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For the attention of Harriet Beattie – Planning Officer
London Borough of Barnet
Development Management & Building Control Services
Barnet House
1255 High Road
London N20 0EJ

9th November 2016

Application: **16/6420/FUL**

Dear Harriet Beattie,

TOWN AND COUNTRY PLANNING ACT 1990

SITE: Pentavia Retail Park, Watford Way, London, NW7 2ET,

PROPOSAL: Redevelopment of the site to provide 4 new blocks ranging from 7 to 9 storeys following demolition of all existing buildings. Provision of 695 Build to Rent residential units with ancillary facilities; 846 m² A1 (retail); 570 m² A3 (restaurant and café) and A4 (drinking establishment); and 289 m² D1 (community) use floor space. New vehicular and pedestrian access off Bunn's Lane linked to new internal roads and provision of new privately and publicly accessible outdoor amenity space. Provision of lower ground floor and surface level parking and new associated refuse and recycling arrangements. The application is accompanied by an Environmental Statement.

The Committee of the Mill Hill Preservation Society (MHPS) have examined the application on the LBB planning website; we have met the developer's design team in committee and, on a few occasions, attended public exhibitions showing the site proposal. The Society commented by letter dated 12th October 2016 on the Draft Planning Brief prepared by LBB for the site. In view of the large number of documents to be reviewed (over 290) in such a relatively short space of time, we have commented based on our general but significant experience with the project – rather than on detailed clauses in all the documents.

Draft Planning Brief: The proposal does not comply with the Council's draft planning brief for the site. As mentioned above, the Society has commented on the draft brief that was drawn up, and so important do we see these comments in relation to this application that we include them as an Appendix at the end of this letter. It seems that this application has been made before the draft brief has been finalised and adopted by the LBB, but presumably this does not mean that the proposed brief for the site is invalid. Having examined the proposals it is clear that they do not meet the requirements of the Draft Planning Brief, nor indeed the comments we made on this brief. As such the application should be refused.

Local Plan & National Planning Policy Framework (NPPF): The proposal does not comply with the Council's Local Plan. The site falls outside the Colindale Regeneration and Growth Area defined in the Local Plan / Core Strategy. This is clearly indicated in The Key Diagram (Local Plan, Map 2, p33 and Map 4, p39) that goes up to but not across the boundary with the M1 motorway. The proposal contravenes Policy CS1 (Local Plan, p47) which is about consolidating growth to provide stronger protection for the suburbs and enhance the quality of neighbourhoods. It also contravenes Policy CS5 (Local Plan, p69) that states that tall buildings (8 stories / 26m or more) may be appropriate in specific strategic locations that include the Colindale AAP. The Colindale AAP provides further detail and has a more precise alignment of the growth area which clearly states 'the M1 forms the eastern boundary of the AAP area' (p10 / para 1.7.1). Policy 5.3 (chapter 5, p53) states that 'Taller buildings (in excess of 6 storeys) will only be located in the most sustainable locations which benefit from good access to public transport facilities and shops and services. The area immediately around Colindale Underground station will become the most sustainable location within the AAP.' Fundamentally the Local Plan / Core Strategy states that 'Outside of these specific locations, proposals for tall buildings will not be supported' and on these grounds alone the proposals should be refused.

The buildings proposed bear little relation to those in adjoining residential areas. The protection of the visual, historic and 'village character' qualities of Mill Hill is supported by Policy C6 in the emerging Local Plan, and paragraph 64 of the NPPF that states, "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions". No good case exists for changing the use class of the site from A1/A3 (Retail/Restaurant) to C3 Residential thereby causing the loss of amenities, resulting in residents having to travel further afield.

Traffic: Increased traffic on the local roads, especially Bunns Lane and Woodcroft Avenue, will cause additional bottlenecks on already congested roads. There are associated issues with traffic in that public transport links are poor, and insufficient on-site parking will cause overflow parking chaos on adjoining roads. We need to assess the impact of traffic generation rates for periods in the morning, evening and during the day and their impact of the surrounding areas. A Transport Impact Assessment was exceedingly difficult to find and without its own chapter. If the submission does not include a proper Transport Impact Assessment then the application should be considered incomplete and refused. An additional reason for rejecting this scheme is the proposed new road on the site of the of the old M1 link road (connecting to Bunns Lane) that would mean destroying a local woodland area.

Density: The number of dwellings and the density would more typically be found in an urban central city development, not in a suburban setting with a semi-rural nature. The development does not comply with the "Building for Life"-12 criteria, in the Government endorsed industry standard for well-designed homes and neighbourhoods. The local infrastructure cannot cope with such a large influx (potentially an additional 8% on top of already predicted growth in Mill Hill) of new families - for instance doctors' surgeries, school places, and parking at public locations such as our town centre and railway station.

Building Heights: The high density is linked to the excessive bulk of the structures at 7 and 9 storeys, which will alter the skyline of Mill Hill detracting from the suburban setting and semi-urban nature of the place. At these heights there will be an impact on the Mill Hill and Watling Estate Conservation Areas. Additionally, as the site is on high ground, this will add to the effective height of the blocks and they will dominate the surrounding residential areas and parks. The Local Plan calls for buildings to be no higher than 3-5 storeys in this location.

Affordable Housing: The level of "affordable" housing proposed fails to meet Barnet Council's standard of 40%. The idea that there is a demand in Mill Hill for accommodation that will be "all for rent" is unproven, and is not suited to this family orientated suburban town. Besides, there is no need for a Private Rented Sector scheme in Mill Hill. Barnet Council has enough housing to meet the requirements of the Local Plan's policy H1.

Outdoor Amenity Space: The Society considers that the outdoor amenity space proposed for this density of development is inadequate. Access to parks is tortuous and there is little by way of adjacent green space. This would tend to suggest that the layout as proposed constitutes overdevelopment. It is certainly not a site suitable for intensification, and has never been so designated as suggested in the application.

Air Quality and Pollution: The polluted environment between the A1 - M1 and main line railway, is not conducive to residential use. Pentavia is between the M1 and the Great North Way. There are 6 lanes of traffic plus a main line train route the M1 side and 4 lanes of traffic on the Great North Way side. This plot is just not suitable for residential use. Local opinion is that to build high rise blocks of 7 – 9 storeys here would be dreadful and whilst the buildings might be designed to ameliorate some noise pollution, little can be done about the air pollution. In fact it has been suggested that returning the existing site be to woodland would be a better contribution to the area as the trees would help absorb traffic noise and combat air pollution.

For the above reasons we recommend, in the strongest terms, that the application be refused. Please be in touch if you need any clarification. We wish to register to speak at the planning meeting.

Yours sincerely

John Living

John Living
Chair Mill Hill Preservation Society
On behalf of the Committee and the Planning Group

Appendix

12th October 2016 (Consultation letter submitted to LBB by MHPS on this date)

Dear Harriet Beattie,

Consultation on draft Pentavia Park Planning Brief

Thank you for your communication of 7th September 2016 giving the Society an opportunity to comment on the draft brief for the development of the Pentavia site. The Committee has discussed the document, hosted and attended various presentations by the current developer, Meadow Partners, and so we feel well placed to pass on our views. There are some general items that we shall touch on at the end of this report. Initially we comment on the document on a point by point basis. Where any item comes up more than once we express an initial view and assume the Council will apply this to any alternative locations. We have worked with the Neighbourhood Forum on this draft brief and in some cases you will note we have similar comments.

Clause 1.1: This clause presumes the site will be mixed development. MHPS think that the brief should not presume the nature of the development and needs rewording. More fundamentally we do not believe that the case for changing the use of the site from A1/A3 to mixed use has been definitively made. We think the brief should presume a continuation of the existing type of use. Pentavia Park, as a retail site, was successful for almost 25 years. Meadow Partners first proposed a new and improved retail/leisure offering and the Council approved this. The site confined by the A1 and M1 is not suitable for residential properties.

Clause 1.2: MHPS do not agree with all the objectives laid down for the site (see above). While we accept that one of the objectives for the site should be that “new and ancillary small-scale ‘non-destination’ retail and leisure uses that serve the needs of the new development” should be permissible, we do not accept that “new and ancillary community space, such as a nursery, that serves the needs of Colindale and Mill Hill” should be allowed. In the latter instance this would simply add to the traffic in and out of this site as certainly in the case of a nursery parents would deliver and collect their offspring by car thus exacerbating the considerable traffic issues. In fact we are dubious as to why Colindale comes into this brief at all. The last item in this clause reads “improvements to existing transport infrastructure and creation of a new pedestrian and cycle links to Colindale.” Transport links to Colindale cannot be improved and the pedestrian and cycle route seems to be the existing route reused. There may be some visual impact, but that is about all.

Clause 1.3: Again this clause references Colindale – “New uses to serve the needs of Small & Medium Enterprise businesses and community uses primarily to serve the needs of Colindale and Mill Hill”. MHPS see the site predominantly as a Mill Hill site due to the nature of the railway and motorway constraints.

Clause 3.3: MHPS has not checked the accuracy of Appendix 1 – but we assume LBB has.

Clauses 3.14 & 3.15: We believe that the brief needs to be strengthened to make clear that Barnet Council expects that, if a residential development is submitted by any developer, it must comply with 40% provision of affordable housing target, split 60% social rent and 40% intermediate. Further, we consider it important that this brief, and future briefs for other developments, should state that developers publicly demonstrate they have made these assumptions when agreeing the purchase price for the land to be developed. Given the significant shortfall across Barnet, and London more generally, in the provision of affordable housing we think all parties need to demonstrate publicly the desire to achieve these housing targets. Any sale of land for residential development should specifically acknowledge the need for “Affordable” housing and be priced to account for such.

Clause 3.16: We believe the brief should state that any proposed residential development must meet, as a minimum, the space and design standards laid out in the London Plan. Furthermore, we think the Barnet Housing strategy 2015 – 2025 (page 12) is misquoted in the brief and should be corrected. It says ... “The Local Plan 2012 recognised the need for a range of accommodation tenures and sizes to reflect the needs of a changing and growing population, and, taking account of the market’s predisposition to provide one and two bedroom homes, prioritised larger family homes of 3 bedrooms or more across affordable, intermediate and private developments.” This implies there should be an emphasis on larger type accommodation rather than the market pre-disposition toward one and two bedroom units.

Clause 3.19: MHPS believe the brief should state more explicitly that this site falls outside the strategic locations for tall buildings identified in the local plan. It should also reference the Colindale AAP in the section on the planning context that notes the M1 forms the eastern boundary to that development. This adjacent area indicates buildings of around 1-2 stories as appropriate rather than anything higher especially as the site is already elevated in relation to any nearby residential development.

Clause 3.22: Meadows Partners has not justified, except by implication in narrow short-term financial gains, the reason to build substantial residential units on the site. Whilst the need for additional housing across London is unarguable, so is the need for areas to have balanced development of residential building alongside a proper level of community and transport infrastructure with retail/commercial facilities that foster a vibrant local economy. The brief should put greater emphasis on the potential of this site to provide all types of non-residential infrastructure. The “town centre first” policy does not mean that Mill Hill Broadway could accommodate larger retail units of the type historically on the Pentavia site. Indeed the Pentavia site was seen by many residents as complementary to the small-scale shops of the Broadway, and with its closure Mill Hill residents must drive further afield (to Borehamwood for instance) in order to use facilities that could be accommodated on Pentavia. This damages the local economy.

Section 4: Constraints: Generally, the constraints section could be better worded. This section needs to include building density and provide a clear description of the surrounding suburban housing of 1-2 -3 story properties. It should also highlight the need to consider any potential visual impact on Bunns Lane and Mill Hill Park, along with other residential areas and viewpoints from higher ground within the Mill Hill Conservation area (noted in Clause 4.5). The brief should request that various cross sections be provided that are drawn to include adjacent areas of housing, with transport corridors, and not simply through the site (Clause 4.3). The fact that the brief states (Clause 4.10) that the national Air Quality Objectives for Nitrogen Dioxide and Particulate Matter (PM10) are exceeded reinforces our view that the site wedged between transport corridors is not appropriate for residential use and this fact should be emphasised in the brief. Figure 12 ‘Site constraints’ (see Clause 4.12) does not indicate the full extent of the low-rise residential areas well enough. Nearly all the housing areas shown on this map are low-rise residential but they are not indicated as such. The figure needs redrafting.

Clause 5.4: MHPS are of the opinion that even with any improvement in the access to Bunns Lane, an already busy road, the development of the site would be limited by similar constraints to that of Churchill Place. However, Churchill Place is better located in relation to the open space of Mill Hill Park. This clause is misleading and needs to be revised.

Clause 5.7: The Society feels that this clause is unnecessary. It discusses items on the other side of the north/south transport corridor that are unrelated to the development of the Pentavia site and therefore is misleading. The clause needs to be omitted.

Clause 5.12: We are pleased that the brief confirms the low PTAL rating for the site. However MHPS believes it is fundamental that any development fully accommodates all requirements for car parking within the site without allowing any overspill into already overcrowded roads that surround the site. The brief should confirm this.

Clause 6.2: The brief should make clear this is a suburban area and therefore, if a residential development is proposed, densities should be used consistent with the London Plan, Policy 3.4 - Table 3.2 ‘Sustainable residential quality (SRQ) density matrix (habitable rooms and dwellings per hectare)’ for a suburban location with a PTAL rating across the majority of the site of 1b. Ideally, for the sake of clarity, the brief should include the relevant part of the matrix in the body of the report.

We doubt that residential uses are “appropriate for the site” as stated in this clause. Further, MHPS feel that the sentence... “The Council recognises that as housing need increases new innovative and non-conventional housing products will come forward” be omitted from the brief as this presumes the outcome will be a residential development.

Clause 6.3: The brief could make clearer the desire to provide substantially greater business use, given the proximity of the site to Central London and both the M1 and the A1, especially as we consider the site not really appropriate for residential use.

Clause 6.6: The brief should state that the development proposal for the site will demonstrate how there will be no detrimental effect on the wider road and transport network. As background to the potential traffic problems the brief should also note that Bunn's Lane is only passable currently because for much of its length, from the M1 bridge to the Page street junction, vehicles park entirely on the pavement. NB: We state this because there are almost daily "knock on effects" across the Mill Hill area, including, but not limited to, Mill Hill Broadway, Flower Lane, Graham Park Road and, further afield, the routes to both the A1 (Aerodrome Road) and Colindale station/A5 (Colindale Road), Pursley Road and Devonshire Road down to Holders Hill Circus, Hale Lane and Selvage Lane up to Apex Corner.

Figure 15 – Clause 6.6: We object to this diagram because it shows various uses for the site in an irrational way. There is no need for the employment zone to be limited to where shown; no need for the amenity space to be limited to where shown; no need for the community space to be limited to where shown; the key for housing is shown all over the site and this seems totally unreasonable given the comments we have made previously. MHPS feel the figure would best be left out of the brief.

Clause 6.8: It is noted that the provision of residential development is phrased as a question. We think the rest of the brief should follow the same approach and not assume or imply that the site will be a substantially residential development. The availability of any on-site community and retail uses will be used by Mill Hill residents generally and not just residents of any proposed residential development. The brief should require any development proposal to include this in a traffic management plan. Urban Form and Character: sub-heading: The subtitle in the draft brief after Para 6.11 should use the word "suburban" rather than the word "urban". This reflects better both the nature of the broader area in which any development needs to sit, along with the more specific guidelines about density and mass of any proposed buildings.

Clause 6.13: We believe this paragraph should omit the statement that 'tall buildings of 8 storeys or more in height will not be supported' as this suggests that buildings of 7 storeys may be acceptable. The last sentence therefore should be omitted from the planning brief. The Mill Hill Neighbourhood Forum make other points about this clause which we agree with and restate below:

- The brief should be strengthened by making clear the impact of building heights on the site should be measured from the lowest level in the immediate vicinity of the development, not the height from the surface of the current car park in the retail park.
- Given the recent building of Churchill Place, which will be majorly impacted by any proposed development, we think the brief should make clear that any proposals should be consistent with the planning decisions and restrictions that were placed on this site.
- We note that an earlier application for the Churchill Place site (H/01249/10) was refused. We think decisions about Pentavia Park should also be consistent with this decision.
- We also note the height and density ranges applied in the Grahame Park Supplementary Planning Guidance, as recently as May 2016. In particular the height and density ranges for the "northern character area" quoted on page 38, limit height to, typically, 2-4 stories and density to 50-100 units per hectare. As the northern character area is the closest part of Grahame Park to Pentavia Park we believe any development on the latter site should be consistent with, and certainly limited to, the ranges used for the former site. Indeed Pentavia Park sits higher topographically and hence has the potential to be more overbearing.

Clause 6.14: The Society does not consider that reference to Local Viewing Corridors identified in Map 8 of the Local Plan Core Strategy is appropriate. This map is far too general to deal with the potential impact of buildings of any bulk on the skyline in the immediate neighbourhood of Mill Hill. This clause needs to be redrafted to include the impact on local views as well as the macro situation.

Clause 6.18: We do not understand why this clause has been included. All elevations are visible therefore the clause is meaningless. We suggest it is omitted. It also smacks of a get 'out of jail free card' if the developer does propose high buildings that are not appropriate to the site.

Clause 6.19: The brief should be more explicit about what it means by 'some roofline interest might frame the sky exposure of views from adjacent areas and make any structures less overbearing.' If buildings proposed are of a height to suit the surrounding residential uses they should not be overbearing. MHPS would prefer the brief to be more specific on what constraints any development should follow.

Clause 6.20 & 6.21: The sentence setting out mitigation measures needs to be changed to read... "residential units are not exposed to noise levels exceeding 55db nor poor air quality." On the matter of 'mitigation measures' within this context we think that "green buffers" would have negligible effect on air quality or on acoustic impact. The brief should request that clear technical evidence is provided with any planning application on how measures will overcome the considerable environmental constraints of the site.

Clause 7.7: The words should be rewritten so as not to imply that blocks of 4 to 7 stories could be acceptable. It should also state that blocks of any height would be very visible, rather than quite visible.

Clause 7.8: The guidelines on light pollution are welcomed.

Clause 7.10: The last sentence of this clause should be changed to read as follows: "Therefore the additional traffic movements from proposed new uses for the site need to be carefully considered and is (delete 'might become') a constraint on the scale of the development. Using the word 'might' in this sentence will make it meaningless.

Clause 7.16: MHPS do not agree that any vehicular access onto Bunns Lane from the site creating a connection between the A1/A41 Watford Way Northbound and Bunns Lane and Graham Park Way would be 'appealing'. Is this route a requirement of the design solution? We feel it is not and so the clause should be carefully rewritten to be more explicit.

General Comment:

We think the brief should highlight more clearly the suburban nature of Mill Hill with low density housing and, generally, small blocks of flats typically no more than 3 storeys in height. The brief should be sufficiently clear that any proposed development should respect the general characteristics of the Mill Hill area. This also applies to materials and the use of colour.

In particular the brief should be more specific in terms of the limitations to the proposed height and massing of development buildings, both individually and collectively.

The many uses that the site could sustain are not clearly stated and the brief slants towards residential use on a site that has huge problems to overcome to facilitate this use category. Where residential use is involved a maximum density figure should be stated.

The brief should also state that any use of specific numbers in individual paragraphs (number of building storeys, noise levels and so forth) does not imply that any development proposals that match these criteria would comply with Council requirements and therefore be automatically acceptable.

Finally, this is an exciting site in so far as it has the potential to improve the facilities of Mill Hill and to provide uses that could never be shoehorned into the Broadway. The brief does not go far enough to encourage this potential. We would recommend that it is reconsidered and the clauses we have outlined redrafted to encourage a development of which Mill Hill residents can be proud.

Please be in touch if you have any queries or require more information.

Yours sincerely

John Living

John Living: Chair

Mill Hill Preservation Society On behalf of the Committee and the Planning Group