Third Plan;
1623_DWG_PL_F_201A Proposed Lower Lane Pavilions - Basement Plan;	1623_DWG_PL_JK_206A Proposed Woodland Cluster Roof Plan;
1623_DWG_PL_F_202 Proposed Lower Lane Pavilions - Ground Plan;	
<i>Proposed elevations</i>	
1623_DWG_PL_A_220 Proposed Section AA;	1623_DWG_PL_G1_241 Block G1 Proposed Elevation (North-West);
1623_DWG_PL_A_221 Proposed Section BB;	1623_DWG_PL_G2_240 Block G2 Proposed Elevation (South- West);
1623_DWG_PL_A_240 Proposed North Elevation 1;	1623_DWG_PL_G2_241 Block G2 Proposed Elevation (South-East);
1623_DWG_PL_A_241 Proposed South Elevation 2;	1623_DWG_PL_G2_240 Block G2 Proposed Elevation (North-East);

1623_DWG_PL_A_242 Proposed East Elevation 3;	1623_DWG_PL_G2_241 Block G2 Proposed Elevation (North-West);
1623_DWG_PL_A_243 Proposed West Elevation 4;	1623_DWG_PL_H1_240 H1 Proposed Elevations;
1623_DWG_PL_B1_240 Block B1 Elevation 1 & 2;	1623_DWG_PL_H2_240 H2 Proposed Elevations;
1623_DWG_PL_B1_241 Block B1 Elevation 3 & 4;	1623_DWG_PL_H3_240 H3 Proposed Elevations;
1623_DWG_PL_B2_240 Block B2 Elevation 1 & 2;	1623_DWG_PL_H4_240 H4 Proposed Elevations;
1623_DWG_PL_B2_241 Block B2 Elevation 3 & 4;	1623_DWG_PL_H5_240 H5 Proposed Elevations;
1623_DWG_PL_C1_240 Block C1 Elevation 1 & 2;	1623_DWG_PL_H6_240 H6 Proposed Elevations;
1623_DWG_PL_C1_241 Block C1 Elevation 3 & 4;	1623_DWG_PL_H7_240 H7 Proposed Elevations;
1623_DWG_PL_C2_240 Block C2 Elevation 1 & 2;	1623_DWG_PL_H8_240 H8 Proposed Elevations;
1623_DWG_PL_C2_241 Block C2 Elevation 3 & 4;	1623_DWG_PL_H9_240 H9 Proposed Elevations;
1623_DWG_PL_DE_240 Blocks D & E Proposed Elevations (South & West);	1623_DWG_PL_H10_240 H10 Proposed Elevations;
1623_DWG_PL_DE_241 Blocks D & E Proposed Elevations (North & East);	1623_DWG_PL_H11_240 H11 Proposed Elevations;
1623_DWG_PL_DE_242 Blocks D & E Proposed Internal Elevations (North & East);	1623_DWG_PL_H12_240 H12 Proposed Elevations;
1623_DWG_PL_DE_243 Blocks D & E Proposed Internal Elevations (South & West);	1623_DWG_PL_J1_240A Block J1 Proposed Elevation (North & East);
1623_DWG_PL_F_240A Block F Proposed Elevation Overall (North & South);	1623_DWG_PL_J1_241A Block J1 Proposed Elevation (South & West);
1623_DWG_PL_F1_240A Block F1 Proposed Elevation (North & East);	1623_DWG_PL_J2_240A Block J2 Proposed Elevation (North & East);
1623_DWG_PL_F1_241A Block F1 Proposed Elevation (South & West);	1623_DWG_PL_J2_241A Block J2 Proposed Elevation (South & West);
1623_DWG_PL_F2_240 Block F2 Proposed Elevation (North & East);	1623_DWG_PL_J3_240A Block J3 Proposed Elevation (North & East);

1623_DWG_PL_F2_241 Block F2 Proposed Elevation (South & West);	1623_DWG_PL_J3_241A Block J3 Proposed Elevation (South & West);
1623_DWG_PL_F3_240A Block F3 Proposed Elevation (North & East);	1623_DWG_PL_K1_240A Block K1 Proposed Elevation (North & East);
1623_DWG_PL_F3_241 Block F3 Proposed Elevation (South & West)	1623_DWG_PL_K1_241A Block K1 Proposed Elevation (South & West);
1623_DWG_PL_G1_240 Block G1 Proposed Elevation (South- West);	1623_DWG_PL_K2_240A Block K2 Proposed Elevation (North & East);
1623_DWG_PL_G1_241 Block G1 Proposed Elevation (South-East);	1623_DWG_PL_K2_241A Block K2 Proposed Elevation (South & West);
1623_DWG_PL_G1_240 Block G1 Proposed Elevation (North-East);	
<i>Bay study details</i>	
1623_ABC_DWG_00_301 Detailed Bay Study B + C;	1623_DWG_PL_G_301 Detailed Elevation/Section Study Block G;
1623_ABC_DWG_00_305 Detailed Bay Study B + C;	1623_DWG_PL_H_301 Detailed Elevation/Section Study Houses;
1623_DWG_PL_DE_301 Detailed Bay Study D + E;	1623_DWG_PL_J_301 Detailed Elevation/Section Study Block J;
1623_DWG_PL_F_301 Detailed Elevation/Section Study Block F;	1623_DWG_PL_K_301 Detailed Elevation/Section Study Block K;
<i>Landscape drawings</i>	
1779 01 C Landscape Masterplan	1779 07 B Woodland Cluster General Arrangement (2 of 2)
1779 02 B Ridgeway Courtyard General Arrangement	1779 08 B Lower Lane Houses West General Arrangement
1779 03 B Cruciform Approach General Arrangement	1779 09 B Lower Lane Houses East General Arrangement
1779 04 B Woodland Cluster General Arrangement (1 of 2)	1779 10 A Grassland and Woodland Glades General Arrangement
1779 05 B Lower Lane Pavilions General Arrangement	1779 11 A Woodland and Woodland Glades General Arrangement
1779 06 B Valley Terrace and Lower Belvedere Terrace General Arrangement	1779 12 B Sports Field General Arrangement

Supporting documents	
Planning application form and certificates	Sustainability Strategy (including Energy Statement)
Cover letter	Sunlight and Daylight Assessment
CIL Additional Information Form	Landscape Strategy (and Addendum)
Design and Access statement (and Addendum)	Wind and Microclimate Assessment
Planning Statement	Delivery Servicing Plan
Access Statement	Workplace Travel Plan
Statement of Community Involvement	Residential Travel Plan
Utilities Assessment	
Environmental Statement (Deloitte, June 2016) comprising Non-Technical Summary, Volume 1 – Main Text, Volume 2 – Technical Appendices including: Air Quality; Noise and Vibration; Flood Risk Assessment; Drainage; Ecology; Tree Survey, Volume 3 – Heritage, Townscape and Visual Impact Assessment, Volume 4 – Transport Assessment; Addendum to Environmental Statement dated August 2017 including Transport Assessment Addendum, Phase 1 Habitat Survey update and updated Tree Loss and Retention Schedule.	

Introduction

1 Having assumed authority to determine this planning application, this report sets out the matters that the Mayor must consider in forming a view over whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2 The Mayor, acting as the Local Planning Authority, has considered the circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Barnet Council's planning committee report dated 22 February 2017, the draft decision notice setting out two reasons for refusal and all consultation responses and representations made on the case. The reasons set out below are why this application is acceptable in planning policy terms:

1. The proposed development would involve development within designated Green Belt. The scheme involves complete redevelopment of a previously developed site, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development and is therefore not inappropriate. The principle of a residential-led mixed-use development and enhanced sports pitch provision is supported by both strategic and local planning policy. The proposal is therefore acceptable in land use terms in accordance with the NPPF, London Plan Policies 2.6, 2.15, 3.1, 3.3, 3.4, 3.7, 3.19, 4.1, 4.2, 7.1, 7.16, 7.18 and Barnet Local Plan policies CS4, CS7, CS8, DM14, and DM15.

- II. The scheme would provide 460 residential units, of which 185 would be affordable (35% by habitable room, 40% by unit). The housing proposed is of a high quality. Overall, the scheme would make a significant contribution to housing delivery targets for Barnet. The proposed level of affordable housing meets the requirements of the Mayor's Affordable Housing & Viability SPG, and a review mechanism would be secured if an agreed level of progress is not made within 24 months of any planning permission, and would secure up to 50% affordable housing if viable. On this basis, the applicants have demonstrated compliance with London Plan Policies 3.3, 3.4, 3.5, 3.8, 3.11, 3.12, the Mayor's Housing SPG (2016), the Mayor's Affordable Housing and Viability SPG (2017), Barnet Local Plan policies CS4, DM02, DM08 and DM10.
- III. The design and masterplanning principles are well-considered. The massing and layout responds to the site's constraints and sensitivities including the open character of the Green Belt and the wider Conservation Area, and takes account of the design principles expressed in the Planning Brief. The tall building replaces the existing tall building, in the same location, and would provide a distinctive and high-quality landmark for Mill Hill. The scheme provides for well-defined public and private spaces, amenity and play spaces, and landscaping elements that respond to the proposed different character areas of the site. The identified harm to the setting and significance of nearby designated and non-designated heritage assets would be less than substantial and would be outweighed by the public benefits of the scheme. The proposals adhere to the principles of designing out crime. As such the proposal complies with Policies 3.5, 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7 and 7.8 of the London Plan, and Barnet Local Plan policies CS4, CS5, CS12, DM02, DM05, DM06 and DM16
- IV. The proposed development has embedded the principles of inclusive access, and would comply with the relevant inclusive design housing standards. As such, the scheme complies with London Plan Policies 3.8, 7.2 and 7.6, and Barnet Local Plan policy DM03.
- V. The proposed development has demonstrated that a high standard of sustainable design and construction would be achieved, minimising carbon dioxide emissions, using energy efficiently and including renewable energy in accordance with the energy hierarchy. The development would deliver sustainable urban drainage benefits over the existing situation at the site. The environmental impacts of the development, in terms of minimising exposure to poor air quality, addressing contaminated land and waste management, are acceptable taking into account the proposed mitigation measures. As such the scheme complies with the policies contained with Chapter 5 and Policies 7.7 and 7.14 of the London Plan, and Barnet Local Plan policies CS13, CS14 and DM04.
- VI. The development proposals would have an acceptable impact on neighbourhood amenity. No neighbouring residential properties would experience any noticeable reductions to their daylight and sunlight. The proposals would not unacceptably reduce privacy to neighbouring residential properties and issues of noise and disturbance would be adequately mitigated through planning conditions. As such the proposed development complies with London Plan Policies 7.6, 7.7 and 7.15 and Barnet Local Plan policy DM01.
- VII. The quantum of proposed car parking across all uses is acceptable subject to a suitable framework of controls including a car parking management plan, electric vehicle charging points, travel plans and car club spaces. The proposal strikes an appropriate balance between promoting new development and encouraging cycling, walking and public transport use. As such the proposed development complies with the policies contained with Chapter 6 of the London Plan, and Barnet Local Plan policies CS9 and DM17.

- VIII. The Environmental Statement (ES) and addendum provides an assessment of the likely significant effects of the proposal during the construction and operational phases. The documents comply with the relevant regulations in terms of their scope and methodology for assessment and reporting. They also appropriately respond to Development Plan policy, supplementary planning guidance and the representations made. As is usual for a major development of this nature there are potential environmental impacts and, where appropriate, mitigation has been identified to address adverse impacts. The general residual impact of the development with mitigation is considered to range from negligible to minor beneficial throughout most of the site. Given the context of the site, the environmental impact of the development is acceptable given the general compliance with relevant British Standards, London Plan and local policy standards.
- IX. Appropriate, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental impacts are mitigated. Accordingly, there are no, or insufficient, grounds to withhold planning consent on the basis of the policies considered and other material planning considerations.

Recommendation

3 That the Mayor acting as Local Planning Authority, grants planning permission in respect of application 16/4545/FUL, subject to prior completion of a section 106 legal agreement, and the inclusion of planning conditions and informatives, as summarised below. The detailed wording of conditions and informatives will be set out in an appendix to this report.

4 That the Mayor delegates authority to the Assistant Director – Planning and the Director of Development, Enterprise and Environment to issue the planning permission and agree, add, delete or vary the final wording of the conditions and informatives as required.

5 That the Mayor agrees that the Assistant Director of Planning and the Director of Development and Environment, be given delegated authority to negotiate and complete the s106 legal agreement, the principles of which have been agreed with the applicants as set out in the heads of terms detailed below.

6 That the Mayor delegates authority to the Assistant Director – Planning and the Director of Development, Enterprise and Environment to refuse planning permission if, by 5 January 2018 the s106 legal agreement has not been completed

7 That the Mayor notes the approval of details pursuant to conditions imposed on the planning permission would be submitted to, and determined by, Barnet Council (the “Council”).

8 That the Mayor notes that the Council would be responsible for the enforcement of the conditions attached to the permission.

Section 106 Legal agreement

- Affordable housing: A minimum of 185 units (35% by habitable room, 40% by units) to be affordable, with 30% affordable rent and 70% shared ownership by habitable room. Affordable rent provision would be secured at London Affordable Rent (LAR) and shared ownership properties would be affordable to a range of household incomes, starting at £41,562. An early stage review mechanism to be secured, whereby in the event that the development has not been substantially implemented within 2 years of the date of the decision, a review would be undertaken to establish if additional affordable housing can be

provided and any such additional affordable housing shall be provided on site (up to a maximum of 50% by habitable room);

- Employment and training: The provision and implementation of a local employment agreement securing opportunities for local people and at least 20 apprenticeships during the constructions and fit out phases of the development;
- Transport: Submission and implementation of approved travel plans for the residential, flexible workspace and cafe/gym, at least two car club spaces and travel plan incentives, contribution to monitoring, s.278 agreement to be entered into for altered access to the site, zebra crossing and repaving of footway.
- Workspace: Provision of SME accessible workspace having due regard to the encouragement of SMEs in the area, including flexibility in regards to: lease lengths; size of leasable areas; access requirements; and payment terms;
- Public access: Provision and retention of public routes through the site, in perpetuity;
- Bus stops: Relocation and replacement of 2 bus shelters on The Ridgeway;
- Transfer of land (pitches): Transfer of sports pitches with vacant possession to the Council at nil cost; and
- Retention of architect: The retention of the existing architect(s) in some capacity until the development is complete or replacement with those of equivalent standard.

Financial contributions

- Green space contribution - £550,000 – to be used for preparation and laying out of the playing fields, and ancillary facilities;
- Ground works contribution - £150,000 – to be used for an agronomy survey and its implementation;
- Employment and Training - £740,630 – to mitigate the loss of employment floorspace;
- Mill Hill East Step-Free Access contribution - £300,000 to TfL;
- Cycle/Pedestrian network contribution - £200,000 – to be used for local cycle/pedestrian network contributions, including cycle route signage and paving;
- Travel Plan incentives - £138,000 - £300 per dwelling to be used for car club membership, oyster cards, bike voucher to encourages sustainable transport usage;
- Highways contribution - £50,000 – to fund the implementation of the Bittacy Hill/Frith Lane Junction improvements;
- Residential Travel Plan monitoring - £20,000;
- Office Travel Plan monitoring - £5,000;
- Cafe/Gym Travel Plan monitoring - £5,000.

Conditions to be secured ¹

- 1. Time limit
- 2. Approved plans and documents
- 3. Phasing
- 4. Material samples
- 5. Detailed drawings and external materials (building)
- 6. Site levels
- 7. Surface water drainage
- 8. Surface water discharge
- 9. Sustainable Drainage Systems (SuDS)

¹ Draft conditions have been prepared and will be published as an appendix to this report; this list provides a summary of the draft notice condition headings

- 10. Adoption of SuDS
- 11. Contaminated land
- 12. Non-Road Mobile Machinery (NRMM)
- 13. Air Quality and Dust Management Plan
- 14. Noise and vibration
- 15. Noise – fixed plant
- 16. Noise and vibration – internal residential environment
- 17. Details of plant equipment
- 18. Landscape and Ecological Management Plan (LEMP)
- 19. Native plant species
- 20. Bat surveys
- 21. Refuse and recycling
- 22. Hours of construction
- 23. Protection of trees
- 24. Retained trees – site levels
- 25. Retained trees – excavations
- 26. Landscape Management Plan
- 27. Obscure glazing
- 28. Play equipment (including additional provision for under 5's)
- 29. Use Class
- 30. Advert hoardings
- 31. Green roofs
- 32. Sports pitches
- 33. External lighting (sports pitches)
- 34. Car Parking Management Plan
- 35. Car parking
- 36. Residential Parking
- 37. Parking permit exclusion
- 38. Cycle parking
- 39. Accessible parking bays
- 40. Pedestrian and cycle routes
- 41. Construction Environment Management Plan (CEMP)
- 42. Delivery & Servicing Plan (DSP)
- 43. Access
- 44. External lighting (development)
- 45. Written Scheme of Investigation (WSI) for historic buildings
- 46. Commercial units
- 47. Inclusive design
- 48. Energy statement
- 49. Secured by Design
- 50. Accessible & adaptable dwellings
- 51. Wheelchair user dwellings
- 52. Burtonhole Lane emergency access

Informatives

- 1. Sports pitches (Sport England)
- 2. Contamination
- 3. Refuse collection

- 4. Highway works (design)
- 5. Highway works (construction)
- 6. Highway works (cost undertaking)
- 7. Street furniture
- 8. On-street waiting and loading restrictions
- 9. Adoptable standards
- 10. Parking ramp gradients
- 11. Highway costs
- 12. Written scheme of investigation (Historic England)
- 13. Stopping up of highways

Publication protocol

9 This report has been published seven days prior to the Representation Hearing, in accordance with the GLA procedure for Representation Hearings. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. This report, any addendum, draft decision notices and the Mayor of London’s decision on this case will be made available on the GLA website:

<https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/national-institute-medical>

Site description

10 The application site (identified in Figure 1 below) comprises 19 hectares of land, to the north of The Ridgeway at Mill Hill within the London Borough of Barnet. The Ridgeway forms the southern boundary of the site and is characterised by a range of uses including residential, education, institutional and commercial uses. The site is bound by Burtonhole Lane and residential uses to the east, to the west by residential and equestrian uses along St Vincent’s Lane, with open space and a cricket club to the north.

11 The site is currently owned by the Medical Research Council (MRC), who had previously occupied the site since the 1950s as the National Institute for Medical Research, with the primary use of the site being for research and development, with other uses including ancillary residential accommodation, storage and car parking. The site is now vacant and MRC have now relocated to the Francis Crick Institute at St Pancras, to work alongside a number of partners including Cancer Research UK, Wellcome, University College London, Imperial College London and King’s College London. The applicant, Barratt London, were selected as the preferred bidder for the site.

12 The existing built form and hard standing is concentrated on the southern portion of the site, whilst the northern portion comprises open playing fields (see Figure 2 below). The distinctive main building (the Cruciform) fronts the Ridgeway and rises to 9 storeys, with four lower wings of four to five storeys. In total, there are 60 other buildings on the site, ranging in height from one to four storeys. The site provides approximately 42,000 sq.m of accommodation.

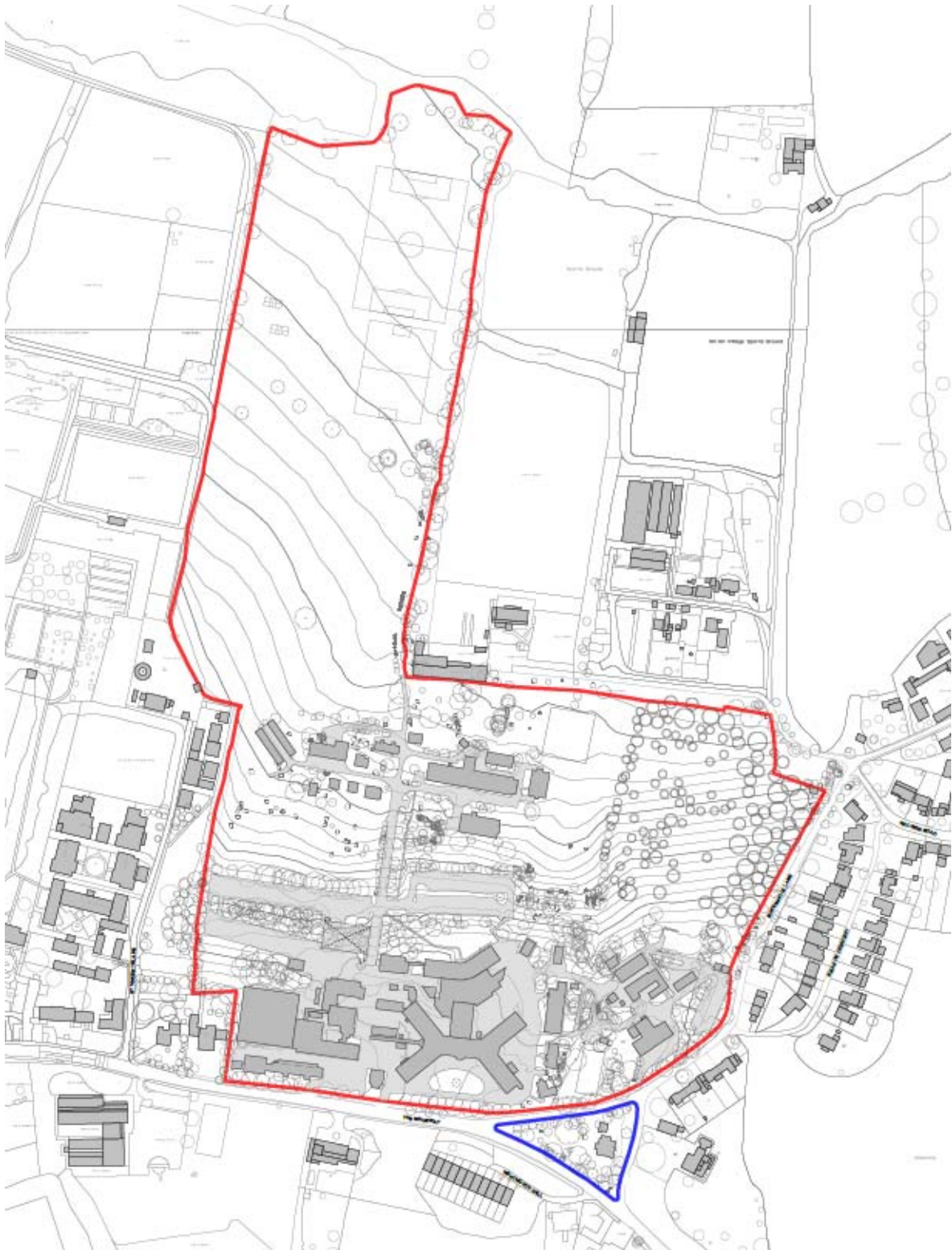


Figure 1: Site location plan (1623_DWG_PL_00-001)

13 The topography of the site varies significantly, with a 20-25 metre fall from The Ridgeway in the south towards the north of the site. This splits the site into two distinct areas (refer to Figure 2 below):



- Southern area: comprises several buildings previously used by MRC. The buildings are spread across the site, which also includes substantial areas of hard standing and surface car parking. The southern part of the site is currently secured and inaccessible to the public.
- Northern area: largely consists of open space, which was historically used for sports and recreation by MRC employees. There are several low-rise ancillary buildings in the southern part of the Northern area, including six houses which have been used as ancillary accommodation for MRC staff, including visiting students and academics. Outside of the security fence, to the north is open space which has a public footpath running across, and private sport pitches, which adjoin public pitches to the east of the site boundary.

Figure 2 – Northern and Southern Area (taken from NIMR Planning Brief, Barnet Council, 2016)

14 The southern part of the site has, historically, been secured, with no pedestrian access, other than guests of the NIMR. The public footpath which runs across the northern part of the site represents the only public access onto the site.

15 The site lies wholly within the Green Belt, with a substantial number of existing trees around the boundary of the site. The site itself does not fall within any designations of nature conservation interest. There is one statutorily designated site within 5 kilometres of the site boundary, namely Totteridge Fields Local Nature Reserve (LNR) located 1.7 kilometres to the north-west. There is a number of non-statutorily protected sites within a 2 kilometre radius of the site including Mill Hill Substation, Arrandene Open Space/Featherstone Hill and Totteridge Fields/Highwood Hill which are designated as Sites of Metropolitan Importance (SMIs) as well as 14 Sites of Importance for Nature Conservation (SINCs) including Folly Brook and Darland’s Lake Nature Reserve (Grade I SINC) located on the northern boundary of the site and Drivers Hill and Burtonhole Lane Pasture (both Grade II SINCs) within 100 metres of the site.

16 The southern portion of the site is within the Mill Hill Conservation Area. There are no listed buildings on the site. There are several Listed buildings within a 300 metre radius of the site, including St Vincent’s Convent and Chapel (Grade II) and Lodge to the Priory (Grade II) to the west of the site, The Mount School (Grade II) and Parkfield Cottages (Grade II) to the south west of the site and The Farmhouse (Grade II) at Burtonhole Farm to the north east of the site. The Priory to

the west of the site is also a locally listed building. The site does not lie within any strategic views as identified within the Mayor's London View Management Framework SPG.

17 The existing Medical Research Council building has one entry only access and one exit only egress situated on The Ridgeway; approximately 367 car parking spaces are provided within the site from this main entrance. Access to the Medical Research Centre of Technology is via Burtonhole Lane; approximately 48 car parking spaces are provided within the site from this entrance. The site is not within a controlled parking zone (CPZ), and therefore vehicles can park on local roads. The site is remote from either the Strategic Route Network (SRN) or the Transport for London Road Network (TLRN), which is located approximately 1.7 kilometres to the west of the site at the A1 Watford Way.

18 Bus route 240, which stops adjacent to the existing main site entrance on either side of the road (eastbound on the nearside, westbound on the far side), provides a frequent service between Golders Green and Edgware. The off-peak bus journey time between the site and Mill Hill East underground station (Northern Line) is 3 minutes, the distance is 1.4 kilometres to the south-east of the site. The 240 bus also links the site to Mill Hill Broadway station (served by Thameslink) with an off-peak journey time of 9-10 minutes. Mill Hill Broadway station is located 2.4 kilometres to the west of the site. As such, the site has a score of 1b on TfL's public transport accessibility level (PTAL) scale (where 1 is lowest and 6 is highest).

Details of the proposal

19 The application seeks permission for the demolition of the existing buildings, and redevelopment of the site to provide a residential-led mixed use development of 460 residential units (Class C3), 1,867 sq.m flexible workspace (Class B1a), 177 sq.m gym (Class D2) and a cafe (Class A3) together with landscaping, publicly accessible open space, and car/cycle parking.

20 The proposal seeks to develop the southern portion of the site with the demolition of the existing 9-storey Cruciform block, with a replacement building, using a similar architectural style of the same 9-storey height. A series of 18 smaller blocks ranging in height from part 3, part 4, part 5 and up to 6 storeys would be clustered around the site. Twelve family homes of 2.5 storeys would be located along the northern boundary of the southern area of the site.

21 The proposal would create publicly accessible open space within the northern area of the site. The existing sports pitches would be transferred to the Council for public use.

22 A total of 535 car parking spaces are proposed on the site, with 516 allocated to the residential uses and 19 allocated to the commercial uses. A total of 209 spaces are to be surface car parking, with 326 spaces to be within basements or garages.

Relevant planning history

23 There is various planning history relating to the previous medical research use of the site, with the most recent applications being the following:

- In 2016, a planning application was approved by Barnet Council for the demolition of the chemical store, squash court and east annex of the NIMR (ref: 16/3871/FUL, granted on 8 August 2016).
- In 2010, a planning application was approved for telecommunication antenna on the eastern chimney of the cruciform building and ancillary development including cabling and condenser units (ref: H/01199/10, granted 19 May 2010).

24 A detailed planning application history of the site is appended to the Council's Committee Report dated 22 February 2017.

Current application

25 On 4 May 2016, a pre-planning application meeting was held at City Hall focusing on strategic level London Plan issues for a mixed-use residential redevelopment of the site, including demolition of the existing buildings and redevelopment with buildings of up to 9 storeys for mixed residential and commercial uses, comprising approximately 470 residential units. The meeting was attended by Planning Officers from Barnet Council.

21. The GLA's pre-application advice report of 18 May 2016 considered that the development, would involve the limited infill and redevelopment of a previously developed site, and thus could constitute an exception to inappropriate development on Green Belt as outlined in the NPPF; however further information would be required to demonstrate that the development would not impact to a greater degree on the openness of the Green Belt. Subject to addressing strategic issues relating to Green Belt, the principle of a residential-led mixed use development could be supported. The applicant was advised that any future planning application would need to address the matters raised in the advice report, with respect to affordable housing, urban design, inclusive access, sustainable development and transport, to ensure accordance with the London Plan.

26 Stage 1: On 5 August 2016, Barnet Council notified the Mayor of London that a planning application had been submitted that was of potential strategic importance, referring it under Categories 1A, 1B, 1C and 3D of the Schedule to the Order:

- 1A "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats."
- 1B "Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 square metres."
- 1C(c) "Development which comprises or includes the erection of a building that is more than 30 metres high and is outside the City of London."
- 3D "Development— (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building."

27 On 12 December 2016 the Mayor considered a GLA planning report reference: D&P/3967/01. This report advised Barnet Council that the application did not fully comply with the London Plan and issues around affordable housing and transport should be addressed. Overall the redevelopment of the site was supported and considered to be compliant with the NPPF and the London Plan as the development would constitute limited infill on a previously developed site within the Green Belt and would enhance the openness of the Green Belt. The approach to the design and layout was supported.

28 On 22 February 2017, Barnet Council's planning committee resolved to refuse planning permission for the application, against officers' recommendation, and on 24 April 2017 Barnet Council advised the Mayor of this decision. The Council's draft decision notice includes the following reasons for refusal:

1. The proposed development, by reason of its appearance, specifically the modern residential design and use of flats roofs, is out of character with the Mill Hill Conservation Area and has a negative impact when viewed from the Green Belt land to the north, contrary to policies 7.8 and 7.16 of the London Plan (2016), policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and policies DM01, DM06 and DM15 of the Development Management Policies DPD (adopted September 2012).
2. The proposal will result in the loss of trees of special amenity value with associated loss of nature conservation value, contrary to policies 7.19 and 7.21 of the London Plan (2016), policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and policies DM01 and DM16 of the Development Management Policies DPD (adopted September 2012).

29 Stage 2: On 2 May 2017, the Mayor considered a GLA planning report reference D&P/3967/02. The report concluded that having regard to the details of the application, the development is of such a nature and scale that it would have a significant impact on the implementation of the London Plan, and there are sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the Order that he would act as the Local Planning Authority for the purpose of determining the application. The report identified that there were outstanding matters that needed to be resolved, including issues around affordable housing and viability, the impact on heritage assets, including the conservation area and the level of car parking. The Mayor agreed this recommendation.

30 Since the Mayor issued this direction, a revised minimum affordable housing offer of 35% by habitable room has been secured and GLA officers have worked with the applicant to resolve the outstanding issues, notably securing revisions to reduce the level of tree removals to retain a higher quantum of existing trees on the site and a reduction in car parking on the site, to meet London Plan standards. Revised plans were submitted by the applicant on 23 August 2017 and are discussed below.

31 Re-consultation on amended plans: A 21-day re-consultation was carried out by the Mayor on 24 August 2017, notifying interested parties on proposed amendments by the applicant to plans and documents in relation to the reduction of proposed car parking spaces from 613 spaces to 535 spaces, repositioning of proposed blocks J1, J2, J3, K1 and K2, reconfiguration of the internal access road, reduction in proposed tree removals and additional landscaping.

32 It was not necessary to carry out a reconsultation exercise in relation to the increased affordable housing offer, as this change would have no material effect on the impacts of the proposals on the local area.

33 Site visit: The Mayor undertook an accompanied site visit on 28 September 2017 with GLA and TfL officers, representatives of the Council, and the applicant team.

Relevant legislation, policies and guidance

34 In determining this application, the Mayor must determine the application for planning permission in accordance with the requirement of s.70(2) of the Town and Country Planning Act 1990 and s.38(6) of the Planning and Compulsory Purchase Act 2004. In particular the Mayor is required to determine the application in accordance with the development plan unless material considerations indicate otherwise. The development plan for present purposes comprises the 2016 London Plan (consolidated with alterations since 2011) and Barnet Council's Local Plan, including the Core Strategy DPD (2012) and the Development Management DPD (2012), and the Saved Policies within Barnet Council's Unitary Development Plan (2012).

35 The Mayor is also required to have regard to national planning policy in the form of the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies. The following are therefore also relevant material considerations:

- National Planning Policy Framework (DCLG, 2012); and
- National Planning Practice Guidance (DCLG, as amended).

36 The principal relevant material planning considerations which arise in the context of the current application are: land use principles (Green Belt, mixed-use development, residential, employment, open space, sports and recreation uses); housing (including delivery of affordable housing, tenure, mix, density, quality, play space); urban design and heritage (including urban design, views, the historic environment, listed buildings); inclusive design; neighbouring amenity impacts (including privacy/overlooking, light pollution and noise/disturbance); trees; natural environment; sustainability (including climate change mitigation and adaptation, including sustainable drainage); other environmental considerations (including air quality, contaminated land and waste management); transport, including parking provision; and, mitigating the impact of development through planning obligations. The relevant planning policies and guidance at the national, regional and local levels are as follows:

National planning policy and guidance

37 The National Planning Policy Framework (NPPF) provides the Government's overarching planning policy, key to which, is a presumption in favour of sustainable development. The NPPF defines three dimensions to sustainable development: an economic role contributing to building a strong, responsive and competitive economy; a social role supporting strong, vibrant and healthy communities; and, an environmental role contributing to protecting and enhancing our natural, built and historic environment. The relevant components of the NPPF are:

- 1. Building a strong, competitive economy;
- 4. Promoting sustainable transport;
- 6. Delivering a wide choice of high quality homes;
- 7. Requiring good design;
- 8. Promoting healthy communities;
- 9. Protecting Green Belt land;
- 10. Meeting the challenge of climate change, flooding and coastal change;
- 11. Conserving and enhancing the natural environment; and
- 12. Conserving and enhancing the historic environment.

38 The National Planning Practice Guidance is also a material consideration.

Regional planning policy and guidance

39 The London Plan 2016 is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy 1.1 Delivering the strategic vision and objectives for London;
- Policy 2.6 Outer London: vision and strategy;
- Policy 2.7 Outer London: economy;
- Policy 2.8 Outer London: transport;
- Policy 2.15 Town centres;

- Policy 2.18 Green infrastructure;
- Policy 3.1 Ensuring equal life chances for all;
- Policy 3.2 Improving health and addressing health inequalities;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.6 Children and young people’s play and informal recreation facilities;
- Policy 3.7 Large residential developments;
- Policy 3.8 Housing choice;
- Policy 3.9 Mixed and balanced communities;
- Policy 3.10 Definition of affordable housing;
- Policy 3.11 Affordable housing targets;
- Policy 3.12 Negotiating affordable housing;
- Policy 3.13 Affordable housing thresholds;
- Policy 3.16 Protection and enhancement of social infrastructure;
- Policy 3.19 Sports facilities;
- Policy 4.1 Developing London’s economy;
- Policy 4.2 Offices;
- Policy 4.3 Mixed use development and offices;
- Policy 4.4 Managing industrial land and premises;
- Policy 4.12 Improving opportunities for all;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.5 Decentralised energy networks;
- Policy 5.6 Decentralised energy in development proposals;
- Policy 5.7 Renewable energy;
- Policy 5.9 Overheating and cooling;
- Policy 5.10 Urban greening;
- Policy 5.11 Green roofs and development site environs;
- Policy 5.12 Flood risk management;
- Policy 5.13 Sustainable drainage;
- Policy 5.14 Water quality and wastewater infrastructure;
- Policy 5.15 Water use and supplies;
- Policy 5.17 Waste capacity;
- Policy 5.18 Construction, excavation and demolition waste;
- Policy 5.21 Contaminated Land;
- Policy 6.1 Strategic approach;
- Policy 6.3 Assessing the effects of development on transport capacity;
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure;
- Policy 6.7 Better streets and surface transport;
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.12 Road network capacity;
- Policy 6.13 Parking;
- Policy 7.1 Lifetime neighbourhoods;
- Policy 7.2 An inclusive environment;
- Policy 7.3 Designing out crime;

- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;
- Policy 7.7 Location and design of tall and large buildings;
- Policy 7.8 Heritage assets and archaeology;
- Policy 7.14 Improving air quality;
- Policy 7.15 Reducing noise and enhancing soundscapes;
- Policy 7.16 Green Belt;
- Policy 7.18 Protecting open space and addressing deficiency;
- Policy 7.19 Biodiversity and access to nature;
- Policy 7.21 Trees and woodlands;
- Policy 8.2 Planning obligations; and,
- Policy 8.3 Community Infrastructure Levy.

40 The following published supplementary planning guidance (SPG), strategies and other documents are also relevant:

- Affordable Housing and Viability SPG (August 2017);
- Housing SPG (March 2016, as amended);
- Crossrail Funding SPG (March 2016).
- Social Infrastructure SPG (May 2015);
- Accessible London: achieving an inclusive environment SPG (October 2014);
- The control of dust and emissions during construction and demolition SPG (July 2014);
- Shaping Neighbourhoods: character and context SPG (June 2014);
- Sustainable Design and Construction SPG (April 2014);
- Shaping Neighbourhoods: play and informal recreation SPG (September 2012); and
- All London Green Grid SPG (March 2012)
- Mayor's draft Housing Strategy (September 2017);
- Mayor's draft Transport Strategy (June 2017);
- Mayor's draft Environment Strategy (August 2017).

Local planning policy and guidance

41 Barnet Council's Core Strategy DPD (2012), Development Management DPD (2012) and the Saved Policies within Barnet Council's Unitary Development Plan (2012) provide the local policy approach for the Borough. The relevant policies are:

Core Strategy DPD

- Policy CS NPPF Presumption in favour of sustainable development;
- Policy CS1 Barnet's Place Shaping Strategy;
- Policy CS3 Distribution of growth in meeting housing aspirations;
- Policy CS4 Providing quality homes and housing choice in Barnet;
- Policy CS5 Protecting and enhancing Barnet's character to create quality places;
- Policy CS6 Promoting Barnet's Town Centres;
- Policy CS7 Enhancing and protecting Barnet's open spaces;
- Policy CS8 Promoting a strong and prosperous Barnet;
- Policy CS9 Providing safe, effective and efficient travel;
- Policy CS10 Enabling inclusive and integrated community facilities and uses;

- Policy CS11 Improving health and well-being in Barnet;
- Policy CS12 Making Barnet a safer place;
- Policy CS13 Ensuring the efficient use of natural resources;
- Policy CS14 Dealing with our waste; and
- Policy CS15 Delivering the Core Strategy.

Development Management DPD

- Policy DM01 Protecting Barnet’s character and amenity;
- Policy DM02 Development standards;
- Policy DM03 Accessibility and inclusive design;
- Policy DM04 Environmental considerations for development;
- Policy DM05 Tall buildings;
- Policy DM06 Barnet’s heritage and conservation;
- Policy DM08 Ensuring a variety of sizes of new homes to meet housing need;
- Policy DM10 Affordable housing contributions;
- Policy DM11 Development principles for Barnet’s town centres;
- Policy DM13 Community and education uses;
- Policy DM14 New and existing employment space;
- Policy DM15 Green Belt and open spaces;
- Policy DM16 Biodiversity; and
- Policy DM17 Travel impact and parking standards.

Supplementary planning guidance (SPG) and supplementary planning documents (SPD)

56 The following adopted SPDs and SPG are also relevant to the proposal:

- Sustainable Design and Construction SPD (Barnet Council, 2016);
- Affordable Housing SPD (Barnet Council, 2007);
- Planning Obligations SPD (Barnet Council, 2013);
- Residential Design Guidance SPD (Barnet Council, 2016); and
- Delivering Skills, Employment Enterprise and Training (SEET) from development through s106 SPD (Barnet Council, 2014).

Other relevant documents

57 Barnet Council has an adopted Planning Brief for the National Institute for Medical Research Site (Planning Brief). The Planning Brief was adopted in March 2016, following a six-week public consultation, and sets the planning framework for the re-use and redevelopment of the site. The Brief has the following stated objectives for the site:

- To deliver a high-quality, residential-led, mixed-use development comprising a range of housing types and tenures, including family homes;
- To ensure the positive management of the Green Belt, by maintaining openness, as well as seeking to enhance biodiversity and improving access to opportunities for outdoor sport and recreation;
- To preserve and enhance its contribution to the character and appearance of the Mill Hill Conservation Area;

- To provide opportunities for employment creation, ensuring the continued contribution to innovation and growth through provision of workspace for small to medium enterprises; and
- To ensure any new development is of the highest design and environmental standards and appropriate in scale and siting.

58 The site falls within the Mill Hill Conservation Area. The Mill Hill Conservation Area Character Appraisal Statement was adopted in 2008.

Barnet Community Infrastructure Levy

59 London borough councils are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL. Barnet Council's draft CIL examination hearing took place on 21 December 2013. The Inspector's report on the Council's proposed charging schedule was published on 12 February 2013, and was found to be sound, subject to modifications. Barnet Council's CIL came into effect on 1 May 2013. The Barnet CIL charging schedule sets a rate of £135 per sq.m. for residential uses (Class C1 – C4 and Sui Generis HMOs) and £135 per sq.m. for retail uses (Class A1 – A5). There is a nil charge for all other uses, including offices.

Response to consultation

60 As part of the planning process Barnet Council has carried out statutory consultation on the application. The application was publicised by distributing letters of notifications to 4,255 properties in the vicinity of the site, as well as site notices around the site. The consultation also included all relevant statutory bodies. All consultation responses received in response to Barnet Council's local consultation process, and any other representations received by Barnet and/or the Mayor of London in respect of this application at the time of writing this report, are summarised below, and have been taken into account in this report. The Mayor has had all consultation responses made available to him in either electronic or hard copy.

61 In addition, the Mayor has carried out consultation on revised plans submitted subsequent to him taking over the application, and comments received are outlined below.

Statutory consultee responses to Barnet Council

62 Greater London Authority (including Transport for London): The Mayor's consultation stage comments (GLA report ref: D&P/3967/01) and the Mayor's stage II decision (GLA report ref: D&P/3967/02) are set out in those reports and summarised in the 'Relevant case history' section above.

63 Transport for London: Commented as part of the stage 1 and 2 reporting above, and also provided a separate detailed response to Barnet Council, setting out issues in relation to vehicle access, vehicle parking, trip generation, buses, walking and cycling, buses, travel planning, delivery and servicing, construction logistics and CIL. Specific issues relating to the approach to the transport assessment and the quantum of car parking were set out, along with a number of suggested conditions and s106 obligations. The detailed consideration of these points is set out in the Transport section below.

64 Highways England: No objections raised.

65 Historic England: The new development would make a considerable change, and would cause some harm to the Mill Hill Conservation Area. The increased height and density of the buildings would result in development being visible from short and long-range views. It would result

in development with a denser and more urban feel than the remainder of the conservation area. The Mill Hill Conservation Area does not have a dominant building style but is characterised by a semi-rural feel and development often features pitched roofs. The design principles for the proposed flat roofed blocks do not appear to draw from structures within the wider conservation area. Further opportunity could be taken to respond to the conservation area by drawing from its characteristic variety of built forms and rooflines.

66 Historic England (Greater London Archaeological Advisory Service): Conditions on archaeology requested.

67 Natural England: No comments to make.

68 Environment Agency: No objections raised, subject to standard advice.

69 Thames Water: No objections raised. Have subsequently confirmed that the existing waste water infrastructure has sufficient capacity. Requested a condition requiring a drainage strategy detailing the site's proposed foul water and surface water discharge rates, to avoid adverse impact on the public sewerage network. Also requested piling method statements if subsurface sewage infrastructure is affected. Requested informatives on groundwater risk management permits.

70 Affinity Water: No objection, subject to conditions ensuring best practice is used during construction to reduce groundwater pollution risks.

71 Metropolitan Police (Design Out Crime Officer): No objections, request a condition to secure 'Secured by Design'.

72 Sport England: No objections raised in its statutory capacity. Objections raised in its non-statutory capacity due to the sports proposals not meeting the increased demand from the development and the lack of facilities to support the community use of the retained playing pitch. Recommend that a condition is attached requiring details of a package of improvement measures for the retained pitch to enhance and enable community sport.

Individual neighbourhood responses

73 At the time of reporting the application to its planning committee, Barnet Council reports that it had received 84 responses to the proposal, of which 66 were objections, 12 were in support and 6 were neutral comments. All responses were provided to the GLA subsequent to the decision to take over the application and have been made available to the Mayor in advance of the hearing.

74 The main concerns and issues raised in objection to the proposals can be summarised as follows:

Design, character and appearance

- Nine storey development is too high for this semi-rural area. Other blocks should also be reduced in height.
- The main building is a historic landmark and should be retained and converted.
- Scale of development is inappropriate in Green Belt and in the Conservation Area.
- Proposal would detrimentally impact on views.
- Proposed new buildings are characterless and the design is uninspiring and unimaginative.
- The loss of the boundary fencing would have a detrimental impact on the rural character of Burtonhole Lane.

Impact on Green Belt

- Footprint of the buildings would be increased by over 30 per cent compared to existing site, contrary to NPPF policy on development on Green Belt.
- No tarmac surfaces should be implemented on Green Belt land.

Impact on residential amenity

- The nine-storey building and balconies on the K blocks would cause loss of privacy.
- Proposed buildings would overshadow lower blocks in the same development.
- Impact of construction noise and traffic.

Impact on local area and environment

- The proposed density is excessive; 460 homes is too many for this site.
- Mill Hill is becoming overcrowded.
- Proposal would impact on public safety and would lead to increase in crime and disorder in the area.
- The application does not address the already strained local services (schools, doctor's surgeries etc).
- Proposals would have further impact on local bus and train services.
- Proposals would increase pollution, noise disturbance, light pollution and wind.
- Proposals would have a detrimental impact on wildlife and natural habitats.
- Land requires decontamination.
- Proposed additional traffic would increase accidents.

Highways impacts

- Proposals would exacerbate existing congestion on local roads.
- An inadequate amount of parking spaces are proposed for the 460 units.
- Public transport in the area would not support a development with a lower level of parking.
- Approaches to the site are up steep inclines, making cycling unrealistic for most people.
- Speed bumps and speed cameras should be installed on local roads.
- New public access would lead to potential for increased traffic and parked cars on Burtonhole Lane, which would block this narrow road.

Land use and specific proposals

- Lack of affordable homes in the proposals.
- Lack of jobs in the proposals.
- No new medical centre is proposed.
- Opening up Green Belt would attract more people, causing traffic congestion.
- Site should be used as a concert hall or exhibition space.
- Unclear as to the retention of the house on Fir Island.

75 The responses in support outlined the need for more housing, in particular the need for affordable housing and introducing a mix of smaller flats to the area. The removal of the existing buildings to open up views across the site, new public accessible open space and the new cafe would also be welcomed.

Other responses to the Council, including non-statutory consultees, residents' groups and elected members

76 London Wildlife Trust (LWT): Recommendations made for the protection of wildlife during construction and the inclusion of measures to promote natural habitat in the completed development. Concerns raised over applicant's assessment of trees and the impact of their loss on wider habitats. Recommendation for a long-term tree management plan for the site.

77 Royal Society for the Protection of Birds (RSPB): State that development fails to respect the character of the conservation area and fails to be sympathetic to its surroundings. Particular concerns are raised with regard to loss of trees and the impact on the wider ecosystem. Further bat surveys should be carried out. Conditions recommended on measures to protect woodland and manage and enhance biodiversity on the site.

78 North London Branch of the Federation of Small Businesses: Support the proposed commercial element which would provide hub working space for local businesses. These should be available for existing local businesses, prioritising SMEs.

79 Mill Hill Preservation Society (MHPS): Clarifications sought over the definition of brownfield land in the application site and the use of the sports field. The increase in floorspace in Green Belt is unacceptable having regard to Green Belt policy and represents overdevelopment. Concern raised about the impact of the proposals on the conservation area, the massing and the design of the deconstructed wings to the main block, and the banal design of the blocks facing the Ridgeway. Concern that buildings would be visible above the tree line in views from the Totteridge Valley. There should be more affordable housing. Concern raised about parking provision and additional traffic. After the Planning Committee of 22 February 2017, MHPS wrote to the Council with further comments in relation to land use, footprint/density and concerns in relation to the proposed use of the playing fields as a Gaelic Football Club and impacts of an intensified use including additional traffic and ancillary facilities. GLA officer note: Any ancillary development relating to the Gaelic Football Club e.g. changing facilities, would need planning permission and would require a separate planning application and would be subject to public consultation.

80 Mill Hill Neighbourhood Forum: Object to height of 6 storey buildings. Consider that new buildings facing the Ridgeway should have pitched roofs. Design of the houses is unimaginative. The affordable housing proposals should be clarified. Parking provision is inadequate and unrealistic given limited public transport, concerns about overspill parking. Cycle routes need to be improved. Development needs to take account of supporting infrastructure such as schools and GP surgeries. Construction, air quality and contamination need to be controlled.

81 Mill Hill Residents Association: Object to the application given the absence of affordable housing and inadequate parking provision. Proposals to remove any bus stops would be unacceptable and disruption for residents from construction should be minimised. Section 106 contributions to walking and cycling networks should be secured.

82 Internal consultees: Borough officers have provided comments in relation to urban design, heritage, drainage and flooding, air quality, contaminated land, noise, street lighting, refuse and recycling, highways and arboriculture. The points raised have been considered in the body of the report and are reflected in the suggested conditions.

Representations made to the Mayor of London

83 Prior to the Mayor's Stage 2 decision, the Mayor received a direct representation dated 14 December 2016 from Andrew Dismore, London Assembly Member for Barnet and Camden raising concern about the restrictive parking provision on the site and the potential for overspill parking.

Re-consultation exercise

84 The Mayor took over the planning application on 2 May 2017. Since that time, a re-consultation exercise took place on 24 August 2017 for 21 days in relation to revisions to the scheme that had been updated since the original consultation exercise. A total of 4,255 letters of notification were distributed to local addresses, as well as notification sent out to statutory and non-statutory consultees. This consultation exercise was arranged by the Council on behalf of the Mayor. A press notice was posted in the 24 August edition of the Barnet Borough Times and site notices were erected.

85 Responses: The Mayor and/or GLA officers have received 74 emails or letters (73 responses in objection and 1 neutral response) as a result of the consultation exercise. The majority of the objections reiterate concerns raised with the Council at the initial consultation stages, as detailed above. These responses have been made available to the Mayor for viewing, and have been taken into account in this report. Responses have been received from the following individuals and groups, reiterating the comments and objections to the application that have been raised previously:

- Mill Hill Preservation Society;
- Mill Hill Residents Association;
- Mill Hill Neighbourhood Forum;
- Mill Hill Village High Street Residents Association; and
- Councillor John Hart.

86 In summary, the new issues raised in objection are:

- Revisions do not respond to the concerns raised by Barnet Council;
- The further reduction in car parking is unacceptable and would cause overspill from the development and put pressure on public transport;
- The application of London Plan parking standards is inappropriate to apply to this site;
- Emergency access on Burtonhole Lane would encourage people to park there;
- Emergency access on Burtonhole Lane should be closed off;
- Additional traffic would increase congestion and endanger life on The Ridgeway and the surrounding lanes;
- Increased traffic would worsen air quality;
- Too much cycle parking;
- Repositioning of Block K2 would overlook into properties on Burtonhole Lane, and increase light pollution;
- Screening should be increased on the northern boundary;
- Lack of affordable housing on-site;
- Off-site contribution of £4.6m for affordable housing is “paltry”; and
- Small 1 and 2 bedroom properties would be attractive to buy-to-leave investors and harm community cohesion.

87 The neutral response has requested consideration to be given for a tennis court to be included on the site.

88 Natural England, Highways England and Environment Agency responded with no further comments. Sports England wish to ensure the sports pitch provision is secured through the s106 legal agreement. Historic England have confirmed that their comments are unaffected by the revisions.

Representations summary

89 All the representations received in respect of this application have been made available to the Mayor however; in the interests of conciseness, and for ease of reference, the issues raised have been summarised in this report as detailed above.

90 The main issues raised by the consultation responses, and the various other representations received, are addressed within the material planning considerations section of this report, and, where appropriate, through the proposed planning conditions, planning obligations and/or informatives outlined in the recommendation section of this report.

Environmental Impact Assessment

91 Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 are termed “EIA applications”. The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location. Consequently, the application is considered to form an application for EIA and it has been necessary that an Environmental Statement be prepared in accordance with EIA Regulations.

92 The applicants submitted a Scoping Report (submitted 9 February 2016, LPA Ref:16/0862/EIA) outlining the scope of the Environmental Statement (ES) at pre-application stage. Following consultation with the relevant consultation bodies, Barnet Council issued a Scoping Opinion on 12 July 2016. This confirmed that the scheme constituted EIA development and set out advice and instructions in relation to the methodology of the assessment. It identified a range of potential effects that would need to be included in the ES that was required to be submitted with the application.

93 The submitted ES has been divided into four volumes covering the 1) main assessment text; 2) technical appendices (including socio-economic effects; traffic and transport; air quality; noise and vibration; water; ecology and arboriculture) 3) the heritage, townscape, and visual impact assessment; and 4) transport assessment. The statement included qualitative, quantitative and technical analysis of the impacts of the development on its surrounding environment in physical, social and economic terms. The impacts of the planning application are assessed individually and cumulatively with other consented applications in the vicinity of the application site.

94 Under the various subject headings, this report refers to the content and analyses contained within the ES and comments upon its findings and conclusions.

95 An addendum to the ES was submitted by the applicants on 23 August 2017 to accompany the revised plans. The addendum confirms that the revisions do not cause any additional impacts that were not previously assessed, and revision to the ES is not therefore necessary.

Material planning considerations

96 Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Mayor must consider are:

- Land use principles (Green Belt, mixed-use development, residential, employment uses, open space, sports and recreation uses);

- Housing (including affordable housing, housing tenure, mix, density and housing quality);
- Urban design and heritage (including urban design, views, the historic environment, listed buildings);
- Inclusive design;
- Neighbouring amenity impacts (including privacy/overlooking; noise/disturbance);
- Trees;
- Natural environment;
- Sustainability (including climate change mitigation and adaptation, including sustainable drainage);
- Other environmental considerations (including air quality, contaminated land and waste management),
- Transport, including parking provision, and;
- Mitigating the impact of development through planning obligations and conditions.

97 These issues are considered within the following sections of the report.

Land use principles

Green Belt

98 The site is designated as Green Belt. In accordance with national guidance, the London Plan (Policy 7.16) affords the strongest protection to Green Belt land and resists inappropriate development, and this is echoed by Policy DM15 (Green Belt and open space) of Barnet's Local Plan. National guidance on Green Belt is set out in paragraphs 79-92 of the National Planning Policy Framework (NPPF).

99 Paragraph 79 of the NPPF states that *“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”*.

100 The NPPF (paragraph 80) states that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

101 Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

102 Paragraph 88 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;

- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; and
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

103 Annex 2 of the NPPF defines previously developed land as *“land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.”*

104 In line with the criteria set out in the Planning Brief, the proposed development would be entirely within the southern portion of the site, where the existing buildings and carparks are clustered, and the applicant has carefully considered the spatial configuration of the scheme with a view to rationalising the layout and distribution of development, and minimising the impact on openness. The proposed development would consist of the rebuilding of the existing nine storey main building within the same position, albeit with the ‘wings’ being slightly taller by 2.3 metres, plus a number of individual residential blocks and houses, varying in height of between 2 and 6 storeys. The extent of the proposed developed area constitutes complete redevelopment of a previously developed site and reduces the extent of the developed area.

105 The southern area of the site constitutes previously developed land for the application of policy; the last bullet point of Paragraph 89 of the NPPF is therefore relevant to this case. The consideration is whether the proposed development would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Figure 3 below compares the impact of the existing and proposed development against the five purposes of Green Belt.

The five purposes of Green Belt (Paragraph 80, NPPF)	Existing Development	Proposed Development
1. To check the unrestricted sprawl of large built-up areas.	The northern part of the site is undeveloped and therefore restricts sprawl. The southern part of the site is developed, but the built form steps down in height and density towards the north of the site. The buildings sit within areas of open space. There are large areas of hard standing which have been used for car parking and access routes.	The northern part of the site would remain free from built development and its impact would therefore be unchanged. In the southern part of the site, the proposal would move the line of built development further south towards The Ridgeway, creating a more coherent built boundary. The total area of built and developed land would reduce as a result of the development. The sprawl of built-up areas would be reduced.

<p>2. To prevent neighbouring towns merging into one another.</p>	<p>The northern part of the site is undeveloped, and the Totteridge Valley forms a natural separation between Mill Hill, Totteridge, Edgware and Borehamwood. The southern part of the site makes a partial contribution, with open areas towards the north. The developed part of the site fronting The Ridgeway makes no contribution.</p>	<p>The northern part of the site would remain free from built development and its impact would therefore be unchanged. In the southern part of the site, the proposal would move the line of built development further south towards The Ridgeway, creating a more coherent built boundary. The total area of built and developed land would reduce as a result of the development This would reduce the effect of neighbouring towns merging; the total area of built and developed land would reduce.</p>
<p>3. To assist in safeguarding the countryside from encroachment</p>	<p>The northern part of the site contributes to this purpose as it safeguards the countryside from encroachment. The southern part of the developed site does not contribute as the existing buildings encroach.</p>	<p>The northern part of the site would remain undeveloped and would continue to safeguard the countryside from encroachment. The building line and built footprint of the developed southern portion of the site would be set back and would not encroach further into the countryside. In this respect, the proposed development would represent an enhancement to this Green Belt purpose.</p>
<p>4. To preserve the setting and special character of historic towns</p>	<p>The southern part of the site is characterised by a number of buildings, none of which are recognized for the contribution to the Mill Hill Conservation Area.</p>	<p>The proposal would enhance the character and appearance of the Mill Hill Conservation Area by removing the existing buildings and replacing them with a well-designed, high quality scheme which would open up views from the Conservation Area towards the Green Belt.</p>
<p>5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.</p>	<p>The existing uses have now been relocated and the site is vacant previously developed land.</p>	<p>The proposal would assist urban regeneration by redeveloping a previously developed site and increasing access to open spaces and the wider Green Belt.</p>

Figure 3: Comparison of the impact of the existing and proposed development against the five purposes of Green Belt.

106 In conclusion, in terms of impact on the purpose of including land within the Green Belt, the development would have no further impact on the five purposes identified in the NPPF, and would improve the way in which the land meets these purposes, by reducing the spread of built development on the site and by rationalising the developed area.

107 Having regard to the impact of the proposals on the openness of the Green Belt, it is acknowledged that there would be taller (up to 6 storey) buildings on areas to the north and west where currently only hardstanding exists, and the 12 new houses would be introduced on previously undeveloped parts of the Southern Area of the site (see Figure 4 below), although these are positioned within the curtilage of the existing built development within this previously developed section of the site. Balanced against this is the fact that the existing northern cluster of buildings would be entirely removed and this substantial piece of land, amounting to approximately 1.5 hectares of developed land, would be returned to publicly accessible open space. Furthermore, the new buildings are located to enable views across the site from The Ridgeway. The total footprint of built development on the site would thus be reduced by 8%, and the amount of hardstanding would be reduced by 24%. GLA officers consider this would, on balance, enhance the openness of the Green Belt.

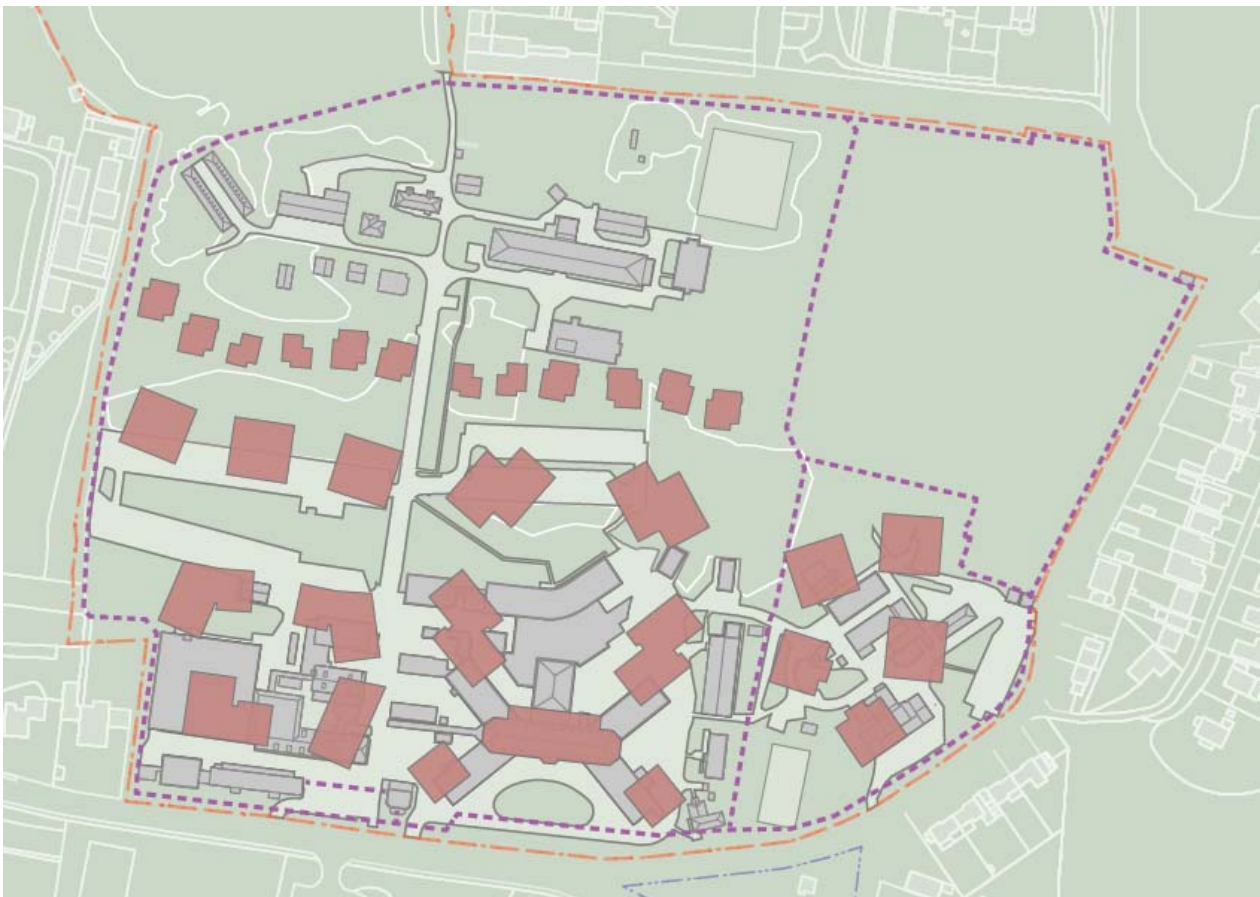


Figure 4: Proposed building footprint (red) in comparison to the existing footprint (grey).

108 The proposals would improve and enhance public access to land within the Green Belt, and it is intended that a new 24-hour pedestrian access would be made available through the site from The Ridgeway to the new open land to the north and the playing fields beyond. The existing public footpath from Burtonhole Lane to the east would also be retained. Details of public access would be secured through the proposed s106.

Housing

109 London Plan Policy 3.3 provides explicit strategic support for the provision of housing within London, and sets a target for the Council to deliver a minimum of 23,489 homes in the Plan period 2015-2025. The principle of a housing-led redevelopment of this site, to include 460 new homes, which equates to around a fifth of the Council's annual housing target, is supported and in line with London Plan policy.

110 The housing element of the proposals is discussed in further detail in paragraphs 120-154 of this report.

Employment

111 The site is not designated as an employment site, however the NIMR has been a significant employer in Barnet for a number of decades, and its relocation represents the loss of a large site in employment use. In accordance with Barnet Local Plan Policy DM14 (New and existing employment space) the site has been marketed for employment purposes to the satisfaction of Barnet Council officers. Given this has been demonstrated, the site's re-use for small business with residential, accords with the requirements of Policy DM14. The Council's Planning Brief for the site acknowledges the previous employment but seeks a '*residential-led mixed use development*' which '*provides opportunities for employment creation, ensuring the continued contribution to innovation and growth through provision of workspace for small to medium enterprises*'. The provision of housing with 1,867 sq.m of flexible workspace (Class B1a) therefore accords with the principles of the Council's Planning Brief.

112 Notwithstanding the Council's aspirations for some employment creation opportunities as set out in its Planning Brief, and its previous history, the site does not fall into one of the categories that are generally considered to support viable office uses as outlined in paragraph 4.12 of the London Plan. However, the applicant has carried out an employment study which has concluded that the proposed commercial floorspace is viable. The development proposes to include commercial floorspace on the site within the replacement Cruciform building adjoining The Ridgeway; comprising 1,867 sq.m of flexible workspace (Class B1a offices), a 177 sq.m gym (Class D2) and a small cafe (Class A3). The flexible workspace would be targeted at SMEs and start-up businesses, offering flexible leases, and this would be secured through the s106. As such, the provision of employment-generating space within the scheme is supported and accords with the Council's Planning Brief.

113 To mitigate the loss of employment on the site, in line with Barnet Local Plan Policy DM14 (New and existing employment space) and the Delivering Skills, Employment Enterprise and Training (SEET) from development through s106 SPD (2014) a financial contribution towards employment training would be secured in the s106.

Open space, sports and recreation

114 London Plan Policy 3.19 (Sports facilities) supports increased and enhanced provision of sports and recreation facilities and London Plan Policy 7.18 (Protecting open spaces and addressing deficiency) supports the creation of new open space in London. Barnet Local Plan Policy CS7 (Enhancing and protecting Barnet's open spaces) seeks to maximise the benefits that open spaces can deliver and secure improvements to open space including provision for children's play, sports facilities and better access arrangements. The Planning Brief seeks the removal of security fencing as an opportunity to improve public access to the Green Belt and improve access to the sports pitches to the north.

115 The proposed development proposes to remove the security fences around the perimeter of much of the site, and create publicly accessible routes from The Ridgeway to the Green Belt in the north. The development also seeks to remove buildings from the northern part of the Southern Area of the site, to create new publicly accessible open space and, in total, the development would deliver 155,560 sq.m of new publicly accessible open space across the site. Arrangements for public access would be secured within the s106.

116 The furthest north of the site was used informally as sports pitches for staff, ancillary to the former NIMR use. The pitches would be transferred to the Council, along with a financial contribution which would be used to prepare and layout these pitches, including levelling and drainage, and for the delivery of ancillary facilities, including a new or improved Pavilion. This would be secured within the s106 and the delivery of these new sports facilities is supported by London Plan Policy 3.19.

117 In line with London Plan Policies 3.19, 7.18 and Barnet Local Plan Policy CS7 the provision of new publicly accessible open space and delivery of new and enhanced sports pitches is strongly supported.

Social infrastructure and funding

118 London Plan Policy 3.16 (Social infrastructure) requires boroughs to ensure that adequate social infrastructure provision is made to support new developments. Barnet Local Plan Policy CS15 (Delivering the Core Strategy) seeks the use of planning obligations and funding mechanisms to support the delivery of infrastructure facilities and services to meet needs generated by new development and mitigate the impacts. Since the introduction of the borough's community infrastructure levy (CIL), CIL receipts from new development are expected to take the place of traditional individual s106 contributions towards the provision of necessary additional social infrastructure such as school places, healthcare facilities and leisure facilities. The Borough CIL receipt from this development is expected to be up to £1.5 million (final figure is subject to the application of CIL relief). Site specific works, such as highway infrastructure, landscaping and public realm and contributions to open space to mitigate the impacts of the development, are recoverable via the s106 agreement, as set out in paragraphs 306-315 below.

Principle of development conclusion

119 To summarise the overall land use principles, the development is not inappropriate development, as it meets one of the criteria for exceptional development as defined in the NPPF. The proposed built development is wholly on previously developed land, in line with the Planning Brief, and GLA officers consider that the development would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. GLA officers therefore consider that the proposals would not cause any harm to the Green Belt and are in accordance with the NPPF and London Plan Policy 7.16. This conclusion was also reached by Barnet Council officers. A residential-led, mixed use development on the site is consistent with the aims of strategic and local planning policy including London Plan policies 2.6, 2.15, 3.1, 3.3, 3.4, 3.7, 3.19, 4.1, 4.2, 7.1, 7.16, 7.18 Barnet Local Plan policies CS4, CS7, CS8, DM14, DM15 and the Planning Brief.

Housing

Affordable housing and financial viability

120 London Plan Policy 3.11 (Affordable housing targets) states that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London up to 2031. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale.

121 London Plan Policy 3.12 (Negotiating affordable housing on individual sites) requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Negotiations on sites should take account of their individual circumstances including development viability, resources available from registered providers (including public subsidy), the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.

122 Under Policy 3.12 it is set out in paragraph 3.71, that *“Developers should provide development appraisals to demonstrate that each scheme provides the maximum reasonable amount of affordable housing output. Boroughs should evaluate these appraisals rigorously, drawing on the GLA development control toolkit and other independent assessments which take account of the individual circumstances of a site, the availability of public subsidy and other scheme requirements.”*

123 On 16 August 2017 the Mayor published his Affordable Housing and Viability Supplementary Planning Guidance (SPG) which sets out his preferred approach to the delivery of affordable housing, introducing a threshold approach to viability, whereby schemes delivering 35% or more affordable housing (by habitable room) without public subsidy and in accordance with the proposed tenure split are eligible for a Fast Track Route. The document also sets out detailed guidance to the form and content of viability assessments and the requirements for review mechanisms. The Mayor has also launched a new Affordable Homes Funding Programme for the period of 2016-21 (November 2016), which introduced new affordable products, rent benchmarks and grant rates.

124 Barnet's Local Plan Policy CS4 (Providing quality homes and housing choice in Barnet) seeks a borough wide target of 40% affordable housing, subject to viability, on all sites capable of delivering ten or more units. An affordable housing tenure split of 60% affordable rent and 40% intermediate housing is sought.

125 Figure 5 sets out the affordable housing position over the course of the determination of the application. When the application was reported to Barnet's Committee in February 2017 and considered by the Mayor at Stage 2, it comprised 92 affordable units in the form of shared ownership units, equating to 20% of the scheme by unit or 17.7% by habitable room, plus a payment in-lieu of £4.56 million towards off-site provision of social rented accommodation to be delivered elsewhere within Barnet.

	Initial submission (July 2016)	Revised offer (November 2016)	Revised offer (January 2017)	Current proposal (August 2017)
Affordable Rent	0	0	Payment in lieu of £4.56 million	54
Intermediate Shared Ownership	0	92	92	131
Total	0	92 (20% by unit or 17.7% by habitable room)	92 + £4.56million (20% by unit or 17.7% by habitable room + £.4.56 million)	185 (40.2% by unit or 35.1% by habitable room)
<i>Notes:</i>		<i>Considered at Mayor's Stage 1 (December 2016)</i>	<i>Considered at Barnet Planning Committee (February 2017), Mayor's Stage 2 (May 2017)</i>	<i>Current proposal</i>

Figure 5: Affordable Housing history

126 At Stage 2, the Mayor made clear that all options for increasing on-site affordable housing should be explored. Since the Mayor's decision to take over the application in May 2017, GLA officers have sought to address the concerns raised at Stage 2 and to ensure full compliance with the Mayor's Affordable Housing and Viability SPG. GLA officers have worked with the applicant to secure additional affordable housing provision, introduce affordable rented provision and ensure all affordable housing is delivered-on site to reflect the approach within the Mayor's Affordable Housing and Viability SPG. The baseline affordable housing commitment has subsequently been increased to 35% by habitable room (40.2% by unit), and given the tenure split secured (discussed in paragraphs 128-131 below) is eligible to be dealt with under the Fast Track Route. This would be the minimum level of affordable housing that would be secured within the s106 agreement.

127 To summarise, the increased affordable housing offer comprises the following:

Affordable units	Number of units	% by unit	% by habitable room
Intermediate Shared Ownership	131	70.8%	70%
Affordable rent	54	29.2%	30.1%
Total (% of scheme)	185 (40.2%)	40.2%	35.1%

Figure 6: Affordable Housing breakdown

128 The proposed affordable housing meets the threshold target of 35% by habitable room as set out within the Mayor’s Affordable Housing and Viability SPG and Barnet Council’s adopted borough wide policy target of 40% of homes to be affordable. The Affordable Housing and Viability SPG (para 2.40) sets out the Mayor’s preferred tenure split as follows:

- at least 30 per cent low cost rent (social rent or affordable rent). London Affordable Rent should be the default level of rent, and should be assumed by applicants in the absence of alternative guidance from LPAs on the rent levels that they consider to be genuinely affordable.
- at least 30 per cent as intermediate products, with London Living Rent and/ or shared ownership being the default tenures assumed in this category.
- the remaining 40 per cent to be determined by the LPA taking account of the relevant Local Plan policy. Applicants should consider local policies and consult with LPAs to determine the relevant approach.

129 The Mayor’s preferred tenure split has three elements; the application comprises 30% London Affordable Rent and 30% shared ownership in accordance with the first two elements of the SPG. The remaining 40%, which is to be determined by the LPA, comprises shared ownership.

130 Whilst this is weighted towards intermediate provision, and the resultant total tenure split at 30:70 is at variance with Barnet Council’s adopted tenure split target of 60:40, as part of its assessment of the application, Barnet Council accepted 100% intermediate on-site against its local policies. The resultant tenure split should also be viewed in the context of the overall uplift in affordable accommodation that has been secured since the Mayor took over this application, with on-site affordable housing doubling from 92 units to 185 units. Furthermore, the introduction of London Affordable Rent, results in a genuine mix of affordable homes on-site.

131 On balance, given the addition of on-site London Affordable Rent, the significant uplift in affordable housing secured, and the Council’s conclusion that a 100% intermediate on-site proposal was acceptable in accordance with local policy, the application can be considered under the Fast Track Route. As such, an affordable housing review would only be triggered if an agreed level of progress has not been reached within 24 months of planning permission, utilising the review formulae within the Mayor’s Affordable Housing and Viability SPG.

132 The affordable rented housing would be provided at London Affordable Rent (LAR) level, and this would be secured through the s106 legal agreement:

Affordable rent	
One bedroom	£144.26 per week (exclusive of service charge)
Two bedroom	£152.73 per week (exclusive of service charge)
Three bedroom	£161.22 per week (exclusive of service charge)

Figure 7: London Affordable Rent (LAR) levels.

133 The income thresholds for the shared ownership units would be capped at a gross household income of £90,000, in line with London Plan Policy 3.10 (as updated by the July 2017 update to the 2015–16 London Plan Annual Monitoring Report (AMR)). Whilst this would be maximum income cap, the s106 agreement would secure housing at a range of income thresholds below the upper limit to ensure the housing is genuinely affordable, in line with the guidance within the Mayor’s Affordable Housing and Viability SPG (para.2.47), starting at £41,562 for 1-bed units, £65,087 for 3-bed units and £79,369 for the 3-bed units.

134 Details of the affordable housing would be secured in the section 106 agreement, should permission be granted. This would include details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, the income thresholds for the intermediate accommodation and rent levels for the affordable rented units. The rents and income levels specified within the S106 agreement would ensure that the affordable homes are genuinely affordable.

Housing mix and tenure

135 The application would provide 460 residential units, in the following housing mix:

Unit type	Private	Affordable		Total
		London Affordable Rent	London Shared Ownership	
One-bed	51	28	67	146
Two-bed	142	18	60	220
Three-bed	70	8	4	82
Four-bed	4	-	-	4
Five-bed	8	-	-	8
Total	275 (59.8%)	54 (11.7%)	131 (28.5%)	460

Figure 8: Proposed housing mix

136 London Plan Policy 3.8 and the Housing SPG promote housing choice in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. London Plan Policy 3.11 states that priority should be accorded to the provision of affordable family housing.

137 Barnet's Local Plan Policy DM08 (Ensuring a variety of sizes of homes to meet housing need) seeks to secure an appropriate mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough, with priority for homes of 3 and 4 bedrooms across all tenures.

138 The proposed housing mix provides a wide range of homes of differing sizes, predominantly one and two bedroom units, with 20.5% family sized housing. The larger homes are proposed to the north of the site, and would provide high quality family dwellings with gardens. All of the 2-bed units exceed 70 sq.m and are suitable for 4 people.

139 Barnet Council assessed the housing mix in its report to committee and officers concluded that the development would provide a good level of family housing and a suitable range of dwelling sizes and types to address housing preference and need. The applicant advises that the properties are suited to those 'downsizing' from larger homes in the Borough. It is noted that no reasons for refusal were cited by Barnet Council regarding the housing mix. Having regard to local need and the site circumstances, the proposed housing mix is acceptable and in accordance with London Plan and local policy.

Review mechanism

140 In line with the Fast Track Route of the Mayor's Affordable Housing and Viability SPG, if the development has not been substantially implemented within two years of the date of consent, a forward-looking review would take place which would analyse the development costs and values at the time of the review, capturing any uplift in viability towards the provision of additional affordable housing on the site, up to a level of 50% of the scheme.

Housing quality and residential standards

Density

141 London Plan Policy 3.4 (Optimising housing potential) requires development to optimise housing output for different locations taking into account local context and character, the design principles in Chapter 7 and public transport capacity. Barnet's Residential Design Guidance SPD (2016) makes reference to the density ranges within Table 3.2 of the London Plan, alongside local context, design, transport, accessibility and infrastructure.

142 Table 3.2 within the London Plan provides net residential density ranges to guide development. The public transport accessibility level (PTAL) of the site is 1b, and the site lies in an "suburban" setting, as defined by the London Plan. Consequently, Table 3.2 of the London Plan sets out an indicative density range of 35-75 units or 150-200 habitable rooms per hectare.

143 Measuring the density on the previously-developed southern portion of the site only (which is 9.4 hectares in area), the residential density would be 49 units per hectare or 144 habitable rooms per hectare. This sits within the indicative density range in the London Plan, when calculated by units, but falls slightly below the density range when calculated on a habitable room basis. Given the requirement to preserve openness of the Green Belt and open up views of the Green Belt, the density is considered to be wholly appropriate, and is supported.

Standard of accommodation

144 Policy 3.5 within the London Plan seeks to ensure that housing developments are of the highest quality internally, externally, and in relation to their context and to the wider environment. Table 3.3, which supports this policy, sets out minimum space standards for dwellings. The Mayor's Housing SPG builds on this approach, and provides further detailed guidance on key residential design standards including unit to core ratios, and the need for developments to minimise north facing single aspect dwellings.

145 Barnet's Local Plan Policies CS04 (providing quality homes and housing choice in Barnet), DM02 (development standards) and its Sustainable Design and Construction SPD (2016) require high quality new residential development and for development to meet the Mayor's Housing SPG standards.

146 Internal and external space standards: All units would meet the London Plan and Housing SPG internal space standards, and 2.5 metre floor-to-ceiling heights would be achieved. All units would have access to private outdoor amenity areas in the form of gardens, terraces or projecting balconies, which meet the Mayor's SPG external space standards. Barnet's Sustainable Design and Construction SPD has higher standards of 5 sq.m of private amenity spaces per habitable room for flats, and 70 sq.m and 85 sq.m of spaces for the houses with up to six and seven habitable rooms respectively. A total of 5,310 sq.m of private amenity space is provided for the houses, which far exceeds the requirements of 960 sq.m. The flats provide a total of 4,686.6 sq.m of private amenity space against a requirement of 9,265 sq.m. This shortfall of 4,578 sq.m was considered acceptable

by Barnet Officers given the development is also delivering 3,090 sq.m of communal amenity space for the flats, plus 155,560 sq.m of new publicly accessible open space. GLA officers concur with this assessment and consider the application to provide a good degree of private, communal and public spaces, which when considered together exceed London Plan and local policy requirements.

147 Layout, aspect and daylight: The majority of units are dual or triple aspect. The applicant's internal daylight and sunlight assessment demonstrates that 90% of the bedrooms and living rooms/kitchens meet the minimum Average Daylight Factor (ADF) recommended by the Building Research Establishment's guidelines (which form the industry standard for assessing appropriate natural lighting levels). The rooms which fall below the standards are all living/kitchen/diners on the lowest residential floors which are affected by the overshadowing effect of the projecting balconies to flats above. The flats fall just short of the recommended 2% ADF for rooms which include a kitchen, however they all meet or exceed the 1.5% ADF target for living areas. It should be noted that the proposals do not include non-daylit internal kitchens and the calculations are therefore based on the combined area of the open plan living/kitchen space which provides a deeper than usual floorplate. Barnet Officers assessed the proposals and concluded that the development would provide satisfactory levels of daylight and sunlight amenity for future occupants, and GLA officers agree with that conclusion.

148 All blocks would exceed the Mayor's SPG standard which aims for a maximum of eight units per core. Some of the internal corridors would not achieve natural light, but given the generally high quality of the accommodation overall it is not considered that this would compromise the living environment for future residents.

149 Outlook and privacy: Barnet Council's Residential Design Guidance SPD seeks to ensure that in all new residential developments there should be a minimum distance of 21 metres between properties with facing windows to avoid overlooking. Due to the clustering of some of the blocks, because of maximising visual permeability from The Ridgeway across the site and the need to reduce built form and protect the openness of the Green Belt, there are instances where the 21 metres separation distance is not adhered to. In these cases, blocks have been designed to avoid direct overlooking i.e. through orientation and layouts have been optimised to maximise dual aspect units. This element was considered by Barnet Council, and officers concluded that a condition securing obscure glazing for any affected units would satisfactorily address any issues. GLA officers concur with this assessment.

150 In summary, the scheme would deliver high quality residential accommodation, and the standard of the units is in broad compliance with London Plan policy and guidance, and local plan policies.

Open space and play space

151 London Plan Policy 3.5 sets out expectations in relation to quality and design of housing development, to include public, communal and open spaces. Policy 3.6 requires developments that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Guidance on the application of this policy is set out in the 'Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG'. This sets a benchmark of 10 sq.m. of useable child play space to be provided per child, with under-fives play space provided on-site as a minimum (within 100 metres walking distance from a residential unit). Provision for 5-11 year olds should be provided within 400 metres of residential units and provision for over-12s should be provided within 800 metres.

152 Barnet's Local Plan Policy DM02 (Development standards) seeks play space provision in line with London Plan Policy 3.6.

153 Using the methodology in the Mayor's SPG and in view of the revised affordable housing mix, the scheme would generate a child yield of approximately 101 children, of which 55 would be under five. As such, to meet the SPG, 1,010 sq.m. of playspace should be provided, including 505 sq.m. of dedicated doorstep play space for under-fives. The scheme currently includes 465 sq.m. of doorstep play space for under-fives, and 11,203 sq.m of accessible open space for all ages, which includes trim trail and sports pitches. The shortfall in doorstep play space for under-fives is a direct consequence of the increased affordable housing offer secured by GLA officers following the Mayor's decision to act as Local Planning Authority. The extra 50 sq.m of playspace for under-fives required can be accommodated within the significant quantum of open space already secured, and its detailed delivery would be secured through condition.

154 Further discussion on the landscaping proposals is contained in the urban design section below.

Urban design and heritage

155 The NPPF (at paragraph 56) states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 63 states that, in determining applications, great weight should be given to outstanding designs which help raise the standard of design more generally in the area. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, Chapter 7 of the London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. Policy 7.1 (Lifetime neighbourhoods) sets some overarching design principles for development in London. Other relevant design policies in this chapter include specific design requirements relating to: inclusive design (Policy 7.2); designing out crime (Policy 7.3); local character (Policy 7.4); public realm (Policy 7.5); architecture (Policy 7.6); tall and large scale buildings (Policy 7.7) and heritage assets (Policy 7.8). These are discussed more specifically below.

156 Barnet's Local Plan Policy CS5 (Protecting and enhancing Barnet's character to create high quality places) seeks to ensure that development in Barnet respects local context and distinctive local character to create places and buildings of high quality design and protect and enhance Barnet's heritage including conservation areas, listed buildings and locally listed buildings. Local Plan Policies DM01 (Protecting Barnet's character and amenity), DM02 (Development standards), DM05 (Tall buildings) and DM06 (Barnet's heritage and conservation) are all relevant.

157 The Planning Brief includes additional detailed guidance on design parameters for the site including indicative developable areas and a site frontage line to The Ridgeway.

158 The Mill Hill Conservation Area Appraisal (2008) classifies the existing NIMR Main Building as a negative feature within the Conservation Area due to its inappropriate height, scale and prominent siting, which fails to enhance the character of the area.

159 The scheme has been considered in detail at pre-application stage, during the initial Stage 1 consideration by the Mayor, and by the Council in reporting the application to Committee.

160 As set out in Paragraph 28, Barnet's first reason for refusal specifically addresses design, notably that the modern residential design and the use of flat roofs is considered to be out of character with the Mill Hill Conservation Area, and that the proposed development is considered to have a negative impact when viewed from the Green Belt land to the north.

Layout and masterplanning

161 The centrepiece of the scheme would be the rebuilt Cruciform building, fronting The Ridgeway. The ‘wings’ of the existing Cruciform would be separated from the main building to open up views from The Ridgeway, across the site and to the Green Belt beyond in the north. The Council’s adopted Planning Brief envisages that proposals on the site would “improve, retain, re-use or re-build as per the original the distinctive Main Building, in whole or part”. The applicant has considered the retention of the existing building but has found that it would be inefficient to convert the building into quality residential units, whilst retaining the features of interest. The proposed demolition and rebuild has the potential to create a building of higher quality whilst retaining a local landmark.

162 The remainder of the development is proposed in 18 individual blocks, mostly built above podium levels, plus a row of 12 detached houses to the north of the site. A key factor influencing the design of the scheme has been the need to preserve the openness of the Green Belt. As such, the layout has been developed with the intention of clustering the blocks into groups or “character areas”, to create a high degree of visual permeability through the site, with careful regard to opening up key viewpoints from the Ridgeway, which are obscured by the existing built form. This would aid in enhancing the open character of the Green Belt. The layout also includes a large amount of open space and soft landscaping within the developed area, which significantly improves the quality of the landscape.

163 As set out in the site description, the site is subject to a significant drop in levels from south to north. The sloping ground offers the opportunity to create terraces of development, containing and concealing most of the car parking below ground. This significantly reduces the amount of required hardstanding and maximises the potential for landscaped open space within the scheme. The landscape strategy shows that where terracing is required, this would be fluidly curved and heavily planted to ensure a soft edge to the rising levels. This would help to link the site into the semi-rural character of the Green Belt land to the north.

Landscaping

164 The layout is underpinned by a landscaping strategy which seeks to create high quality, visually pleasing and functional spaces appropriate to each “character area”. The landscaping would allow for formal and informal playspace, seating and soft landscaping and planting, creating an attractive setting for the residential blocks. Private amenity areas would also be provided for the houses.

165 The land at the north of the built area of the site would be planted with native species and wildflowers, creating biodiverse areas in line with London Plan Policy 7.19 (Biodiversity) and Barnet Local Plan Policy DM16 (Biodiversity).

166 Vehicular access through the site would be provided via a calmed shared surface with a separate pedestrian footway on either side. Parking would be separated from the landscaped amenity areas by being accommodated alongside the central street and in courtyards at the ends of the blocks. Parking areas would be overlooked by residential windows and the majority of car parking would be within basements, ensuring that the site is not visually dominated by surface parking.

167 The applicant’s Design and Access statement highlights the opportunity for public artwork to be placed within the buildings and proposed public accessible open spaces to reflect the medical research history of the site.

168 Conditions would secure the quality of the landscape design and surface materials.

Summary of masterplanning principles

169 The illustrative masterplan shows a layout and landscaping proposals which optimise the development capacity of the site, whilst restricting development to those parts of the site which constitute previously developed land, and opening up views across the site to the Green Belt to the north. The proposed layout is thus supported.

Height and massing

Tall buildings and massing analysis

170 The existing building at 9-storey is identified as a tall building within Barnet 's Local Plan, which defines tall buildings of 26 metres or 8 storeys or more in Policies CS5 (Protecting and enhancing Barnet's character to create high quality places). Proposals for the redevelopment or refurbishment of tall buildings are required to make a positive contribution to the townscape, as per Policy DM05 (Tall buildings).

171 The London Plan (Policy 7.7 'Location and design of tall and large buildings') sets out the strategic policy with regard to tall buildings. The Mayor will promote the development of tall buildings where they create attractive landmarks enhancing London's character and help to provide a catalyst for regeneration where they are acceptable in terms of design and impact on their surroundings.

172 The massing strategy for the site has been carefully considered in line with the above policies. The proposals would position the tallest building (to replace existing) on The Ridgeway. The scale of the buildings would then reduce in the northern part of the site, down to the lower 2.5 storey houses positioned alongside the wider Green Belt, and step down to respond the eastern and western boundaries of the site to respect existing properties along Burtonhole Lane, The Ridgeway and St Vincent's Lane. It is noted the massing of Block F1 was revised during the course of the application, following discussions with Barnet officers, when the application was being considered by themselves. In this respect, the massing strategy is considered to respond appropriately to the sensitivities of the site.

173 The impact of the proposals on the local townscape, heritage assets and views from open spaces has been fully considered within the applicant's Townscape, Heritage and Visual Impact Assessment (THVIA), which has been submitted as part of the Environmental Statement. The THVIA has used Accurate Visual Representations (AVRs) to assess the proposal's impact on the following key townscape, heritage and visual receptors:

- Townscape Receptors – The Ridgeway, Burtonhole Lane, St Vincents Lane and Totteridge Common;
- Heritage Receptors (Conservation Areas) – Mill Hill Conservation Areas;
- Heritage Receptors (Listed Buildings) – St Vincents Convent and Chapel, Lodge to the Priory, Parkfield Cottages, The Mount School, The Farmhouse (Grade II). The Priory is also a locally listed building.
- Visual Receptors – the following 26 views:
 - View 1: The Ridgeway, at entrance to Watch Tower House;
 - View 2: The Ridgeway, looking towards the Cruciform Main Building;
 - View 3: The Ridgeway, opposite the entrance to the NIMR;
 - View 4: The Ridgeway, outside Wentworth Cottage;
 - View 5: The Ridgeway, opposite Rhodes Farm;
 - View 6: The Ridgeway, junction with Millspit Hill;

- View 7a: Burtonhole Lane, at junction with Ridgeway, looking up Burtonhole Lane, on south pavement;
- View 7b: Burtonhole Lane, near junction with Ridgeway, looking up Burtonhole Lane, on south verge;
- View 8: The Ridgeway, junction with Burtonhole Lane, looking up Burtonhole Lane;
- View 9: Burtonhole Lane junction, looking north;
- View 10: Burtonhole Lane, junction with Eleanor Crescent;
- View 11: Burtonhole Lane;
- View 12: St Vincents Lane south, looking north;
- View 13: St Vincents Lane south, looking east;
- View 14: St Vincents Lane centre, looking east;
- View 15: St Vincents Lane north, looking east;
- View 16: St Vincents Lane north, looking south;
- View 17: Close view from former NIMR boundary fence;
- View 18: Mill Hill Cemetery;
- View 19: Totteridge Common, entrance to Fairlawn Cottage;
- View A: Distant view from public footpath to north of Site close to its junction with Totteridge Common;
- View B: Mid-distance view from public footpath to north of Site;
- View C: Mid-distance view from public footpath to north east of Site;
- View D: Mid-distance view from public footpath along Folly Brook to north of Site;
- View E: Close view from north of cricket club to north of Site;
- View F: Close view from north of Site;
- View G: Mid-distance view from public footpath to north west of Site.

174 Officers are satisfied that the applicant's THVIA has presented accurate views from all relevant vantage points to enable a full assessment of the proposals and their impact.

175 The existing 9-storey Cruciform building is extremely prominent in all views and is a long-established local landmark of nearly 80 years, which is reflected within the wording of the Conservation Area Appraisal. The replacement building is the same height as existing and has been designed to reflect the unique form and style of the existing building. The 'wings' of the building are slightly higher by 2.3 metres; however the slight increase in height is not considered to be material and would enable enhanced floor to ceiling heights within the residential accommodation. Barnet's officers also assessed the proposed increase in height and considered this to be comparatively minimal and therefore acceptable. The form of the replacement building would respond positively to the surrounding townscape and landscape features and would provide appropriate termination to views.

176 In terms of the impact on the identified townscape and visual receptors, the proposals do impact on certain views within the local townscape and landscape, particularly in the winter months when landscape screening would be less dense. Views from St Vincent's Lane (Views 14,15/16 and 17) all noticeably indicate that the new blocks would be visible from within the Conservation Area. An assessment of the impact of the development on these views is provided in paragraphs 196-204.

177 The impact of the proposed development from the Green Belt vantage points to the north (View E) formed part of Barnet Council's reason for refusal. The Planning Brief states that *'the development should seek to take advantage of the topography and the landscaping so that, with the exception of the Main Building, development nestles within the existing and enhanced landscaping'*. Barnet Council's Heritage Officer considered that the proposed development would have an 'imposing impact' on the Green Belt from View E in the winter view. Barnet Council's Urban

Design Officers and Planning Officers supported the proposals, highlighting that height had been reduced through pre-application amendments, and landscape screening had been increased.

178 In assessing the proposal, it is noted that views from the north, notably View E, show just over two storeys of the proposed blocks G1, G2 and F1 (excluding the Main Building) would appear above the tree line during the winter months, but this effect would be lessened to one storey in the summer months, and would invariably improve as the new landscaping matures. The existing views also illustrate that the existing cruciform wings to the NIMR building and ancillary blocks do appear in View E, in its current state, and cannot be said to 'nestle' amongst the landscaping. Since the application was taken over by the Mayor, the applicant has revised the landscaping scheme to retain more of the existing landscaping across the northern boundary, and is also proposing the planting of additional semi-mature trees to provide further screening. A planning balance needs to be struck between redeveloping the previously developed elements of this redundant site, delivering new homes, and more particularly, new affordable homes and ensuring that London's Green Belt is used to meet the recreational needs of Londoners. With conditions and s106 clauses securing the detailed design, input from scheme architects and use of high quality materials and finishes on the proposed blocks, GLA officers consider that the proposed impact of the development would not be harmful to this view.

179 To conclude on the massing and height principles, the tallest building is appropriately positioned, in replacing the existing tall building. The massing of the proposals responds sensitively to the proximity and openness of the Green Belt reducing the scale to the north, and positioning lower scale buildings on the eastern and western side of the site to respond to Burtonhole Lane and St Vincent's Lane. The high quality of the architecture and the distinctive form of the tall building would create a landmark residential-led development, and this combined with the significantly improved links, increased permeability and the opening up of views from The Ridgeway to the Green Belt created by the proposals, would contribute positively towards the wider area.

180 Subject to detailed design and architectural quality, which is considered below and would be secured by condition and legal agreement, the principle of height and massing is supported. The impact on heritage is considered separately in paragraphs 187-208 below.

Detailed design and architecture

181 In compliance with the Planning Brief, the Main Building takes its cue from the notable features and positive elements of the existing landmark Cruciform building. The proposed design and detailing is high quality and considered to be a successful solution for the site.

182 The remainder of the proposed blocks and houses are more contemporary in their nature, but would be constructed in a palette of bricks to complement the materials of the Main Building and reflect the predominant use of brick throughout the Conservation Area.

183 It is noted that one of the Council's reason for refusal refers to the proposed use of flat roofs on the blocks, which are considered to be out of character with the Mill Hill Conservation Area. In their Committee Report, Barnet Council's Planning Officers detail that there were a number of discussions around whether the residential blocks and house should have flat roofs or pitched roofs at pre-application stage. Barnet Council's Planning Officers considered the use of flat roofs was preferable, highlighting that pitched roofs would result in increased height and a greater visual impact than flat roofs and the use of flat roofs would minimise the visual impact of the scheme on the Green Belt and Mill Hill Conservation Area. Barnet's Planning Officers also considered flat roofs would offer the opportunity for biodiverse green roofs. Barnet's Planning Officers were further concerned that pitched roofs would be out of scale with the residential block dimensions and would compete with the roof of the Cruciform building and its local landmark status. Barnet's Planning Officers did not consider pitched roofs to be a defining characteristic of this particular part of the

Mill Hill Conservation Area, highlighting examples of nearby flat roofed buildings at Wentworth Hall, Ibsa House, Watchtower House, Milbrea, Mill Hill School and St Paul's School.

184 In assessing the issues, GLA officers consider that there are a variety of building styles and materials developed over many years within the Conservation Area as referenced within the Conservation Area Appraisal. Historic England recognise in their response, that there is no dominant building style within the Mill Hill Conservation Area. As highlighted by Barnet Council's Planning Officers, there are several flat roofed buildings throughout the Conservation Area, reflective of the variety of styles and age of buildings within the Conservation Area, including a number of the existing buildings on the site and immediately opposite the site on the southern side of The Ridgeway at Wentworth Hall.

185 Having reviewed the existing buildings within the Conservation Area, the Conservation Area Appraisal and the comments from the Planning, Urban Design and Heritage officers at Barnet Council, GLA Officers do not consider the use of flat roofs in the proposed development to be inappropriate. The use of flat roofs reduces the visual impact of the proposed blocks in long-range views and allows for the use of biodiverse green roofs and photovoltaic panels to reduce carbon emissions. In line with the Planning Brief, GLA Officers consider that the defining focal point for this development should be the distinctive pitched copper roof of the Main Building, which replicates the existing Cruciform building. Applying pitched roofs to the remainder of the site would compete with the Main Building, and it is considered would undermine its local landmark status.

186 Planning conditions would ensure that a high quality of detailing and materials would be implemented in the completed development. A proposed s106 clause would also secure the involvement of the scheme's architect on the detailed design of the project, to provide assurance that the design quality would be delivered as presented in the application submission.

Heritage

187 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings section 66 of the act states that all planning decisions should "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*".

188 Pursuant to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, planning decisions must also give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development.

189 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise." The case also makes it clear that there is a strong presumption against granting planning permission that would harm the character and appearance of a conservation area.

190 The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Significance can be harmed or lost through the alteration or destruction of the heritage asset or development within its setting. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use value.

191 In relation to locally listed buildings, which are classified as a non-designated heritage assets, paragraph 135 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be considered when determining an application and a balanced judgement would be required having regard to the scale of any harm or loss and the significance of the heritage asset.

192 Criterion D of Policy 7.8 of the London Plan states “*Development affecting heritage assets and their setting should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail*”. The supportive text explains that development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character.

193 Barnet Local Plan Policies CS5 (Protecting and enhancing Barnet’s character to create high quality places), DM01 (Protecting Barnet’s character and amenity) and DM06 (Barnet’s heritage and character) require the conservation of the historic significance of Barnet’s heritage assets, their setting and the wider historic environment.

194 The southern area of the site is within the Mill Hill Conservation Area, as a consequence all of the existing buildings falls within the designation, and all of the proposed buildings would also sit within the designation. There are five statutorily listed buildings and one locally listed buildings within 300 metres. Figures 9 and 10 below show the locations of the nearest conservation areas and listed/locally listed buildings.

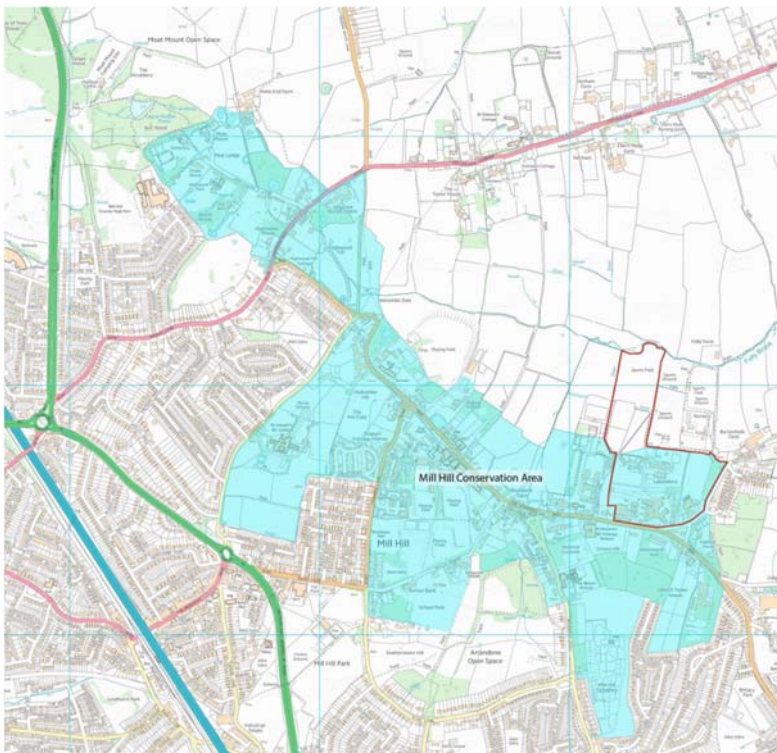


Figure 9 – Mill Hill Conservation Area (shaded in blue), site outlined in red.



Figure 10 – listed and locally listed buildings within 300 metre radius:

Listed buildings (Grade II):

1. St Vincent's Convent and Chapel
2. Lodge to the Priory
3. Parkfield Cottages
4. The Mount School
5. The Farmhouse

Locally listed buildings:

- The Priory (adjacent to 2)

195 The applicant has carried out an assessment of the impacts of the proposals on heritage assets as part of the Townscape, Heritage and Visual Impact Assessment (THVIA) within the Environmental Statement (ES), and have assessed the impacts on each heritage asset which could be affected as outlined in paragraph 173 above. Officers are satisfied that these assessment points form a comprehensive basis from which to assess the proposals' impact on heritage assets.

Mill Hill Conservation Area

196 The southern area of the site falls wholly within the Mill Hill Conservation Area. The Conservation Area was designated in 1968, approximately 30 years after the NIMR was built and the Mill Hill Conservation Area Appraisal (2008) classifies the existing NIMR Main Building as a negative feature within the Conservation Area due to its inappropriate height, scale and prominent siting, which fails to enhance the character of the area.

197 That said, the adopted Planning Brief (2016) sets out the Council's desire to retain or rebuild the Main Building in part or in whole, and states there are opportunities to enhance the Main Building through the removal of unsympathetic extensions and additions added to the building, including flues, pipes, plant and cabling over its lifetime as a research institute. The Council goes on to say that any replacement building would have the capacity to address poor architectural details and additions which have contributed to the negative effect of the building on the Conservation Area, whilst incorporating key elements of the design of the existing building including the roof, the form of the building and the architectural detailing to maintain a landmark building and focal point for the Conservation Area and beyond.

198 The submitted AVRs show that the replacement Main Building would remain prominent in views within and outside of the Conservation Area; however the replacement building is considered

to meet the objectives of the Planning Brief, replicating features of the current building, including the distinctive roof, and removing some of the unsightly structures and additions which somewhat blight the appearance of the existing building.

199 Aside from the Main Building, there are 18 separate residential blocks, ranging in height from 3 to 6 storeys and 12 detached houses of 2.5 storeys. The combination of topography, retained landscaping, and proposed landscaping, would screen much of this new development, but the AVRs illustrate that the proposed buildings would be visible from within the Conservation Area (notably Views 14 and 15/16 from St Vincent's Lane, and View 8 from The Ridgeway). As set out above these proposed buildings would also appear in views from the north, but these views are outside the Conservation Area.

200 Given the site's size and prominence within the Conservation Area, it is somewhat inevitable that any development and change of use of the site would have an impact on the wider Conservation Area. Historic England have commented on the application and have remarked that the density and design of the proposed buildings would make a significant change to this part of the Conservation Area. As a consequence they conclude that the proposal would reduce the semi-rural feel of the area and the proposals would cause some harm to the Conservation Area. These views were echoed by Barnet Council's Heritage and Conservation Officer who concluded that there would be harm to the significance of the Conservation Area by virtue of the number, scale and close grouping of the replacement buildings. The Heritage and Conservation Officer confirmed that there is no in principle objection to the proposed replacement of the 'cruciform' building with a new building of a similar design, scale and siting.

201 In assessing the proposals, GLA Officers consider that the replacement Main Building, which is of a similar design, scale and siting to the existing Cruciform, would not harm the Conservation Area.

202 One of the key characteristics of the Conservation Area, are the breaks in built form along the raised Ridgeway, where views across the open land (and Green Belt) open up to the north and south beyond. The proposed development would similarly open up views across the site, and this is considered to be an enhancement to the Conservation Area.

203 The Mill Hill Conservation Area Appraisal states that all hedges, trees and planting make a very important contribution to the character of the Conservation Area. Barnet Council officers considered the loss of mature oak trees within Group G37 on the eastern boundary of the site to be unacceptable and noted that trees should be retained on the western, eastern and northern boundaries of the site. The loss of trees and their replacement is considered in further details in paragraphs 233-237 below; however the scheme has been revised to retain a greater quantum of those trees, including Group G37 on the eastern boundary and the northern boundary of the site. Loss of trees has been minimised around the boundaries of the site, the majority of the removals are within the site itself, and the proposed losses are not considered to harm the Conservation Area.

204 However, GLA Officers agree that the proposed density and concentration of new buildings is a significant change to the character of the wider Conservation Area; Views 14, 15/16 and 17 taken from St Vincent's Lane all illustrate a dense collection of buildings. It is accepted that the concentration is somewhat driven by the need to reduce the impact on the Green Belt and opening up views across the site, but, on balance, the proposals, by nature of their scale and close grouping, would cause some harm. This harm is considered to be less than substantial and outweighed by the following public benefits:

- The delivery of 185 affordable homes;
- The provision of new 155,560 sq.m publicly accessible open space and sports pitches; and

- Enhanced public access to the Green Belt.

Listed buildings

205 As illustrated in Figure 10, there are several Listed buildings within a 300 metre radius of the site, including St Vincent’s Convent and Chapel (Grade II) and Lodge to the Priory (Grade II) to the west of the site, The Mount School (Grade II) and Parkfield Cottages (Grade II) to the south west of the site and The Farmhouse (Grade II) at Burtonhole Farm to the north east of the site.

206 The impact of the proposals on these listed building has been considered. Due to the combination of topography, landscape, existing built form and the location of the proposed buildings, there is no harm to the setting or significance of these Listed Buildings.

Locally listed buildings

207 As illustrated in Figure 10, The Priory, adjacent to the listed Lodge, is a locally listed building. Again, due to the combination of topography, landscape, existing built form and the location of the proposed buildings, there is no harm to the setting or significance of this locally listed building.

Conclusion on heritage assets

208 In assessing the proposals, GLA officers conclude the harm identified, namely the impact of the development on the Mill Hill Conservation Area, would be less than substantial and would be outweighed by the public benefits of the scheme including the delivery of a significant proportion of affordable housing, the provision of new publicly accessible open space and sports pitches and enhancing public access to the Green Belt. In coming to these conclusions GLA officers have taken account of the statutory duties contained in The Planning (Listed Buildings and Conservation Areas) Act 1990 and the strong presumption against granting planning permission that would harm the character or appearance of the Conservation Area. It is considered that proposals comply with London Plan Policy 7.8 and Barnet Local Plan Policies CS5 (Protecting and enhancing Barnet’s character to create high quality places), DM01 (Protecting Barnet’s character and amenity) and DM06 (Barnet’s heritage and character).

Designing out crime

209 Policy 7.3 of the London Plan seeks to ensure that measures to design out crime are integral to development proposals and considered early in the design process. A number of criteria are set out in this policy regarding reducing opportunities for criminal behaviour and contributing to a sense of security without being overbearing or intimidating. Barnet Local Plan Policy CS12 (Making Barnet a safer place) aims to tackle crime, fear of crime and anti-social behaviour and requires developers to demonstrate that they incorporated designed principles which contribute to community safety in all new development. Local Plan Policy DM02 (Development standards) seeks compliance with Secured by Design.

210 The illustrative masterplan for the scheme has carefully considered the interaction of the buildings with the public realm; streets have continuous frontages to pavements and roads, with residential properties and habitable rooms overlooking shared communal spaces and shared parking areas to ensure passive surveillance.

211 The applicant has engaged in discussions with the Metropolitan Police Crime Prevention Officer (PCPO) who has provided advice in relation to Secured by Design principles, in terms of the layout, orientation and surveillance of public spaces, provision of defensible amenity space,

elimination of 'blind corners; surveillance of block entrances and street lighting. The PCPO has confirmed that the scheme is generally acceptable in terms of crime prevention and that the development is well designed. GLA and Barnet Council officers concur with this assessment.

212 A condition is recommended to ensure that the scheme achieves Secured by Design accreditation. As such, the proposals are acceptable with respect to designing out crime and comply with London Plan Policy 7.3 and Barnet polices CS12 and DM02.

Conclusion on urban design and heritage

213 In summary, the masterplanning principles for the scheme are well-considered, respond to the development principles outlined in the Council's Planning Brief and achieve a high quality of placemaking. The massing strategy responds to the sensitivities of the site including the Green Belt and designated and non-designated heritage assets. The proposed tall building is appropriately located, and replaces the existing. In assessing the proposals, GLA officers conclude the harm identified, namely the impact of the development on the Mill Hill Conservation Area, would be less than substantial and would be outweighed by the public benefits of the scheme including the delivery of a significant proportion of affordable housing, the provision of new publicly accessible open space and sports pitches and enhancing public access to the Green Belt. The quality of the design, architecture and materials would ensure a distinctive and high-quality landmark development which would contribute positively towards achieving the aims of the Planning Brief. With reference to the Council's proposed refusal reason and the suitability of the proposed flat-roofs, this is discussed in detail in paragraphs 183 -186. In agreement with Barnet Council Planning officers, GLA officers do not consider the use of flat-roofs, as opposed to pitched roofs, to be harmful to the Mill Hill Conservation Area, which has a variety of building styles and materials, or the Green Belt to the north. It also allows for the cruciform building to maintain its prominence in accordance with the Council's Planning Brief.

214 The applicant's commitment to ensuring a high standard of design quality is welcomed and maintaining the input of the scheme architects, or those of similar calibre, as the project architects on the scheme post-planning would be secured through the s106 legal agreement.

Inclusive design

215 London Plan Policy 7.2 (An inclusive environment) requires that all future development meets the highest standards of accessibility and inclusion, and that the design process has considered how everyone, including those with disabilities, older people, children and young people, will be able to use the places and spaces that are proposed. London Plan Policy 7.6 (Architecture) requires that buildings and structures meet the principles of inclusive design, and Policy 3.8 (Housing choice) requires that ninety percent of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and ten per cent of new housing meets Building Regulation requirement M4(3) 'wheelchair user dwellings', that is, designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Barnet Council's Local Plan Policy DM02 (Development standards) also seek to ensure 10% of new homes are wheelchair accessible or easily adaptable.

216 The applicant has provided an Access Statement within the Design and Access Statement which focuses on the inclusive design measures within the proposed application, notably the challenges of the topography of the site and how these would be mitigated.

Accessible homes

217 All residential units would meet Building Regulation requirement M4(2). A total of 46 dwellings would meet Building Regulation M4(3), representing 10% of the units in the scheme, and the wheelchair accessible/adaptable homes are provided across the full range of tenures and unit sizes.

Public realm

218 The site has significant level changes across the site with a 37 metre fall from The Ridgeway in the south, to the sports pitches in the north. This level change has influenced the design and layout of the proposals and this is set out within the detailed Access Statement, including ensuring no gradients on key pedestrian routes exceed 1:21. Whilst the vehicular routes would be a shared surface, there would be a separate footway on both sides of the routes, ensuring that there would be no conflict between vehicles and pedestrians. The public realm has been designed to be inclusive to all users, including adequate illumination and tactile and visual aids for navigation to entrances.

Car parking

219 The overall development would include 535 car parking spaces, of which 46 would be reserved as Blue Badge accessible parking spaces, equating to one space per M4(3) unit, in accordance with London Plan parking standards set out in Table 6.2. Two of the 19 commercial spaces also should be reserved for Blue Badge holders. The accessible car parking provision thus complies with London Plan policy. A car park management strategy, which would detail the number, location, design and allocation of Blue Badge car parking spaces would be secured by condition.

Neighbouring amenity impacts

220 A core principle of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan Policy 7.6 (Architecture) states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. London Plan Policy 7.7 (Location and design of tall buildings) states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference. London Plan Policy 7.15 (Noise) seeks to reduce and manage noise associated with development.

221 Barnet's Local Plan Policies CS5 (Protecting and enhancing Barnet's character to create high quality places), DM01 (Protecting Barnet's character and amenity), DM02 (Development standards) and DM05 (Tall buildings) and DM06 (Barnet's heritage and conservation) all seek to protect Barnet's character and the amenity of existing residents. The Residential Design Guidance SPD and Sustainable Design and Construction SPD are also relevant considerations.

Privacy and light pollution

222 Barnet Council's Residential Design Guidance SPD seeks to ensure minimum distances of 21 metres between properties with facing windows and balconies to habitable rooms.

223 In this case, all the existing residential buildings along Burtonhole Lane, The Ridgeway and St Vincent's Lane are a minimum of 21 metres from the proposed residential blocks and houses. The exception is House H1 at the north-west corner of the site, which is between 16.5 metres and 18.5 metres from the adjoining Belmont Riding Stables, with a public footpath inbetween. There are no

windows on the side elevations of the Stables and the window on the upper levels of proposed House H1 would be a landing window on the stairs. There is also a dense tree belt along this boundary between the two properties, and GLA officers have concluded that the combination of design and the retained vegetation would appropriately mitigate any issues.

224 Comments have been raised by the Mill Hill Preservation Society and properties on Burtonhole Lane in relation to the potential for overlooking from the revised orientation of Blocks K2 and J3 into these properties. These existing properties are 36 - 45 metres away from Blocks K2 and Blocks J3, with mature trees and vegetation also forming a natural screen further mitigating any impact on privacy. This is significantly more than the 21 metres distance referred to in Barnet's SPD, the proposed building line is the same as the existing building line, and the development would have no demonstrable harmful impact on privacy to existing homes.

225 Comments have also been raised in relation to light pollution from Block K2 on the Burtonhole Lane properties. There are existing MRC office buildings in this location, which would have been illuminated when they were being occupied as places of work. GLA Officers do not consider there would be a demonstrable harmful impact on existing homes between the existing situation, and that proposed. The detail of the external lighting scheme, such as the position and angles of lighting for the internal access road and parking areas would be secured by condition, and this would include the consideration of impacts on existing and proposed residential properties and ecology.

226 The impact on privacy to the proposed units within the scheme itself has been addressed at paragraphs 144-150 above.

Noise

227 Chapter 7 of the applicant's ES reports on the findings of the likely noise and vibration effects of the proposed development during both the construction and operational phases.

228 During the construction phase, there would inevitably be some abnormal noise caused to nearby residential properties caused by construction activities and vehicles. These impacts would be temporary, confined to normal working hours (8am to 6pm) and can be controlled through the implementation of mitigation measures outlined in the Construction Environmental Management Plan (CEMP) (covering hours of works, Code of Considerate Practice, use of Best Practicable Means, erection of hoardings etc). The submission and implementation of the CEMP would be secured by condition, as well as hours of working.

229 During the operational phase, potential noise impacts from the development on existing neighbouring properties are likely to be confined to noise from plant and services for the commercial uses, including gym equipment. Conditions are proposed which limits noise from plant to be at least 5dB below background noise level, measured at the nearest residential premises, as well as conditions to secure anti-vibration mounts for equipment, to protect the amenity for existing and future residents. These measures would ensure that any potential noise impact can be appropriately controlled and mitigated.

Neighbouring amenity impacts conclusion

230 The proposals would have not have an unacceptable impact on the residential amenity of existing residents close to the site, and the proposals thus comply with London Plan Policies 7.6, 7.7 and 7.15, and Barnet Policies CS5, DM01, DM02 and DM05.

Trees

231 London Plan Policy 7.21 (Trees and woodlands) supports the retention of existing trees of value and the planting of additional trees where appropriate. Barnet Local Plan Policy DM01 (Protecting Barnet’s character and amenity) seeks the protection, management and maintenance of existing trees and the planting of additional trees where appropriate.

232 The applicant has submitted an Arboricultural Impact Appraisal within the Environmental Statement. There is a large number of existing trees on the site, totalling 2,994. Much of these were planted by the NIMR over the years to screen new buildings and surface car parking. Of the 2,994 trees on the site, just 3 of these are classed Category A (the highest quality and value) and all of these would be retained. The remainder are classified as Category B (moderate quality and value) and Class C or U (low quality or dying).

233 Barnet Council’s second reason for refusal related to the proposed loss of trees of special amenity value (refer to paragraph 28). Explicit references were made by Barnet’s Tree Officer in the Committee Report to the proposed loss of mature oak trees within Group G37 (Category B), along the eastern boundary of the site, adjoining Burtonhole Lane. Since the application was taken over by the Mayor for his determination, GLA officers have worked with the applicant exploring revisions to the scheme to retain more trees on the site, and look at the design of the proposed access road to reduce the impact on the trees within Group G37. The submitted revisions have amended the access road, surface car parking and the ‘woodland cluster’ blocks of J1, J2, J3, K1 and K2 to remove any tree loss within Group G37. The application considered at Barnet Council’s Committee resulted in the removal of 50 trees within Group G37; however the subsequent revisions secured in response to the reason for refusal ensure all 50 trees, including the mature oak trees, within Group G37 on the eastern boundary woodland would now be retained. Figure 11 sets out the revisions.

	Tree removals	Proposed new trees	Category A retentions	Notes
Planning Submission (July 2016) <i>Considered at Barnet Planning Committee in February 2017</i>	507	748	3 of 3	Group G37 (50 trees) removed.
Current submission (revised August 2017)	388	839 (including 100 semi mature trees)	3 of 3	Group G37 (50 trees) retained

Figure 11: Tree revisions

234 Overall, the proposal would see the loss of 388 of the 2,994 on the site (equating to 13%). None of the trees lost would be of the highest value (Category A). These tree losses would be replaced by 839 trees, including 100 semi-mature trees. Overall there would be a 15% increase in the number of the trees on the site.

235 On balance, the loss of existing lower-category trees is acceptable, given these have been minimised with the subsequent revisions, have sought to exclude removals around the sensitive boundary area of the site, and there would be net increase in tree coverage on the site. Conditions are recommended to ensure that the existing trees to be retained are protected during construction

works, and replacement trees are native species. Overall, the proposals would thus enhance the tree cover and the biodiversity value of the site.

Natural environment

236 London Plan Policy 7.19 (Biodiversity and access to nature) states that wherever possible, development should make a positive contribution to the protection, enhancement, creation and management of biodiversity. It gives the highest priority to protecting sites of international importance (including SPAs and Ramsar sites) and national importance (including SSSIs). The policy gives “strong” protection to sites of metropolitan importance. Barnet Local Plan Policy DM16 (Biodiversity) seeks the retention, enhancement and/or creation of biodiversity.

237 As set out in Paragraph 14, the site itself does not fall within any designations of nature conservation interest, however there are 3 Sites of Metropolitan Importance (SMIs) and 14 Sites of Importance for Nature Conservation (SINCs) within 2 kilometre of the site, including Folly Brook and Darland’s Lake Nature Reserve (Grade I SINC) located on the northern boundary of the site and Drivers Hill and Burtonhole Lane Pasture (both Grade II SINCs) within 100 metres of the site. Accordingly, the applicant’s Environmental Statement (ES) has considered the impacts of the proposals on ecology and biodiversity. Both the construction and demolition phases and the impact of the operational development have been considered. The ES contains recommendations for mitigation measures where necessary, to prevent adverse impact on ecology and wildlife.

238 During the construction phase, the development would have potential impacts on the adjoining ecologically sensitive areas, including clearance of vegetation, the potential for noise, reduction in air quality, contamination, light disturbance and contamination/ spillages. During the operational phase, the potential impacts of the built development could include the impact of noise and light disturbance, and pressures from the increased number of visitors and users of the site.

239 The applicant’s ES has considered these impacts and concludes that with the implementation of appropriate mitigation and enhancement measures, the proposals are unlikely to have adverse impact on the wildlife and ecology of the site and its surroundings. The recommended measures include the following:

Construction and demolition phases:

- Submission of a construction environmental management plan (CEMP) which would include a risk assessment of construction activities, biodiversity protection zones, ensuring works are done around biodiversity sensitivities, lighting management and an Ecological Clerk of Works.
- Bird boxes and bat boxes on retained trees;
- Removal and prevention of invasive non-native species on the site.

Operational phase:

- Submission of a landscape and ecological management plan (LEMP) to manage, monitor and achieve biodiversity enhancements within the landscaping scheme and throughout the development.
- Bio diverse brown/green roofs.
- Nesting boxes fitted to trees,
- Ensuring lighting is designed and positioned to reduce impacts on ecology.

240 Natural England was consulted on the proposals and made no comment.

241 Additionally, the London Wildlife Trust and the RSPB were consulted on the proposals, and both made comments, but did not object to the application. Those comments were assessed by Barnet Officers and have been included within the proposed conditions, notably the requirements for the LEMP and bat surveys.

242 On the basis that the above design and mitigation measures would be secured by condition, officers are satisfied that the proposals would avoid harmful impact on wildlife, the ecology and biodiversity, and would provide for the suitable protection and enhancement of the natural environment.

Sustainability and climate change

243 London Plan climate change policies, set out in Chapter Five, collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.1 (Climate change mitigation) sets out the strategic approach to reducing carbon emissions in London, and Policy 5.2 (Minimising carbon dioxide emissions) sets out an energy hierarchy for assessing applications. At the time of the submission of this application, Policy 5.2 sets a minimum target for carbon dioxide emissions reduction in new buildings of 35% beyond Part L of the Building Regulations (as amended 2013). London Plan Policy 5.3 (Sustainable design and construction) requires future developments to meet the highest standards of sustainable design and construction, and London Plan Policies 5.9-5.15 promote and support the most effective climate change adaptation measures including passive thermal regulation, urban greening, and water management.

244 Barnet Council's Local Plan Policies CS13 (Ensuring the efficient use of natural resources) and DM04 (Environmental considerations), alongside the Sustainable Design and Construction SPD (2016) sets out the borough's approach to climate change and requires developments to meet the highest standards of sustainable design, including the conservation of energy and water; ensuring designs make the most of natural systems, and the conserving and enhancing of the natural environment. The Council cross-refers to the Mayor's carbon reduction targets within the London Plan.

Energy

Energy strategy

245 The applicant has submitted an energy strategy for the site, and is proposing to reduce carbon dioxide emissions by 35% beyond the 2013 Building Regulations, in compliance with the London Plan target. In reporting the application at Stage 1, it was observed that the scheme followed the London Plan energy hierarchy, with a range of passive design features and demand reduction measures proposed, and district heating, combined heat and power (CHP) and renewable energy sources, and that the carbon savings were in excess of the London Plan's targets.

246 Energy efficiency (Be Lean): 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 would be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and Mechanical Ventilation with Heat Recovery (MVHR). The demand for cooling would be minimised through glazing optimisation, shading from balconies and low g-value for glazing.

247 District heating (Be Clean): 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, and this would be secured by condition. The applicant is proposing to install a site heat network and the applicant has confirmed that all apartments and non-domestic building uses would be connected to the site heat network. Due to the distances involved the applicant is not proposing to connect the twelve houses to the heat network and these would instead be provided with individual boilers, this is accepted in this instance given there would be a net increase in overall emissions if they were connected to the communal system, due to the heat losses involved. The site heat network would be supplied from a single energy centre, which would be located in the basement of block E1. The applicant is proposing to install a 150 kW_e / 234 kW_{th} gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating (at least 60% of the total heat load).

248 Renewable technology (Be Green): The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install roof mounted PV panels across the development. The total capacity of the PV is anticipated to be in the order of 140 kWp. The applicant has provided a roof layout drawing to show the location of the PV panels and demonstrate that there is sufficient roof space to accommodate the panels.

249 Overall savings: Based on the energy assessment submitted, a reduction of 252 tonnes of CO₂ per year in regulated emissions is expected, compared to a 2013 Building Regulations compliant development, equivalent to an overall saving of 35%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan for applications submitted prior to October 2016. In this respect, the proposals are in compliance with London Plan and borough policies on energy efficiency and carbon savings.

Flood risk and drainage

250 London Plan Policy 5.12 (Flood risk) seeks to ensure that developments address flood risk and incorporate flood resilient design. Policy 5.13 (Sustainable drainage) states that developments should use sustainable urban drainage systems (SUDS), and should ensure that surface water runoff is managed as close to its source as possible in line with the London Plan drainage hierarchy.

251 Barnet Local Plan Policy CS13 (Ensuring the efficient use of natural resources) seeks to ensure Barnet is a water efficient borough and development minimises the potential for flooding. DM04 (Environmental considerations for development) cross-refers to London Plan policies

252 The application is supported by a Flood Risk Assessment (FRA) and Chapter 10 of the ES assesses any likely significant effects of flooding and drainage. The site is within Flood Zone 1. The FRA concludes that the site has a low probability of flooding (tidal, fluvial, groundwater and reservoirs). The development thus complies with London Plan Policy 5.12 and Barnet Local Plan Policies CS13 and DM04.

253 A surface water drainage strategy has been submitted with the application. The development would introduce a range of sustainable drainage and water attenuation measures such as permeable paving, brown roofs, swales and attenuation pond, and these are integrated within the proposed landscape strategy. The proposed development would reduce the impermeable surface on the site from 23% to 18% and the post-development surface water runoff rate would be reduced by 82.7% from the existing. Therefore the proposed development would provide significant betterment, in line with London Plan policy. The detailed drainage strategy would be secured by condition.

Sustainability strategy

254 The applicant has submitted a Sustainability Statement for the site, which sets out many climate change adaptation measures proposed in the design and construction process. Where appropriate, the themes within the Sustainability Statement have been considered separately in this report under sections addressing energy, flood risk and drainage, transport, natural environment, waste management, landscape, amenity and playspace, heritage, contaminated land and air pollution. The remaining themes are considered as follows:

255 BREEAM: The applicant is targeting a BREEAM “very good” rating for the flexible workspace;

256 Water use demand: The applicant has set out the measures that would be incorporated into the scheme to reduce the water demand of the development, including water metering and use of water efficient appliances and fittings. This is welcomed in accordance with London Plan Policy 5.15 (Water use and supplies), Barnet Local Plan Policy SP5 (Water management and flooding) and Barnet’s Sustainable Design and Construction SPD.

Conclusion on climate change and sustainability

257 The proposed development would minimise carbon dioxide emissions to meet London Plan targets and local policy regarding climate change. The development would not increase flood risk and would deliver sustainable urban drainage benefits over the existing situation at the site. The development has committed to achieve high standards in sustainable design and construction. In these respects, the development is in compliance with relevant planning policies regarding sustainability and adapting to climate change.

Other environmental issues

Air quality

258 London Plan Policy 7.14 (Improving air quality) seeks to ensure that new development minimises increased exposure to existing poor air quality and makes provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)) and be at least “air quality neutral”. Barnet Local Plan Policy CS13 (Ensuring the efficient use of natural resources) and DM04 (Air Quality) seek to improve air quality in Barnet.

259 The whole of Barnet, including the application site, is within an AQMA. The applicant has submitted an assessment of the proposal on air quality, set out in Chapter 8 of the Environmental Statement. This looks at the impacts of demolition and construction, and traffic generated by the scheme, and includes the alternative scenario of including the CHP energy centre in the basement of Block E1. It also identifies the receptors within the site and along The Ridgeway. An Air Quality Neutral Assessment has been submitted.

260 Construction Phase. Whilst the risk to air quality from dust and vehicle emissions during demolition and construction would be high if not mitigated, with proposed mitigation measures, including following best practice to reduce dust emissions from works, the likely effects would be reduced so as to be negligible. As such planning conditions are recommended that require the approval and implementation of an Air Quality and Dust Management Plan (AQDMP) and Non-Road Mobile Machinery (NRMM) to ensure best practice. Subject to these conditions, the likely temporary effects on air quality during the construction period are acceptable.

261 *Operational Phase*. The main polluting operations associated with the proposed development once built include emissions from traffic movements and the CHP plant. Both are concluded to have negligible impacts and no mitigation is proposed.

262 Having reviewed the applicant's air quality study, it is considered that construction impacts can be suitably mitigated through the AQDMP and NRMM, which would be secured by conditions. Barnet officers also reviewed the material and raised no concerns, subject to securing conditions.

Waste

263 London Plan Policy 5.17 (Waste capacity) requires adequate provision for waste and recycling storage and collection and Policy 5.18 (Construction, Excavation and Demolition Waste) requires applicants to produce Site Waste Management Plans to arrange for the efficient handling of construction, excavation and demolition waste and materials.

264 Barnet Local Plan Policy CS14 (Dealing with our waste) seeks to encourage sustainable waste management in Barnet including promoting waste prevention, re-use, recycling and resource efficiency over landfill and requiring developments to provide and recycling facilities which fit local collection practices and targets.

265 Construction waste: the applicant has committed to a site waste management plan within its ES which would encourage resource efficiency and material management during construction, directing construction waste away from landfill. Planning conditions are recommended to ensure that contractors adhere to this plan and this would be secured through the CEMP.

266 Operational waste: The applicant has prepared a refuse and recycling strategy for the site. This has the following key themes:

- Each residential block would be provided with a dedicated refuse and recycling store, accommodating communal bin storage for each waste stream. The detached houses would have refuse and recycling storages within their garages.
- The stores would be located so that residents only have to travel a short distance to access them.
- The applicant has agreed collection arrangements with Barnet's refuse team, and the bins would be managed by a concierge to ensure they are ready on collection day, as necessary, and fobs supplied.
- The quantum of bin storage would accord with the relevant Building Regulations and Barnet's standards set out in their document "Provision of Household Waste & recycling Service – information of developers and architects."
- Adequate provision to be made for commercial waste (separate from residential waste).

Contaminated land

267 London Plan Policy 5.21 (Contaminated land) supports the remediation of contaminated sites and bringing contaminated land back in to beneficial use. Barnet Council's local plan Policy DM04 (Environmental considerations for development) require development proposals on potentially contaminated land to follow a risk management based protocol to ensure contamination is properly addressed and carry out investigations to remove or mitigate any risks to local receptors.

268 Several contamination surveys (including ground investigations) have been undertaken on the site. As with most previously developed sites with a history of medical uses, land contamination is likely given the nature of the activities involved. The contamination reports have flagged the following potential issues:

- Radioactive contamination within some of the laboratory buildings;
- Chemical incinerators and waste disposal pits within the grounds;
- Hydrocarbon contamination at the location of several fuel stores;
- Fragments of cement asbestos within the Made Ground of the car parks; and
- Potential for trace contamination within the site drainage.

269 The presence of contamination would require further investigation to identify a suitable remediation strategy for the construction and operational phases. It is therefore recommended that planning conditions are included requiring investigative work, assessment and remediation. Subject to this, and a condition requiring the approval and implementation of an appropriate Construction Environmental Management Plan, the potential contaminated land would not cause a significant risk.

Conclusion on other environmental issues

270 The proposed development has committed to achieve high standards in air quality and dust management during construction and operation. The development would also meet local requirements on waste collection, and the CEMP would ensure best practice approach to construction waste management. The applicant advises they are already undertaking remediation works at the site and this would be secured by condition. In these respects, the development is in compliance with relevant planning policies regarding air quality, waste and contaminated land.

Transport

271 The draft Mayor's Transport Strategy (June 2017) looks to put people's health and quality of life at the very heart of planning the city's transport with an aim that by 2041, 80 per cent of all Londoners' trips will be made on foot, by cycle or by public transport. Proposal 76 of the Strategy seeks to impose high expectations on developers to deliver transport solutions that will promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places. It will also seek to restrict car parking provision within new developments, with those locations more accessible to public transport expected to be car free. Provision for car parking should be minimised and designed for alternative uses in the future as car dependency decreases.

272 The Strategy also contains relevant policy context regarding transport accessibility. Proposal 52 states that the Mayor, through TfL and working with Network Rail and other stakeholders, will improve the overall accessibility of the transport network through provision of step-free access at selected rail and Underground stations.

273 Chapter 6 of the London Plan sets out the Mayor's policies on transport. London Plan Policy 6.13 (Cycling) sets out the cycle parking requirements for developments, including the minimum quantities of provision. The policy refers to the London Cycle Design Standards as a guide to be followed. London Plan Policy 6.13 (Parking) sets out maximum parking standards, electric vehicle charging point requirements, and accessible parking standards.

274 Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Policies DPD sets out the parking standards that the Council will apply when assessing new developments.

275 For development outside a controlled zone, Policy DM17 advises that residential may be acceptable with limited or no parking, but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.

276 Policies DM17 and CS9 also advise that proposals should ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists, and reduce the need to travel.

277 Whilst the application site falls outside of the Mill Hill East AAP area, residents and workers at the site, would primarily use Mill Hill East station. Relevant policy context regarding transport accessibility is found in the Mill Hill East AAP which refers to the benefit that a step free Mill Hill East underground station would bring to the AAP area.

278 The main transport issues are impact on the local highway network, car and cycle parking, facilitating active travel through the provision of walking and cycling routes, impact on bus stops, pedestrian crossing, arrangements for access and servicing, and the adequacy of supporting measures including the travel plan and enabling transport accessibility.

Car parking

279 The proposed quantity of parking and the application of London Plan standards has been raised in many of the representations received through the consultation exercise. When the current London Plan maximum parking standards were adopted, they had to strike a careful balance between promoting new development across different parts of London and the overall need for more sustainable travel. So that the standards would not be applied in a uniform or blanket fashion, table 6.2 of the parking addendum to London Plan Policy 6.13 also includes a matrix of housing density, location and provision. If applied to this development, that would result in a maximum of up to 2 spaces per dwelling for the large units, up to 1.5 per unit for the three bed units and less than 1 space per one to two bed units. This is illustrated in Figure 12 below, alongside Barnet Council’s standards. Figure 12 shows that the main difference between the two sets of standards is for the 2 bedroom units: the London Plan requirement is for less than one parking space for a 2-bedroom unit; whereas the Council’s standard is for a maximum of 1.5 parking spaces per 2-bedroom unit. It should be noted that 2 bed units form nearly 40% of the proposed development mix.

Dwelling type	Barnet Council Maximum Standard	London Plan Maximum
Detached and Semi-Detached Houses and Flats (4+ bedrooms)	2 to 1.5 spaces per unit	Up to 2 per unit
Terraced Houses and Flats (2 to 3 bedrooms)	1.5 spaces per unit	3 bedrooms: up to 1.5 per unit 1-2 bedroom: less than 1 per unit
Flats (1 bedroom)	1 to less than 1 space per unit	less than 1 per unit

Figure 12: Residential parking standards: Barnet standards compared to London Plan standards

280 The car parking proposals for the scheme have been amended throughout the planning process (refer to Figure 13 below). Following the initial planning submission and Stage 1 reporting to the Mayor, an additional 47 spaces were proposed in response to local concerns regarding the lack of parking. The scheme reported to Barnet Council Planning Committee in February 2017 proposed 613 parking spaces, including 594 residential spaces (including visitor spaces) and 19 commercial spaces. Following revisions submitted in August 2017, the current scheme proposes 535 parking spaces including 516 residential spaces and 19 commercial spaces (all visitor car parking spaces are included in these figures), representing a reduction of 78 spaces from that presented to Barnet Council’s Planning Committee in February 2017.

	Initial submission (July 2016)	Revisions (December 2016)	Revisions (August 2017)
Residential Parking (including visitors)	547	594	516
Commercial Parking	19	19	19
Total spaces	566	613	535
<i>Notes:</i>	<i>Considered at Mayor’s Stage 1 (December 2016)</i>	<i>Considered at Barnet Planning Committee (February 2017), Mayor’s Stage 2 (May 2017)</i>	<i>Current proposal</i>

Figure 13: Car parking revisions to the scheme

281 The resultant residential parking provision equates to an average of 1.1 car parking spaces per residential unit, which is acceptable for a site within PTAL 1b. This parking provision is at the very upper end of the maximum standards set out within the London Plan (2016). The London Plan standards have been applied flexibly to take account of the site’s suburban/low PTAL rating, and the proposed quantum of residential parking is acceptable and complies with Policy 6.13 of the London Plan

282 The ward census data for Mill Hill also provides some indication of travel demand and car ownership. The Applicant’s own prediction using the 2011 census is that with average car ownership of 0.7 vehicles per household, a total of 356 cars would be owned by the occupants of the 460 dwellings. The provision of 516 car parking spaces is therefore considered to appropriately respond to the needs of prospective residents.

283 Representation responses have also cited concerns about overspill parking. In certain locations across London, overspill parking can result in delays to buses or safety issues for pedestrians and cyclists. The accompanying transport assessment identifies existing problems with on street parking along The Ridgeway, which is understood to be associated with peak demand at the adjacent primary school. However, there is no accompanying evidence to identify potential problems which could directly result from any overspill within the proposed development. Should issues arise in the future, this would be identified within the monitoring of Travel Plans, to be secured within the s106 legal agreement and appropriate mitigation can be secured, including an extension to the CPZ.

284 The commercial car parking proposal of 19 spaces is acceptable. Electric Vehicle Charging Points (EVCPs) would be provided in line with London Plan standards, which are for 20% active and 20% passive provision. This provision, along with the site wide parking management plan, would be secured through condition.

285 The development would provide 10% Blue Badge parking spaces; one per wheelchair accessible unit. In line with the Housing SPC, the 10% requirement is applied to all 460 dwellings proposed and therefore a minimum of 46 Blue Badge bays must be provided. This Blue Badge parking space provision would also be secured by condition.

286 As the proposed development would be built out in phases, temporary parking may be provided accordingly. Details of this, including number and location would also be secured by condition to ensure adequate management and provision.

Cycle parking

287 A total of 811 long stay (LS) and 23 short stay (SS) cycle parking spaces are proposed. As shown in Figure 14 below, these numbers exceed the London Plan minimum requirement.

Land use		London Plan min standards		Development proposal	London Plan min requirement		Development proposal	
		LS* spaces	SS** spaces		LS spaces	SS spaces	LS spaces	SS spaces
C3/C4	1 bed unit	1 per unit	1 per 40 units	146 units	146	4	798	12
C3/C4	2 + bed unit	2 per unit		316 units	632	8		
B1	business offices (outer Lon)	1 per 150 sqm	1 per 500 sqm	1,867 sqm	12	4	12	4
D2	Gym	1 per 8 staff	1 per 100 sqm	177 sqm, (assuming < 12 staff)	1	2	-	-
A3	Cafe	1 per 175 sqm	1 per 40 sqm	163 sqm	1	4	1	7
Total					792	21	811	23

*LS = long stay; **SS = short stay. Note: all floorspace figures are GEA.

Figure 14: Cycle parking

288 Residential cycle parking is to be provided at the basement and ground floor levels. For the commercial development cycle parking is to be provided in a secure storage area, with short stay parking provided within proximity of the entrances.

289 The cycle parking details, including how it would be phased, and retained thereafter, would be secured by condition.

Access and site layout

290 Primary access to the new development is proposed via a new 'T' junction with The Ridgeway, at the location of the existing egress from the site. Another 'T' junction to the west would provide a secondary access. An emergency access (not for daily use) would be provided on Burtonhole Lane.

291 Revisions to the masterplan and the basement plan have been made including internal layout amendments to the eastern side of the site; minor adjustments to the secondary and emergency access points on Burtonhole Lane; and the updated basement parking plans. These revisions have been reviewed by TfL and no concerns are raised. Full detailed design of the Burtonhole Lane emergency access, and its operation, would be secured by condition.

292 A contribution of £200,000 towards improvements to the local cycle/pedestrian routes and facilities, including signage, vegetation clearance and potential paving on The Ridgeway (between The Ridgeway / Burtonhole Lane (east) junction to Partingdale Lane) has been secured to help facilitate and encourage walking and cycling. In addition, there would be an obligation on the applicant to enter into a section 278 agreement with Barnet Council for changes to site access points. There would also be an obligation on the applicant to maintain 24-hour access to the

publicly accessible routes through the site and details would be secured in the s106 legal agreement.

Buses

293 The two bus stops (one on either side of the road) at the site frontage on The Ridgeway would be relocated to accommodate the proposed access arrangements. These two relocated bus stops are to each be provided with a bus shelter with countdown facilities to encourage public transport use. The cost of the bus stop relocation, their phasing, plus the cost of the bus shelters with countdown facilities would be borne by the applicant and would be secured in the section 106 agreement.

Trip generation and mode split

294 The development is forecast to generate approximately 400 person trips in the morning peak hour and 350 person trips in the evening peak hour. When the existing trips associated with the former employment use of the site are deducted, the net trip generation is 250 person trips in the morning peak hour and 150 person trips in the evening peak hour. Figure 15 contains a selection of these trips, split by mode.

	AM peak (0800- 0900)	PM peak (1700- 1800)
Vehicle	98	56
Cycle	-1	-2
Train	5	4
Underground	48	34
Bus	21	14
Walk	28	22

Figure 15: Selection of net trip generation forecasts (two way trips)

295 Barnet Council, as local highway authority, concluded the development impact on the surrounding road network would be negligible. TfL concluded that the impacts of the development could be accommodated on the local public transport network, and mitigation was not required.

Local highways

296 As shown in Figure 15, the net highways demand from the development is an additional 98 vehicles in the morning peak and an additional 56 vehicles in the evening peak. The transport assessment demonstrates that the development related peak hour traffic increase on adjacent junctions would not exceed 5%.

297 At the Bittacy Hill / Frith Lane junction, the roundabout is shown to be overcapacity without the development and improvements are proposed to negate the impact of the increase in traffic. The junction improvements are to be funded by the applicant. Barnet Council has requested £50,000 for the implementation of these works, triggered before the occupancy of the first 50 residential units, which would be secured by section 106 agreement.

298 Overall, the development traffic impact on the surrounding network is negligible with less than two vehicles per minute in the morning peak and less than one vehicle per minute in the evening peak.

299 A new zebra crossing on The Ridgeway would improve the safety of pedestrians. The zebra crossing should be secured through the section 106 agreement and delivered through a section 278 agreement with the Council.

Transport accessibility

300 Although the site falls outside of the Mill Hill East AAP boundary, Mill Hill East is a development area within the Barnet Local Plan and Mill Hill East underground station is an important transport link for the area. The Mill Hill East AAP refers to the benefits that a step free Mill Hill East underground station would bring to the area. TfL plans to implement step-free access in the form of a lift at this station, which would bring accessibility benefits to the site and, more generally, support the growth of the Mill Hill area by making it more accessible for both residents and visitors. Design work is underway for the lift installation, which TfL plans to deliver by 2019 to help meet the Mayoral target of reaching a total of 100 step free London stations in 5 years. The estimated cost of the scheme is £2,900,000. Step-free access across London's public transport network is a Mayoral priority, identified in the draft Mayor's Transport Strategy 2017, and is reliant on third party funding and developer contributions.

301 This development would add to demand at Mill Hill East Station and new residents would benefit from step-free station access. A contribution of £300,000 is therefore required from this development towards this step-free access works at Mill Hill East station. This contribution is reasonable and proportionate when balanced against the quantum of new development coming forward in the Mill Hill area. The contribution would be secured through the section 106 agreement.

Construction and deliveries

302 The transport assessment includes indicative forecasts of construction related trips, including an estimated 150 vehicles required to remove materials from site during the demolition phase. The applicant is required to submit a Construction Logistics Plan (CLP) in line with London Plan Policy 6.14 (Freight). The CLP should be aligned with TfL guidance and secured by condition. The CLP should be approved by the Council prior to construction.

303 A delivery servicing plan (DSP) would be secured by planning condition, to comply with London Plan policy 6.14 (Freight) to rationalise and manage servicing activities for the proposal. The DSP would need to be approved by Barnet Council prior to first occupation.

Travel planning

304 The development would be supported by a residential travel plan, triggered three months prior to first occupation, and monitored thereafter. It would include travel plan incentives to the minimum value of £300 per dwelling. The site would also include two car club spaces and vehicles for residential and employee use, which would help to mitigate the demand for second car ownership. Similarly, the office and gym/cafe uses would be supported by travel plans. All travel plans and incentives would be secured through the section 106 agreement.

Conclusion on transport matters

305 The application accords with London Plan transport policies. The revisions to the application, following the Mayor's decision to act as the Local Planning Authority, strike a reasonable balance between accommodating private car use in a low PTAL suburban location whilst promoting sustainable and active travel. The cycle parking provision would facilitate local cycle trips by residents and visitors as an alternative to car travel; enhancements to the bus stops at the site frontage should encourage bus trips to the local stations and beyond; and the contribution to step-

free access at Mill Hill East station would support accessibility to jobs and services by public transport. Subject to the transport mitigation measures outlined in the paragraphs above being secured within the s106 agreement and by condition, the transport impacts are capable of being mitigated and the development is therefore compliant with relevant transport policy.

Mitigating the impact of development through planning obligations

306 The NPPF states that *“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”* At the regional level, London Plan Policy 8.2 sets out the Mayor’s priorities for planning obligations, and states: *“Affordable housing; supporting the funding of Crossrail where this is appropriate (see Policy 6.5); and other public transport improvements should be given the highest importance”*. At the local level Barnet Council’s Planning Obligations SPD (2013) and Delivering Skills, Employment Enterprise and Training (SEET) from development through s106 SPD (2014) provides the basis for determining planning obligations when considering planning applications for development in the borough.

307 Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure a number of planning obligations required to appropriately mitigate the impact of this development. A full list of the obligations is provided under paragraph 8 above, and where appropriate there is detailed consideration given in the relevant topic section of the report. Where appropriate, GLA officers have provided an additional commentary below to support the consideration within this report and to inform the detailed drafting of a section 106 legal agreement.

Affordable housing

308 As discussed in the housing section of this report, 185 affordable units would be secured, comprising 131 shared ownership units and 54 affordable rent units. Details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, the income thresholds for the intermediate accommodation, rent levels for the affordable rented units and the retention of the affordable units at the proposed rent levels, would be set out in the section 106 agreement. All affordable rent units would be secured at London Affordable Rent (LAR) and first priority of the shared ownership properties would be offered to eligible purchasers with household incomes of £41,562 (1-beds), £65,087 (2-beds) and £79,369 (3-beds).

309 GLA officers propose an early review mechanism, which would be triggered if the development has not been substantially implemented within two years of the date of consent. The reviews would establish whether, in the light of increasing viability, additional affordable housing can be accommodated on-site up to a level of 50% of the scheme. Any review must be signed-off with reference to the GLA (as a Mayoral take-over).

Employment and training

310 The promotion of local labour during construction would be promoted including a local employment agreement to deliver:

- A minimum of 20 Apprenticeships over the life of the construction, of which at least seven should be Higher Apprenticeships (Level 4);
- A local labour target of 30%;
- Reasonable endeavours to incorporate the local supply chain.

311 An employment and training contribution of £740,630 (index linked) towards the provision of Apprentice Schemes and employment training within the Borough.

Transport

312 The following transport mitigation and improvement measures would be secured:

- a) Travel Plans and monitoring;
- b) Bus stop relocation and replacement;
- c) Car Club provision;
- d) £300,000 contribution towards Step-Free Access at Mill Hill East underground station;
- e) £50,000 towards junction improvements at Bittacy Hill/Frith Lane
- f) £200,000 contribution towards the local cycle and pedestrian network;
- g) Section 278 works.

Open space

313 A £550,000 financial contribution would be secured towards improvements to the sports pitches, as discussed in paragraph 114 – 117 above. A £150,000 financial contribution would be secured for ground works, notably an agronomy survey and its implementation.

Architect retention

314 Retention of the scheme architects in some capacity on the scheme to ensure necessary design quality or their replacement with architects of a similar calibre and reputation, to the satisfaction of the Council and GLA.

Public routes

315 Provision, retention and maintenance of public routes through the site to be accessed free-of charge, 24 hours a day, in perpetuity.

Legal considerations

316 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor is the Local Planning Authority (LPA) for the purposes of determining this planning application ref: 16/4545/FUL.

317 Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 a requirement that for applications the Mayor takes over, the Mayor must give the applicants and the LPA the opportunity to make oral representations at a hearing. He is also required to publish a document setting out:

- who else may make oral representations;
- the procedures to be followed at the hearing; and,
- arrangements for identifying information, which must be agreed by persons making representations.

318 The details of the above are set out in the Mayor's Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

319 In carrying out his duties in relation to the determination of this application, the Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.

320 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

321 Section 70(4) defines “local finance consideration” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

322 In this context “grants” might include the Government’s “New Homes Bonus” - a grant paid by Central Government to local councils for increasing the number of homes and their use.

323 These issues are material planning considerations when determining planning applications or planning appeals.

324 Furthermore in determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Local Plan) unless material considerations indicate otherwise.

325 Other guidance, which has been formally adopted by Barnet Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.

326 Officers are satisfied that the current report to the Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

327 As regards Community Infrastructure Levy (CIL) considerations, the Mayoral CIL payment associated with this development is estimated to be up to £788,116.

328 In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the of the Planning [Listed Buildings and Conservation Areas] Act 1990).

329 Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer-led meetings to discuss the section 106 content, and it has progressed

on a number of key issues, whilst others remain outstanding at this point in time. Both the Mayor and the borough are given powers to enforce planning obligations.

330 When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.

331 The key Articles to be aware of include the following:

- (a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- (b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
- (c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.

332 It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.

333 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is 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. These are now statutory tests.

334 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

335 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

336 Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing and parking bays, the provision of affordable and family housing and the protection of neighbouring residential amenity.

Conclusion

337 As detailed above Section 38(6) of the Planning and Compensation Act 2004 requires the decision to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

338 When assessing the planning application the Mayor is required to give full consideration to the provisions of the Development Plan and all other material considerations. He is also required to consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood.

339 When considering the proposals, GLA officers have had special regard to the desirability of preserving the setting of listed buildings in the vicinity of the proposed development and they have given special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

340 In preparing this report, officers have taken into account the likely environmental impacts and effects of the development and identified appropriate mitigation action to be taken to reduce any adverse effects. In particular, careful consideration has been given to the proposed conditions and planning obligations which would have the effect of mitigating the impact of the development.

341 This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable in terms of land use principles (Green Belt, mixed-use development, residential, employment, open space, sports and recreation uses); housing (including delivery of affordable housing, tenure, mix, density, quality, play space); urban design and heritage (including urban design, views, the historic environment, listed buildings); inclusive design; neighbouring amenity impacts (including privacy/overlooking, light pollution and noise/disturbance); trees; natural environment; sustainability (including climate change mitigation and adaption, including sustainable drainage); other environmental considerations (including air quality, contaminated land and waste management); transport, including parking provision; and, mitigating the impact of development through planning obligations.

342 Accordingly, the recommendations set out at the beginning of this report are proposed.

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