



Appeal Decision

Site visit made on 27 January 2020

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2020

Appeal Ref: APP/N5090/W/19/3240167

Millbrook Park Development (former Inglis Barracks), Mill Hill East NW7 1PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Poly UK against the decision of the Council of the London Borough of Barnet.
 - The application Ref 18/6640/FUL, dated 19 October 2018, was refused by notice dated 23 July 2019.
 - The development proposed is for full planning permission for the erection of 2 linked buildings ranging from 5-6 storeys in height comprising 87 residential units (Use Class C3), 700 sqm (GIA) of employment space (Use Class B1), together with associated plant, car parking, cycle parking, refuse stores, servicing areas and associated hard and soft landscaping.
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Decision

1. The appeal is allowed and planning permission granted for the erection of 2 linked buildings ranging from 5-6 storeys in height comprising 87 residential units (Use Class C3), 700 sqm (GIA) of employment space (Use Class B1), together with associated plant, car parking, cycle parking, refuse stores, servicing areas and associated hard and soft landscaping at Millbrook Park Development (former Inglis Barracks), Mill Hill East NW7 1PX in accordance with the terms of the application Ref 18/6640/FUL dated 19 October 2018, and subject to the submitted Legal Agreement and attached schedule of conditions.

Procedural matters

2. The scout camp, adjacent to the appeal site, became subject to a Tree Preservation Order¹ on 9 January 2020. This includes the group of trees close to the boundary with the appeal site. I have taken this into account in my decision, without prejudice to any party.
3. A completed Section 106 legal Agreement² has been submitted with the appeal. This provides for 33 dwellings to be for affordable housing purposes. This also provides financial contributions towards additional planting within the adjacent scout camp and towards carbon off-setting.

Background and main issue

4. The appeal site is adjacent to the Frith Grange Camp site. The camp site is used by the Barnet Borough Scouts as a headquarters and this provides a

¹ Tree Preservation Order 20/TPO/002

² Legal Agreement, 4 February 2020

facility for the district and the local community. Also, the Oakbridge Specialist Education Provision use the site for education needs during the week. The Council is concerned that the proposal would affect the use of the camp site due to the proximity and scale of the proposal. The Council also considers that the proposed development would affect the privacy of the camp site and its semi-rural setting.

5. Accordingly, the main issue is the effect of the proximity, mass and height of the proposed development on the outlook and privacy of users of the scout camp.

Reasons

6. The appeal site has been previously developed and was part of a waste transfer facility. It has been cleared of buildings and hardstanding in preparation for redevelopment. The site is rectangular in shape and gradually slopes uphill from south to north by around three metres. The north part of the site rises more sharply adjacent to the rear boundary. Beyond the rear boundary fence is a relatively continuous screen of trees marking the edge of the scout camp's main field. From the scout camp vantage, I observed that the appeal site provides open views through the site to views beyond. The appeal site is denoted as 'Phase 6B' and forms part of a wide area of redevelopment.
7. The site is within the Mill Hill East Area Action Plan (2009) (AAP). The AAP seeks to deliver 2,660 dwellings, 500 jobs and around 1,000sqm of retail space in buildings that range in height from 2 to 6 storeys. The project seeks to deliver development in a balanced and coordinated manner that would be supported by infrastructure and environmental protection measures. The AAP also envisages an increase in density and scale as development approaches the Mill Hill East Tube Station to the southwest of the site. The AAP envisioned that the appeal site would be used for sustainable infrastructure development including a combined heat and power (CHP) plant. The delivery of the development blocks within the AAP is well advanced, with 10 of the 18 phases either under construction or completed. Accordingly, the local area is undergoing significant change and the proposed development would align in broad terms with the established objectives of the AAP.
8. Aspirations for the site were progressed with the approval of an outline approval³ in 2015. This gave consent for the provision of 66 dwellings, 700sqm of office space (B1 use) and an energy centre. Approved building height parameters for that scheme ranged from 4 to 6 storeys. This decision is a material consideration and indicates that the site is appropriate for relatively high-density residential use.
9. The Development Plan for the district includes the Barnet Local Plan Development Management Policies (2012) (LP). Policy DM01 of the LP includes the requirement for development to take into account its local context and to create safe and secure environments. It also requires development to be designed to allow adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users. It is in evidence that the scout camp is well used and popular with the local community. It provides a resource for many local scouting groups and provides a venue for Scout and Explorer Groups. It is used throughout the year especially in the summer. The AAP identifies that the scout

³ Planning Application Reference: 15/06417/OUT

camp site forms a buffer between the Green Belt and high-density urban form of the high street.

10. In terms of the effect on the outlook from the scout camp, the proposal would have the appearance of two buildings, connected at ground floor. Purely for convenience, I shall refer to the element set back from the scout camp boundary as 'Block JJ1' and the element closer to the shared boundary as 'Block JJ2'. Both blocks would be 6 storeys with a landscaped area to the rear of Block JJ1. The boundary trees are set in a short distance from the shared boundary.
11. The proposal would present the side elevation of block JJ2 towards the scout camp. This end elevation would be a slender brick form with a simple mon-pitched roof design. The limited windows on this elevation would be screened by louvres and integrated within its vertical design. Furthermore, the treatment of a contrasting and projecting vertical cladding material would add interest and partially diffuse the mass of the form. Concerns raised by interested parties suggest that this feature would be imposing and affect views to the south. However, the boundary trees provide a comparatively continuous group that would screen the lower parts of the proposal. Furthermore, although the view would change, the proposal would occupy a relatively small field of vision with much of the southern skyline remaining open. Also, although representations have asserted that the increase of 16% to the previously approved height is substantial. I do not concur and find the impact of the height of block JJ2 would be of limited impact on views from the scout camp.
12. The rear elevation of block JJ1 would be set away from the rear boundary and be on lower land. Therefore, its overall impact would be diminished due to the set-back from the boundary. Furthermore, the effect of this block on the outlook from the scout camp would be lessened by the location of proposed and existing landscaping.
13. The visual effect of the proposed blocks would be a significant change to the currently observed south view from the scout camp. However, the appeal site is at a transitional point between built form and the open field. Mindful of the AAP and the outline approval it is clear that this vantage would inevitably evolve. Furthermore, the previous outline approval for the site indicates the Council's support for a development of some height. Also, design measures have ensured that the built form would be orientated to limit its impact on the scout camp. This would be partly achieved by locating most development towards the front of the site.
14. Imagery has been produced to show this relationship. The verified views show the screening effect of the boundary trees and the change in levels. The imagery also illustrates the diminish visual effect of development due to topography and screening. Interested parties have suggested that the boundary trees are shorter than shown on these images. Nevertheless, I am satisfied that they show a reasonable likeness to my on-site observations. Although not fully obscuring the development from the neighbouring field, the trees would make a contribution towards softening its visual impact and screen most of the proposed development.
15. Accordingly, the proposal would be of an appropriate scale and height in consideration of the local context. Consequently, the proposed development would not be imposing to users of the scout camp or substantially harm the

sense of openness or spaciousness around the camp site. Therefore, whilst the proposal would result in a change to the south view from the scout camp, direct and demonstrable harm to this outlook has not been found.

16. Turning to the issue of impact on privacy, concern has been raised by interested parties that the proposal would result in overlooking causing safeguarding concerns. The National Planning Policy Framework (The Framework) explains that decisions should aim to achieve safe places and to ensure that the fear of crime would not undermine the quality of life or community cohesion. The sensitivity of this issue is largely dependent on the extent of overlooking capable from the proposal.
17. The block nearest to the rear boundary, block 'JJ2', includes extensive louvered screening to the few windows on its side elevation. The screened fenestration would prevent overlooking towards the camp site. Views over this neighbouring site from this block would therefore be limited to its side windows. These side windows that would primarily overlook the appeal site and Barry M. As such, only oblique views would be capable over the western corner of the camp site from this block with a negligible capability for overlooking.
18. Block JJ1 would be located away from the shared boundary by a substantial distance. This block would present a limited number of windows on its rear elevation on each floor. Moreover, a significant number of these would be screened from views of the camp site by existing boundary planting. The capability for overlooking would be further reduced by new planting proposed within the courtyard. Furthermore, an evergreen Ivy-covered fence on the boundary is proposed. Some large corner balconies would provide overlooking opportunities toward the scout camp. However, such views can be reduced through the application of mitigating screens, secured by a planning condition. Consequently, the proposal has been designed to limit the number of windows that would provide a view towards the neighbouring scout camp with a resultant limited effect on overlooking. Therefore, taking the above points together it is not compelling that privacy of the scout camp would be demonstrably affected through overlooking.
19. Accordingly, the proposal would accord with policy DM01 of the LP, which seeks development to provide adequate privacy and outlook for adjoining occupiers and users and to respect the local context.

Legal agreement

20. The submitted Legal Agreement secures the provision of 33 affordable housing units and provides contributions for off-site planting and a carbon offset. The offered affordable housing would be for social rent and intermediate housing. Paragraph 56 of the Framework states that planning obligations should only be sought where they pass the necessary tests. These tests require the obligation to be necessary to make the development acceptable in planning terms, directly related to the development and be fairly and reasonably related in scale and kind to the development.
21. The affordable housing is required by Core Policy CS4 of the Barnet Core Strategy (2012) (CS) and Policy DM10 of the LP. The carbon off-set provision is required by policy 6.1 of the London Plan and Policy CS13 of the CS. This contribution is to be paid prior to occupation and would ensure that the development would meet the Council's Zero Carbon Homes target. The

requirements are reasonable and are justified by reference to the tests within paragraph 56 of the Framework. Subsequently, I am also satisfied that the required contribution for carbon off-set and the requirement for affordable housing meets the statutory tests of Regulation 122⁴ as being necessary and reasonable. I am also satisfied that the Legal Agreement is a certified and executable document. Accordingly, the necessary obligations would be suitably secured through this Agreement.

22. The intention of the planting sum would be to strengthen the existing boundary screening and to soften the view of the development from the scout camp. However, the provision requires planting to be undertaken on third party land. I am not satisfied that the necessary landowners are party to the delivery of this planting strategy. As such, its delivery cannot be guaranteed. Furthermore, whilst strengthening the tree screen I am not persuaded that this would be an effective or required screen to the proposed development. This provision would therefore be of limited overall benefit. Therefore, taking these reasons together, the provision of further planting would not pass the tests of the Framework as being necessary.

Other matters

23. Many of the concerns raised describe the scout camp site as a rural experience and the activity associated with scouting includes early morning and evening noise, fireworks and bonfires. Concerns also identify that the use of the camp results in noise and smell that would potentially affect future residential occupiers of the proposal. It is suggested that this is mutually exclusive to an adjacent residential use. However, such a position would be contrary to the previous outline approval which has anticipated residential development on the appeal site. There is no compelling evidence that illustrates that future occupiers of the proposal would be substantially affected by noise or smell nuisance. Furthermore, it is recognised that the Council's environmental health officer did not raise objection to the proposal. Accordingly, there is no demonstrable reason to find that activities related to the recreational space would be incompatible with the proposed residential use.
24. The tree protection plan⁵ (TPP) identifies that some roots may be severed to create the basement level. However, it concludes that these limited works would not have a detrimental effect on the longevity of the trees. The submitted tree survey submitted by the scout organisation plots the trees within their site⁶. Although it seems that the originally submitted plans showed the trees further away from the boundary, the TPP is in general accordance with the scout organisation's tree survey. This shows only minor discrepancies when compared to the TPP.
25. The Scout Organisation's tree specialist found that the proposed pruning could result in reducing the trees physiological capacity and could introduce decay. Below ground concerns allege that the Appellant has a flawed understanding of the extent of previous site clearance. However, considering the robust nature of the Appellant's Arboricultural Survey and Impact Assessment and the Council's Arboricultural Report⁷ I do not find that detailed root mapping would

⁴ Community Infrastructure Levy Regulations 2010

⁵ Thompson – environmental consultants (23/10/18)

⁶ Barnet Borough District Scout Council – Appendix 2 (tree survey extract)

⁷ Arboricultural Report- Jonathan Mills 01/02/19

be necessary or appropriate. It is therefore not convincing that the trees would be substantially or critically affected by the proposed works. By ensuring the retention of the trees the proposal would maintain a visual screen between the scout camp and the development site.

26. Also, representations were made to the effect that the rights of users of the scout camp, under the Human Rights Act 1998 article 8, would be violated if the appeal were allowed. I do not consider this argument to be well-founded. I have found that the proposed development would not cause unacceptable or significant harm to users of the scout camp. Therefore, the degree of interference that would be caused would be insufficient to give rise to a violation of the qualified rights under Article 8.
27. The scout camp is to the north of the proposal and therefore would be partially affected by overshadowing. However, the submitted shadow analysis⁸ illustrates that nearly 90% of the amenity space of the scout camp field would receive in excess of 2 hours of sunlight, showing limited over-shadowing. The Council has not challenged these conclusions. Accordingly, I see no reason not to accept these conclusions and find that the proposal would not substantially overshadow the adjacent scout camp.
28. The proposal would satisfy the Council in regard to parking provision. It would also provide adequate cycle parking and is within a short walk of the local underground station and several bus routes. Furthermore, the Appellant's Transport Assessment showed that the proposal would not have significant impacts on walking, cycling or public transport networks. Furthermore, the Highway Authority raised no objection to the proposal. On site I observed that Frith Lane was relatively busy in the daytime. Also, having noted comments made by interested parties I can appreciate that the busy nature of the road. This would require users to be vigilant when attending and leaving the scout camp. However, there is no persuasive evidence that illustrates that the proposal itself would have an unacceptable impact on highway safety.
29. I have also taken into account representations made in regard to the impact on infrastructure and drainage, but these matters do not affect my findings on the main issue.
30. Concern has been raised with respect to the security of the rear boundary of the site. The scout organisation consider that the proposal would raise new security risks resulting in criminal activity and safeguarding concerns. However, this boundary would be secure and around half would be adjacent to private garden areas. Furthermore, the boundary is proposed to include a green screen fence with planting in front. This would result in a robust and solid boundary preventing access onto the neighbouring site. It is therefore not compelling that the proposal would result in tangible security concerns resulting from the rear boundary of the site.
31. The approved 2009 outline application⁹ was subject to an Environmental Statement (ES). The proposed development was subject to a screening opinion as to whether a revised ES would be required. It is not in evidence that one was requested through this process. Also, the Council has stated, in Part 4 of the questionnaire, that the proposal did not require an Environmental Impact

⁸ Plan BRE45, GVA sunlight analysis- 11 November 2018

⁹ Planning Application Reference: H/04017/09

Assessment under schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Furthermore, there is no substantial evidence that illustrates that the proposal would result in a significant change to the findings of the original ES. I therefore see no reason in evidence to disagree with the Council's assertion.

32. Representations have raised concerns that the arboricultural and ecological reports were not part of the original submission of documents. However, the Appellant has shown that the Arboricultural Survey and Method Statement by Thompson Ecology and Ecological Mitigation and Management Report by Halcrow were submitted during the application process¹⁰. Furthermore, these documents have been available for public inspection as part of the appeal process and I am therefore satisfied that parties have had sufficient opportunity to consider their contents.
33. The Appellant has raised concerns that the Council cannot demonstrate a 5-year housing land supply. However, as I have found the proposal would not be in conflict with the Development Plan, I have not explored this matter further.

Conditions

34. I have considered the use of conditions in line with the guidance set out in the Government's Planning Practice Guidance. The Council has suggested the imposition of 36 conditions. I shall impose most of these with some amendments and adjustments for clarity.
35. Conditions 9, 15, 21, 26 and 28 require details to be submitted prior to the commencement of development. These are required because they relate to trees, existing ground conditions and initial site setting out and may require work to be undertaken beneath the footprint of the proposed development. The appellant has agreed to these, following formal notification under Regulation 2(4) Notice of The Town and Country Planning (Pre-commencement Conditions) Regulations 2018.
36. I have attached the following conditions which are necessary in the interests of certainty [1 and 2], would safeguard the character and appearance of the area [6, 7, 8, 25 and 29] and would protect the living conditions of nearby residents/occupiers [5]. The imposed conditions would also meet highway safety expectations and ensure the safety of users of local facilities [20, 21, 22, 23 and 24] and sustainable travel objectives of the plan [17, 18 and 19]. Furthermore, conditions would be necessary to meet drainage objectives of the plan [13, 14 and 15], meet design and layout objectives of the plan [3, 4 and 11], protect underground infrastructure [16], meet contamination remediation objectives [9 and 10] and satisfy crime reduction and safety initiatives of the plan [12 and 30], ecological objectives [31] and air quality objectives [33].
37. Conditions are also required to mitigate the effect of the proposed development to the scout camp. Accordingly, conditions are imposed to require details of screening to balconies with an outlook towards the scout camp [32] and to protect the trees adjacent to the rear boundary during construction [26]. Also, a condition in regard to excavation and underground services is necessary as trees on the perimeter of the site may be affected by construction works [27]. A condition has also been imposed with respect to the tree works specification

¹⁰ Confirmed as 13 February 2019

[28]. A condition for details boundary treatment is required to enable this matter to be dealt with in isolation of the wider landscape scheme [30]. A condition is also necessary to require the external plant to be installed and operate in accordance with the recommendations of the appellant's Acoustic report [34]. Furthermore, any further noise generated by any plant would be subject to a condition to limit noise levels [35]. Consequently, I am unconvinced that a further noise assessment of this equipment would be required prior to their installation.

Conclusion

38. For the above reasons, the appeal is allowed, and planning permission is granted subject to the appended conditions and the associated S106 Legal Agreement.

Ben Plenty

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Phase 6b Site Plan C413MPA-CTA-JJ-07-DR-A-07100-P1
Site Sections Phase 6b C413MPA-CTA-JJ-ZZ-DR-A-07150-P1
LG Level General Arrangement C413MPA-CTA-JJ-LG-DR-A-07000-P1
GF General Arrangement C413MPA-CTA-JJ-00-DR-A-07001-P1
Level 01 General Arrangement C413MPA-CTA-JJ-01-DR-A-07002-P1
Level 02 General Arrangement C413MPA-CTA-JJ-02-DR-A-07003-P1
Level 03 General Arrangement C413MPA-CTA-JJ-03-DR-A-07004-P1
Level 04 General Arrangement C413MPA-CTA-JJ-04-DR-A-07005-P1
Level 05 General Arrangement C413MPA-CTA-JJ-05-DR-A-07006-P1
Roof Level General Arrangement C413MPA-CTA-JJ-07-DR-A-07007-P1
Tenure Plan - Lower Ground Level C413MPA-CTA-JJ-LG-DR-A-07080-P1
Tenure Plan - Ground Level C413MPA-CTA-JJ-00-Dr-A-07081-P1
Tenure Plan - Level 01 C413MPA-CTA-JJ-01-Dr-A-07082-P1
Tenure Plan - Level 02 C413MPA-CTA-JJ-02-Dr-A-07083-P1
Tenure Plan - Level 03 C413MPA-CTA-JJ-03-Dr-A-07084-P1
Tenure Plan - Level 04 C413MPA-CTA-JJ-04-Dr-A-07085-P1
Tenure Plan - Level 05 C413MPA-CTA-JJ-05-Dr-A-07086-P1
Elevation - AA, BB, CC C413MPA-CTA-JJ-ZZ-Dr-A-07030-P1
Elevation - DD, EE, FF C413MPA-CTA-JJ-ZZ-Dr-A-07031-P1
Section - AA, BB, CC C413MPA-CTA-JJ-ZZ-Dr-A-07050-P1
Block JJ1 - Typical Apt Layout C413MPA-CTA-JJ-ZZ-Dr-A-07060-P1
Block JJ2 - Typical Apt Layouts C413MPA-CTA-JJ-ZZ-Dr-A-07061-P1

Block JJ3 - Typical Apt Layout C413MPA-CTA-JJ-ZZ-Dr-A-07062-P1
Block JJ - Typical Bay Study 01 C413MPA-CTA-JJ-ZZ-Dr-A-07051-P1
Block JJ - Typical Bay Study 02 C413MPA-CTA-JJ-ZZ-Dr-A-07052-P1
Block JJ - Typical Bay Study 03 C413MPA-CTA-JJ-ZZ-Dr-A-07053-P1
Landscape Surface Finishes Plan Town686(08)3002 R04
Landscape Surface Tree Planting Plan Town686(08)5002 R03
Section Courtyard Block JJ Town686(08)7004 R02
Access Arrangements Sheet 1 MPP6-BHE-XX-XXX-SK-CI-0050-0050
Access Arrangements Sheet 2 MPP6-BHE-XX-XXX-SK-CI-0050-0050

- 3) The residential units (use class C3) within the development hereby permitted shall all be constructed to achieve the minimum internal space standards set out in Table 3.3 of the London Plan (2016).
- 4) A minimum of 10% of the residential dwellings within the development hereby approved shall be built to wheelchair housing standards or easily adaptable for residents who are wheelchair users.
- 5) No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 08:00 or after 13:00 on Saturdays, or before 08:00 or after 18:00 on any other days unless in accordance with previously agreed emergency procedures for deviation.
- 6) Prior to occupation of the relevant phase of the development hereby approved, an External Lighting Assessment of lighting proposed within that Development Phase shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night-time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings as well as mitigate any impacts to species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.
- 7) Prior to the commencement of above ground works, details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved and maintained for the lifetime of the development.
- 8) Prior to the commencement of above ground works, details of the levels of the proposed buildings, roads, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.
- 9) Prior to the commencement of any development a contaminated land desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a

diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until these details are approved in writing by the Local Planning Authority. If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable a risk assessment to be undertaken; refinement of the Conceptual Model; and the development of a Method Statement detailing the remediation requirements. The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority prior to the commencement of the development. If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring to be carried out shall be submitted to and approved in writing by the Local Planning Authority prior to that remediation being carried out on site. The Method Statement should contain a detailed breakdown of the proposed remediation strategy and the anticipated timescales for completion. The method statement should identify the timing and sequence of the required remediation works and where relevant, set out in consultation with the Local Planning Authority, at what stages any verification report(s) will be submitted to the Local Planning Authority for their approval.

- 10) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement approved under condition 9 shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority. The verification report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. No dwelling shall be occupied until the relevant land has been remediated in accordance with the approved method statement, and this has been approved by the Local Planning Authority.
- 11) The B1 Building hereby approved shall achieve BREEAM 'Very Good' level of environmental performance. Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.
- 12) A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.
- 13) No above ground works shall be undertaken until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The drainage strategy shall

- include a restriction in run-off and surface water storage on site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 14) No above ground works shall be undertaken until a drainage strategy detailing any on and/or off-site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
 - 15) Prior to the commencement of any development details of petrol/oil interceptor(s) in all car parks located within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and shall be provided before the car park to which the scheme relates is brought into use.
 - 16) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage and water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
 - 17) Before the relevant plot of the development hereby permitted is occupied the associated car parking spaces shown on the plans hereby approved shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.
 - 18) Before the development hereby permitted is occupied 20% Active Electric Vehicle Charging Points (ECVP) 20% Passive ECVPs shall be provided in accordance with the London Plan Parking Standards. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.
 - 19) Before the relevant plot of the development hereby permitted is occupied the associated cycle parking and cycle storage facilities shall be installed in accordance with the approved plans and such spaces shall be permanently retained thereafter.
 - 20) Details of proposed refuse collection facilities and arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.
 - 21) No site works or works on this development shall commence until a Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information: i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures; ii. site preparation and construction stages of the development; iii. details of provisions for recycling of materials, the

provision on site of a storage/delivery area for all plant, site huts, site facilities and materials; iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway; v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works; vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance; vii. noise mitigation measures for all plant and processors; viii. details of contractors compound and car parking arrangements; ix. Details of interim car parking management arrangements for the duration of construction; and x. Details of a community liaison contact for the duration of all works associated with the development.

- 22) Before the commercial development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.
- 23) Before the occupation of the residential development a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This should include the appointment of a Travel Plan coordinator. The Residential Travel Plan should be in accordance with the latest TfL Guidance and reviewed annually against the Residential Travel Plan targets.
- 24) Before the commercial development is occupied the Workplace Travel Plan shall be submitted to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan coordinator. The Workplace Travel Plan should be in accordance with the latest TfL guidance and reviewed annually against the Workplace Travel Plan targets.
- 25) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.
- 26) Prior to the commencement of development, a dimensioned tree protection plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall be in accordance with Section 5.5, of the Arboricultural Method Statement dated November 2018, and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations). No site works (including any temporary enabling works, site clearance and

- demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.
- 27) Prior to the any works taking place within the root protection areas of any retained trees, plans showing the extent and depth of all excavations for drainage and other services in relation to trees shall be submitted to and approved in writing by the Local Planning Authority and the development carried out in accordance with the details as approved.
- 28) Prior to the commencement of development, a detailed tree felling / pruning specification shall be submitted to and approved in writing by the Local Planning Authority. All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).
- 29) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas (including the proposed living fence) for a minimum period of 5 years have been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include details of long-term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme. The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.
- 30) The site shall not be brought into use or first occupied until details of the means of enclosure, including proposed levels and boundary treatments on the interface of Plot and the Scout camp, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.
- 31) The development shall not be occupied until details comprising a scheme of measures to enhance and promote biodiversity shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation.
- 32) Before development hereby permitted is occupied, details of the proposed balconies including details of privacy panels where considered necessary by the Local Planning Authority shall be submitted and approved by the Local Planning Authority. The panels shall be provided in accordance with the approved details prior to the occupation of the development and retained as such thereafter.

- 33) Prior to the commencement of any above ground works, an air quality neutral assessment report shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. If the report shows that the site does not conform to the air quality neutral benchmark requirements, then a scheme of offset measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved measures shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.
- 34) The measures as detailed within Millbrook Park Phase 6B Full Planning Application Stage 2 Acoustics Report dated 12 October 2018 Revision P02 by Buro Happold Engineering shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.
- 35) The level of noise emitted from any residential or commercial air handling plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note and/or distinct impulse, then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

End of conditions