



## **Waitrose Mill Hill East**

### **Statement in Support of a Tall Building Area Allocation in the Barnet Plan**

**For Tall Building EiP Session  
On 2nd November 2022**

September 2022





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## 1.0 Introduction

### Background

- 1.1 Montagu Evans, HTA Architects and Lichfields are jointly instructed by the John Lewis Partnership (JLP /The Partnership) to appear at the Examination in Public (EiP) following representations on the emerging draft Reg.19 Barnet Local Plan (BLP), produced by the London Borough of Barnet Council (LBBC).
- 1.2 The Partnership is the UK's largest employee-owned business and is owned in trust on behalf of its 80,000 Partners. In turn, The Partnership owns 34 John Lewis stores and 331 Waitrose stores.
- 1.3 The business has undertaken a thorough review in the last 2.5 years and put in place a Partnership Plan that seeks to restore its profits. Championing equality, sustainability and wellbeing, the business is seeking to diversify from its retail core into the Build to Rent (BTR) market. The Partnership sees Build to Rent as a key addition to the business, aiming to deliver some 10,000 homes under its management in the next 10 years.
- 1.4 The initial focus is on a limited number of existing locations the Partnership owns through utilising airspace above its retail assets, whilst ensuring that a strong retail operation remains beneath.
- 1.5 The John Lewis Partnership wholly owns its Waitrose store at Mill Hill and proposes this store to be one of the first to be promoted for this exciting new BTR initiative.
- 1.6 As part of this, the proposals seek 8 storeys of development (7 storeys above a podium over the car park) and, as such, trigger Policy CDH04 of the BLP.
- 1.7 As a key stakeholder in the Mill Hill East Area, and as owners of the Waitrose store and adjoining car park areas, JLP would therefore like to participate in the examination of Policies relevant to the provision of a tall building as part of suggested allocation of the Mill Hill Site on the 2<sup>nd</sup> November 2022.
- 1.8 The intention of JLP is to maintain its retail food store at Mill Hill East for Waitrose, to help sustain the local centre and serve the wider community, alongside the development of the site for approximately 140 Build to Rent (BTR) residential units to be built above the car park. These homes will be owned jointly with an investor and will be developed and operated by JLP.
- 1.9 The timing of JLP's decision to progress this opportunity meant that it was not possible to make representations on earlier versions of the emerging Plan, notably the Reg.18 documents. However, after making Representations on the Reg.19 Plan, JLP and its advisors have had positive initial pre-application discussions with LBBC. It is hoped that these will continue and that LBBC recognise the site as one suitable for mixed use residential development of up to 7 storeys above a podium over the existing car park (8 storeys in total) and which will enhance the vitality and viability of Mill Hill East whilst providing an important residential allocation at a sustainable location.
- 1.10 As a local centre location well accessed by public transport, we consider the site is capable of mixed-use residential development of some density, given its 'in centre' location adjacent to a key transport node and adjacent to a major TfL route. We confirm that the site is suitable, available and achievable for residential development.
- 1.11 Further representations have been submitted to the Site Specific EiP Sessions due to commence on the 4<sup>th</sup> November 2022.

## 2.0 The Site

2.1 The extent of the Waitrose Mill Hill East site is provided at Appendix A.

2.2 The site is a significant one and falls immediately to the south of Mill Hill East underground station. It is defined by the existing Waitrose store and its car park, with the following boundaries:

- To the north, by embankment, Tube Line (Northern Line) and Mill Hill East Station (indicated in the BLP as site allocation 47).
- To the south, by Langstone Way
- To the west by the Virgin Active club and car park, the Day Lewis Pharmacy and Langston Way Surgery
- To the east by Bittacy Hill / the B552

2.3 We have identified four townscape character areas within the study radius of 500m from the centre of the Site. These are shown on figure 1 of the Heritage and Townscape Visual Impact Assessment (HTVIA) (Appendix B); a summary description of each character area is also included.

2.4 Their descriptions show that the surrounding townscape, while characterised by predominantly low-rise buildings, has accommodated new buildings of additional height (to the north, with the Barratt Development on the former Barracks site) and is in a location of transition, close to Mill Hill East underground station. The existing baseline condition of the townscape are that while a tall building on the Site would be a new addition typologically, it can be accommodated by the existing character of the area. The four-character areas are:

- 1 Late 20<sup>th</sup> Century/Early 21<sup>st</sup> Century
- 2 Post-War Residential
- 3 Contemporary
- 4 Open/Green Space

2.5 To support the evidence that a tall building could be accommodated on the Site, a visual impact assessment of three sketched views, using verified data, are provided from three viewpoints. A further 13 (of 16) viewpoints have been identified to test visual impacts of a G+7 storey scheme on the Site to show that Mill Hill East (Tube Station and Waitrose Store) could be accommodated visually, and in terms of townscape. Descriptions of the wider viewing locations is provided in the HTVIA; these would be considered as part of a wider application. This would also ensure that impacts to openness in the nearby Green Belt would be minimal and that there would be no change to any significance contributed by setting to the Mill Hill Conservation Area (approx. 500m away).

2.6 However, work undertaken by JLP, including a Heritage, Townscape Visual Impact Assessment (HTVIA) concludes that the site / area is appropriate for a Tall Building.

### **3.0 Support for a Taller Building**

- 3.1 Policy CDH04 of the BLP, in updating Policy DM05 of the existing Barnet Plan, considers tall buildings within the LBBC area.
- 3.2 CDH04 sets out the acceptability of tall buildings (8 - 14 storeys /26 to 46 metres above ground level) may be appropriate at a number of strategic locations.
- 3.3 Mill Hill East is not defined as such an area.
- 3.4 The Policy states tall buildings of 15 storeys or more ('Very Tall') will not be permitted unless exceptional circumstances can be demonstrated, such as appropriate siting within an Opportunity Area or Growth Area.
- 3.5 CDH04 notes the Council will produce SPD on Building Heights which will set out, within the identified strategic locations, the parameters for tall and very tall buildings. However the policy notes that proposals for Tall and Very Tall Buildings will be assessed in accordance with the visual, functional, environmental and cumulative impacts set out in London Plan Policy D9
- 3.6 Outside of Strategic Locations highlighted in Policy CDH04 'Tall Buildings' residential-led building blocks of up to 7 stories are considered suitable along major thoroughfares, although any 'tunnelling' effect from buildings must be avoided, and separation must be maintained between town centres.
- 3.7 Barnet's definition of a Tall Building and identification of strategic locations where tall buildings may be appropriate does not mean that all buildings up to 8 storeys or to a height of 26 metres are acceptable in these locations or elsewhere in the Borough. Such proposals will be assessed in the context of other planning policies, in particular Policy CDH01 – Promoting High Quality Design, to ensure that they are appropriate for their location and do not lead to unacceptable impacts on the local area
- 3.8 Map 4 of the BLP (Page 128) shows Strategic Tall Building Locations and Locally Important Views. Consistent with CDH04 Mill Hill East is not identified as a location for Tall Buildings.

### **Assessment of Appropriateness for Tall Building**

- 3.9 The Waitrose site occupies a strategic position within the Mill Hill East growth area, within a local centre and adjacent to Mill Hill East Station, a key transport hub. Bittacy Hill / the B552 adjacent the site is also designated a major TfL route.
- 3.10 The site does not fall within the Mill Hill Conservation Area, which is situated at some distance, and the site is also outside the Green Belt. A search on Historic England's website shows there to be no listed buildings on the site or in the vicinity (within 300m of the site).
- 3.11 A Heritage, Townscape Visual Impact Assessment (HTVIA) has been undertaken jointly by HTA Architects and Montagu Evans to assess the suitability of the site for a taller building.
- 3.12 The results of this exercise are set out below, with the HTVIA included at Appendix B.
- 3.13 In terms of heritage, any significance contributed by setting to the Mill Hill Conservation Area would not be impacted.
- 3.14 Townscape character amenity is generally very ordinary around the Site. The Site could be improved with the benefits a tall building brings and the densification around the Mill Hill East underground station.

- 3.15 Further, a taller building on the Site would provide legibility in the wider townscape given that the Site occupies a position between the commercial amenities to the south of the residential area and the underground station to the north. This would be in line with London Plan Policy D9 in terms of identifying suitable sites for tall buildings in Local Development Plans.
- 3.16 HTA have produced three visualisations of how a taller building on the Site would sit in the local townscape. Three positions of the 16 identified for further testing were used. It shows how a building of G+7 storeys would stitch into the low-to-mid rise scale of the surrounding townscape, suitably marking the Site.
- 3.17 In terms of the HTVIA, it is deemed that Policy CDH04 of the draft BLP should be altered to include the Site (Mill Hill East (Tube Station and Waitrose) (Policy GSS07)) as being appropriate for a tall building. In addition, the proposed modification to the BLP that states “Although identified in GSS01 as a Growth Area, Mill Hill East is not a strategic location where Tall Buildings may be appropriate” should be removed.
- 3.18 The HTVIA concludes that this is because detailed analysis is required to form a judgement on acceptable locations for tall buildings and there is little evidence of this in the draft BLP. The HTVIA in appendix C offers further commentary on this evidence base.



## 4.0 **Proposed Changes to draft Plan**

4.1 We consider Policy CDH04 could be updated to increase its consistency with national policy which encourages making more effective use of land at key transport and other accessible locations and to make it more consistent with NPPF Policy (Para 125(a) which encourages optimising the use of land and density at accessible locations.

4.2 The following changes to the BLP Policy CDH04 part (a) are respectfully requested.

4.3 Additions are shown in **bold**.

*a. Tall buildings (8 to 14 storeys (26 to 46 metres above ground level)) may be appropriate in the following strategic locations:*

- *Brent Cross Growth (Opportunity) Area (Policy GSS02);*
- *Brent Cross West Growth (Opportunity) Area (Policy GSS03);*
- *Colindale Growth (Opportunity) Area including Grahame Park Estate (Policy GSS06);*
- *Cricklewood Growth (Opportunity) Area (Policy GSS04);*
- *Edgware Growth Area (Policy GSS05);*
- ***Mill Hill East (Tube Station and Waitrose) (Policy GSS07);***
- *West Hendon Estate (Policy GSS10);*
- *New Southgate Opportunity Area<sup>27</sup> (Policy GSS09);*
- *Major Thoroughfares - Edgware Road (A5) and Great North Road (A1000) (Policy GSS11);*  
*and the*
- *Town Centres of Finchley Central and North Finchley (Policy GSS08)*

4.4 We also consider Map 4 – Locally Important Views, should be updated to reflect a suitable location for Strategic Tall Building Locations.

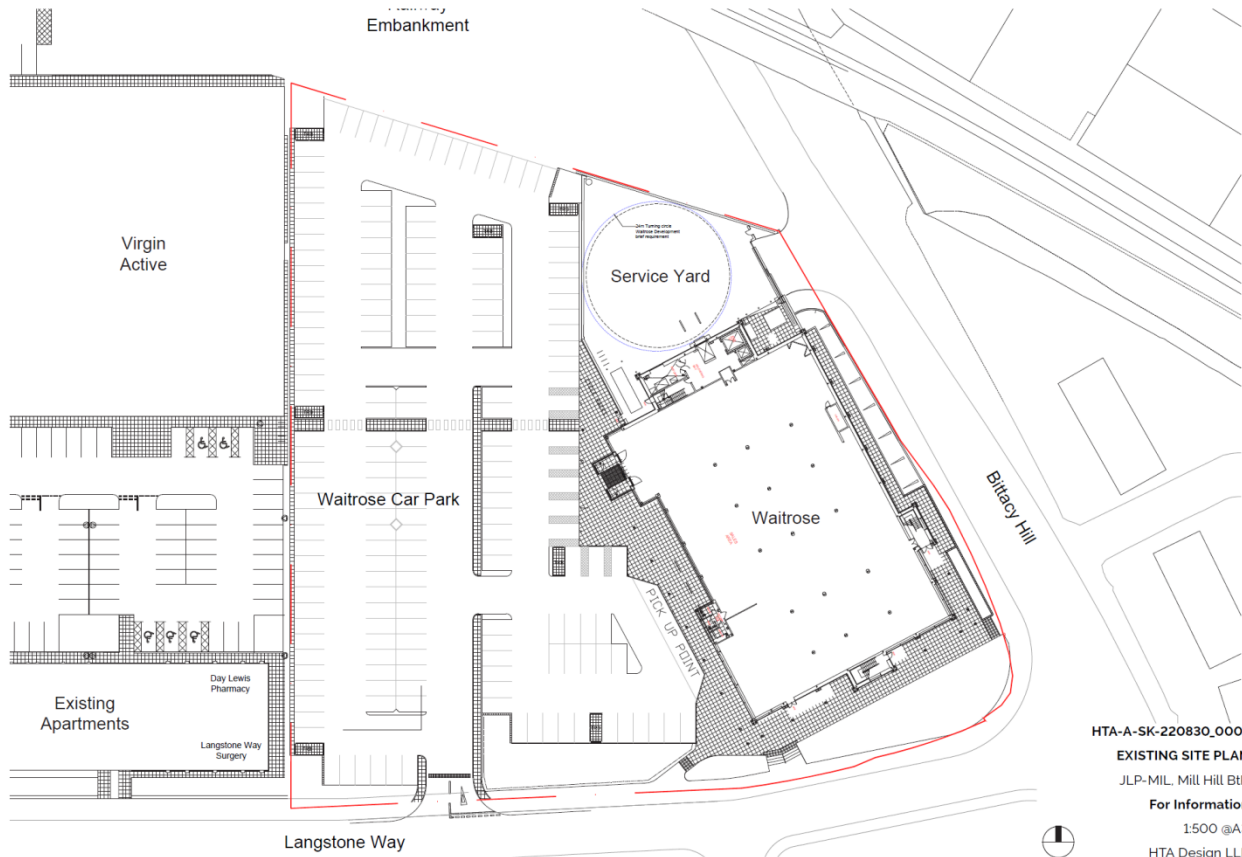
## 5.0 Conclusions

- 5.1 Montagu Evans, HTA Architects and Lichfields are jointly instructed by the John Lewis Partnership (JLP /The Partnership) to appear at the Examination in Public (EiP) following representations on the emerging draft Reg.19 Barnet Local Plan (BLP), produced by the London Borough of Barnet Council (LBBC).
- 5.2 JLP has undertaken a thorough review in the last 2.5 years and put in place a Partnership Plan that seeks to restore its profits. Championing equality, sustainability and wellbeing, the business is seeking to diversify from its retail core into the Build to Rent (BTR) market. The Partnership sees Build to Rent as a key addition to the business, aiming to deliver some 10,000 homes under its management in the next 10 years.
- 5.3 JLP wholly owns its Waitrose store at Mill Hill and proposes this store to be one of the first to be promoted for this exciting new BTR initiative.
- 5.4 Representations to the Reg.19 Draft Barnet Local Plan (BLP) have been duly made in support of a mixed-use residential allocation on the existing site of Waitrose Mill Hill, at 2 Langstone Way, Mill Hill, NW7 1GU.
- 5.5 The intention of The Partnership is to maintain its retail food store at Mill Hill East for Waitrose, to help sustain the local centre and serve the wider community, alongside the development of the site for approximately 140 Build to Rent (BTR) residential units above part of the existing car park. These units will be developed and operated by JLP.
- 5.6 Work undertaken in support of the site, including a Townscape Visual Impact Assessment, concludes that the site could support a tall building as part of its redevelopment.
- 5.7 The townscape character can accommodate the change a tall building would bring. The redevelopment of the Site with a tall building offers the opportunity to improve the urban design of the surrounding area, considering its important location on route from the commercial part of Mill Hill East in the south on the route to Mill Hill East underground station.
- 5.8 This work is supported visually by HTA's illustrations which demonstrate that the principle of a G+7 storey building would sit comfortably in the established townscape character of Mill Hill East. It would improve the legibility of the Site and mark the southern side of the station while complementing the surrounding and emerging townscape character.
- 5.9 If there any comments or queries, or clarifications required on any of the points raised in these representations, then please do not hesitate to contact Ian Anderson at  
[REDACTED]

**Lichfields**  
**September 2022**

## **Appendix A: Site Plan**

# Site Plan: Waitrose Mill Hill



## **Appendix B: Townscape Visual Impact Assessment (see separate attached document)**

# CONSULTATION RESPONSE



## TO

London Borough of Barnet

## FROM

Montagu Evans LLP

## DATE

September 2022

## SUBJECT

Written Representation for the Allocation for a Tall Building at 2 Langstone Way

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## INTRODUCTION

- 1.1 Montagu Evans LLP (“ME”, “we”, “us”) has been instructed by John Lewis Partnership (JLP, the ‘Client’) to prepare a consultation response to the London Borough of Barnet (“LBB”) call for site allocations. We are specifically assessing the suitability for tall buildings at 2 Langstone Way (the ‘Site’) in light of Matter 8: Design, Tall Buildings and Heritage in the *Inspectors’ Matters, Issues and Questions for Hearing Sessions – Autumn 2022*. The purpose of this response is to critically assess LBBs proposed modifications to their draft Barnet Local Plan (BLP) that specifically concern the Mill Hill East Growth Area. This is in regard to the supporting evidence base for the suitability for tall buildings in Mill Hill East as part of the emerging draft Reg.19 Barnet Local Plan (BLP).
- 1.2 The evidence supporting draft Policy GSS07 and Policy CDH04 comprises, essentially, the following documents:
- Draft Barnet Local Plan (2021)
  - LB Barnet Tall Buildings Update (2019)
  - London Plan Policy D9
  - National Planning Policy Framework (2021) (para 125(a))
- 1.3 This response considers this change to the Draft BLP against the existing baseline condition, arguing that the Site is a suitable location for a tall building. The proposed alteration is to section 4, ‘Chapter 4: Growth and Spatial Strategy’. In this response we consider the existing evidence base that has informed the suitability of tall buildings in this location, which includes Barnet’s Local Plan (Core Strategy) (2012), the Mill Hill East Area Action Plan, the London Plan and the Barnet Draft Local Plan (Reg 19) 2021 to 2036 (June 2021), has not undertaken a fine grained analysis of individual sites.
- 1.4 This response forms an appendix to a wider pack of representations coordinated by Lichfields against this alteration to the Draft BLP.
- 1.5 This response is structured to describe the appropriateness of a tall building on the Site. We reference the existing development plan policies and National Planning Policy Framework, notably Policy D9 of the London Plan. We conclude with recommendations for amendments to the draft policies within the BLP. In summary we make the following observations:
- The Site is located within the defined Mill Hill East Centre in an area of growth.
  - The Site lies adjacent to Site Allocation 47 in the BLP.
  - The Site comprises already developed land.
  - The location is sustainable, lying close to Mill Hill East Station.
  - To the northeast, Mill Hill East has been intensified with significant development with buildings of up to eight storeys. The townscape character local to the Site has changed, with buildings of six storeys adjacent to the station. A new building of G+7 storeys on the Site would be consistent with that broad pattern of development within the Mill Hill East Centre.

- The townscape views prepared as part of this submission indicate that a development would provide a legible marker and gateway building for the station and would appear appropriate for the location.
- The Site provides opportunities for a new building of high-quality design to contribute to local character.
- The Mill Hill Conservation Area is over 500m to the north west of the Site. Any eventual development would need to be tested against the NPPF (2021). However, using professional judgement, in our view a building of G+7 is unlikely to have an impact on the setting and significance of the conservation area, especially given the level of changes within the Mill Hill Growth Area. There are no listed buildings within the vicinity of the Site.
- Our analysis identifies that the Site is suitable for a building of G+7 which would be defined as a tall building by the emerging BLP. On that basis Policy GSS07 should be amended to remove the reference to tall buildings being inappropriate for this location because the locations listed are not appropriate and sufficiently precise.
- We recommend that policy GSS07 is amended to include the Site as part of the strategic locations suitable for a tall building.

## CONTEXT FOR THIS CONSULTATION RESPONSE

2.1 This response considers Policy CDH04 and Site Allocation Policy GSS07 of the BLP. In the recently published proposed modifications to the Draft BLP, a new sentence is proposed to be added to the end of Policy GSS07 Mill Hill East paragraph 4.20.5 to read:

*“Although identified in GSS01 as a Growth Area, Mill Hill East is not a strategic location where Tall Buildings may be appropriate.”*

2.2 With the aim to provide a clarification that Mill Hill East is not a location suitable for tall buildings. Paragraph 4.20.5 has been amended as follows:

*Development proposals must demonstrate how sustainable modes of transport will be enabled, with the effects on traffic and transport fully assessed and mitigated as required. Although identified in GSS01 as a Growth Area, Mill Hill East is not a strategic location where Tall Buildings may be appropriate.*

2.3 A modification to paragraph 6.18 states ‘The Council will therefore carefully assess the design and townscape qualities of proposals that may otherwise gradually erode the Borough’s predominant and historic character.’ This consultation response considers the soundness of Policy GSS07 Mill Hill East, and the suitability for of the Site for tall buildings.

2.4 Policy CDH04 identifies the following areas as being suitable for tall buildings:

- Brent Cross Growth (Opportunity) Area (Policy GSS02);
- Brent Cross West Growth (Opportunity) Area (Policy GSS03);
- Colindale Growth (Opportunity) Area including Grahame Park Estate (Policy GSS06);
- Cricklewood Growth (Opportunity) Area (Policy GSS04);
- Edgware Growth Area (Policy GSS05);
- West Hendon Estate (Policy GSS10);
- New Southgate Opportunity Area<sup>27</sup> (Policy GSS09);
- Major Thoroughfares - Edgware Road (A5) and Great North Road (A1000) (Policy GSS11); and the
- Town Centres of Finchley Central and North Finchley (Policy GSS08)

2.5 These representations propose the addition of the Site at Mill Hill East to be added to this list, with the removal of the proposed modifications to Policy GSS07 outlined above.

2.6 To inform this analysis Montagu Evans, Lichfields and HTA have considered an emerging proposal for a development of G+7 storeys.

## GENERAL PRINCIPLES

3.1 In our appraisal of Policy GSS07 Mill Hill East of the draft BLP we agree with the following analysis:

- The Mill Hill Conservation Area boundary lies approx. 500m to the west of the Site;
- Part of the conservation area's characteristics that fall within Mill Hill East are primarily open, undulating space.
- The policy recognises that much of Mill Hill East is undergoing a significant transformation, with the 40 hectares of the former RAF barracks and former council depot being transformed into a 'high-quality sustainable development' which provides 2,240 new homes.

3.2 The Policy refers to the description of the Area Action Plan (AAP) (2009), within which, the Site is not located. It also states that any proposals for development must '*demonstrate careful consideration of any impacts on the Mill Hill Conservation Area and Green Belt*'.

3.3 However, we highlight that the Tall Buildings Update (TBU, 2019) which underpins the emerging policy, identifies locations suitable for tall buildings based on existing and approved development. The analysis contained within the TBU does not have detailed analysis of potential sites that lie outside of those areas that already include tall buildings. CDH04 notes the LBB will produce an SPD on Building Heights which will set out, within the identified strategic locations, the parameters for tall and very tall buildings. However, until such a document is produced, there is no up-to-date evidence base to account for new locations. Consequently, sites such as the Waitrose in Mill Hill have not been assessed in detail to consider the suitability. Thus, in our judgement the identification of locations in Policy CDH04 is not sufficiently precise (as per the Inspectors' Matter 8 part 4 b)).

3.4 We do note Policy CDH04 part e) states that proposals for Tall and Very Tall Buildings will be assessed in accordance with the visual, functional, environmental and cumulative impacts set out in London Plan Policy D9. We endorse the approach because it follows the policy interpretation that has been established in case law that tall buildings can be suitable in areas that are not identified by a local planning authority.<sup>1</sup>

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<sup>1</sup> R (London Borough of Hillingdon) v Mayor of London (Lang J, 15 December 2021)



## EXISTING POLICY

- 4.1 There is sound policy justification for the development of a tall building on the Site. The following section sets out the planning policy context for the Site and for the context of the assessment of the Site and its ability to accommodate a tall building.

### Legislation

#### *Planning (Listed Buildings and Conservation Areas Act) 1990*

- 4.2 The statutory duties of the decision-maker when considering applications which affect designated heritage receptors are set out in the 1990 Act.
- 4.3 The Site does not comprise any statutorily listed buildings and nor is it located in a conservation area.
- 4.4 The Courts have confirmed that if the policy approach set out in the NPPF is followed then the statutory duties referred to above will have been fulfilled.

#### *Development Plan*

- 4.5 Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that where in making any determination under the Planning Acts, regard is to be had to the development plan, and the determination must be made in accordance with that plan unless material considerations indicate otherwise.
- 4.6 The statutory development plan and the policies relevant to the assessment of heritage, townscape and visual considerations are set out at Table 2.1 below.

Development Plan Policy	Key Provisions
London Plan (2021)	<ul style="list-style-type: none"> <li>• <b>Policy D1</b> (London's form character and capacity for growth)</li> <li>• <b>Policy D3</b> (Optimising site capacity through the design-led approach)</li> <li>• <b>Policy D4</b> (Delivering good design)</li> <li>• <b>Policy D5</b> (Inclusive design)</li> <li>• <b>Policy D8</b> (Public realm)</li> <li>• <b>Policy HC1</b> (Heritage conservation and growth)</li> <li>• <b>Policy HC3</b> (Strategic and Local Views)</li> <li>• <b>Policy G2</b> London's Green Belt</li> </ul>
Barnet's Local Plan (Core Strategy) (2012)	<ul style="list-style-type: none"> <li>• <b>Para 1.3.2</b> Identifies Mill Hill East as being an area for growth, as outlined in London Plan (2008) – the Site is outside of this area on the southern boundary</li> <li>• <b>Chapter 4: Barnet: the Place</b> Outlines the main characteristics of LB Barnet (p. 21 – looks at character, p. 25 at setting)</li> <li>• <b>Chapter 6 Vision and Objectives</b> Outlines the core objectives to manage housing growth and meet housing aspirations</li> <li>• <b>Chapter 7 Barnet's place shaping strategy</b></li> <li>• <b>Chapter 10 Protecting and enhancing Barnet's character to create high quality places</b> Highlights Barnet's character and findings from Barnet Characterisation Study</li> </ul>
Draft Local Plan (2021)	<ul style="list-style-type: none"> <li>• <b>Chapter 6: Character, Design and Heritage</b></li> </ul>
Mill Hill East Area Action Plan (2009)	<ul style="list-style-type: none"> <li>• The Site is located outside of the AAP boundary, on its immediate southern edge</li> <li>• Focuses on land to the north, including the former barracks land which has since been developed</li> </ul>

**Table 2.1 – Development Plan Policy Relevant to the emerging proposals.**

### National Policy

- 4.7 The Development Plan is supported by the planning policies set out in the National Planning Policy Framework (2021). The relevant provisions are set out at **Table 2.2**.

National Policy	Key Provisions
National Planning Policy Framework (NPPF) 2021	<p>Chapter 5 (Delivering a sufficient supply of homes)</p> <ul style="list-style-type: none"> <li>• Paragraph 73</li> </ul> <p>Chapter 12 (Achieving well-designed places)</p> <ul style="list-style-type: none"> <li>• Paragraph 126</li> <li>• Paragraph 130</li> <li>• Paragraph 131</li> <li>• Paragraph 132</li> <li>• Paragraph 133</li> <li>• Paragraph 134</li> </ul> <p>Chapter 13 Protecting Green Belt Land</p> <ul style="list-style-type: none"> <li>• Paragraph 137</li> <li>• Paragraph 138</li> <li>• Paragraph 139</li> <li>• Paragraph 140</li> <li>• Paragraph 141</li> <li>• Paragraph 142</li> <li>• Paragraph 143</li> <li>• Paragraph 144</li> <li>• Paragraph 145</li> <li>• Paragraph 146</li> </ul> <p>Chapter 16 (Conserving and enhancing the historic environment)</p> <ul style="list-style-type: none"> <li>• Paragraph 194</li> <li>• Paragraph 199</li> <li>• Paragraph 200</li> <li>• Paragraph 201</li> <li>• Paragraph 202</li> <li>• Paragraph 203</li> <li>• Paragraph 206</li> </ul>

**Table 2.2 – National Planning Policy Relevant to the emerging proposals.**

**Material Considerations / Guidance**

4.8 In addition to legislation and policy, the assessment will take into consideration relevant planning guidance and any material considerations, including:

- National Planning Practice Guidance (online);
- Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA) (2013);
- An Approach to Landscape Character Assessment (2014);
- TGN 06/19 Visual Representation of Development Proposals Technical Guidance Note (2019) prepared by Landscape Institute;
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (2017);
- Tall Buildings: Historic England Advice Note 4 (2022);
- Barnet Characterisation Study (2010) (Highlights Mill Hill East as being a small area made up of residential estates with open spaces on its peripheries with Hendon Cemetery and Mill Hill Cemetery nearby);
- LB Barnet Tall Buildings Study (2010); LB Barnet Tall Buildings Update (2019); and
- LB Barnet Development Management Policies.

National Guidance	Key Provisions
National Design Guide (2019)	<p>The ten characteristics that the NDG identifies that contribute towards well-designed places and are intended to foster local character, community and be sensitive to climate change are:</p> <ul style="list-style-type: none"> <li>• Context – enhances the surroundings</li> <li>• Identity – attractive and distinctive</li> <li>• Built form – a coherent pattern of development</li> <li>• Movement – accessible and easy to move around</li> <li>• Nature – enhanced and optimised</li> <li>• Public spaces – safe, social and inclusive</li> <li>• Uses – mixed and integrated</li> <li>• Homes and buildings – functional, healthy and sustainable</li> <li>• Resources – efficient and resilient</li> <li>• Lifespan – made to last</li> </ul>
National Planning Practice Guidance (PPG) (first published March 2014; continuously updated thereafter)	<ul style="list-style-type: none"> <li>• Para 001 – echoes the ten points above in the NDG.</li> <li>• Para 003 -- What is meant by the conservation and enhancement of the historic environment?</li> <li>• Paragraph 019 – How can proposals avoid or minimise harm to the significance of a heritage asset?</li> </ul>

**Table 2.3 – Summary of National Guidance.**

## POLICY DISCUSSION

- 5.1 Policy D9 of the London Plan (2021) sets out the GLA’s approach to the development of tall buildings across London. The policy sets out the criteria against which tall buildings should be assessed and establishes support for the development of tall buildings where they create attractive landmarks and enhance London’s character. The London Plan (2021) states that *‘Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey’*.
- 5.2 The draft LBP builds upon previous plans and policy published by the council. LB Barnet’s Local Plan (2012) defines tall buildings as being eight storeys, or 26m, above ground in Policy CS5 ‘Protecting and enhancing Barnet’s character to create high quality places’. The 2019 LB Barnet Tall Buildings update, which builds upon the earlier 2010 Tall Buildings Study, re-defined tall buildings as being 8-14 storeys and defines anything over 15 storeys as being a ‘very tall building’. Barnet’s Tall Buildings’ study Update informed Barnet’s Draft BLP, ‘providing detailed contextual and spatial analysis to establish a design-led approach’. The draft BLP continues this definition, which is in line with London Plan D9, where it states that ‘based on local context, Development Plans should define what is considered a tall building for specific localities’.
- 5.3 Detailed analysis is required to form a judgement on acceptable locations for tall buildings. London Plan Policy D9 provides a qualitative framework in assessing the ability for a site to accommodate the construction of a tall building. Para 3.9.1 stipulates that for ‘opportunities and managing future growth, contributing to new homes and economic growth, particularly in order to make optimal use of the capacity of sites which are well-connected by public transport and have good access to services and amenities’. In the case of the Site, the underground station is to the immediate north of the Site, and is, itself an allocated site (Site 47). In addition, Policy D9 states that ‘tall buildings can help people navigate through the city by providing reference points and emphasising the hierarchy of a place such as... transport interchanges’. Our analysis below illustrates that a tall building on the Site at Mill Hill East would assist in navigating by providing a reference point by Mill Hill East underground station, linking the commercial area in the south to the station and new development to the north. Further, this approach would be in line with paragraph 125(a) of the NPPF which encourages the optimising of land and density at accessible locations. In considering the above, it is not clear that Policy GSS07 Mill Hill East of the draft BLP is founded on evidence for each location in LBB.

### Location

- 5.4 The draft BLP upholds this definition of tall buildings, referring all buildings over 30m to the GLA as per Policy D9 of the London Plan. In Policy CDH04 Tall Buildings in the draft BLP, LBB highlight Brent Cross, Brent Cross West,

Colindale, Cricklewood, Edgware, West Hendon Estate, New Southgate, major thoroughfares including Edgware Road and Great North Road and the town centres of Finchley Central and North Finchley as being acceptable for tall buildings (8-14 storeys), with very tall buildings (15+ storeys) requiring 'clear and convincing justification'. Mill Hill East does not form one of those locations. The Site occupies a strategic position within the Mill Hill East growth area, within a local centre and adjacent to Mill Hill East Station, a key transport hub. Bittacy Hill / the B552 adjacent the site is also designated a major TfL route. The location of the Site lies to the immediate south of Mill Hill East underground station, with a series of new development to the north. Commercial buildings are situated to the south with a three-way junction meeting at the foot of Bittacy Hill. In understanding the commercial area and the new residential area to the north, the Site combined with Mill Hill East, mediate between the two lending the Site favourably to a position for a sustainably located tall building.

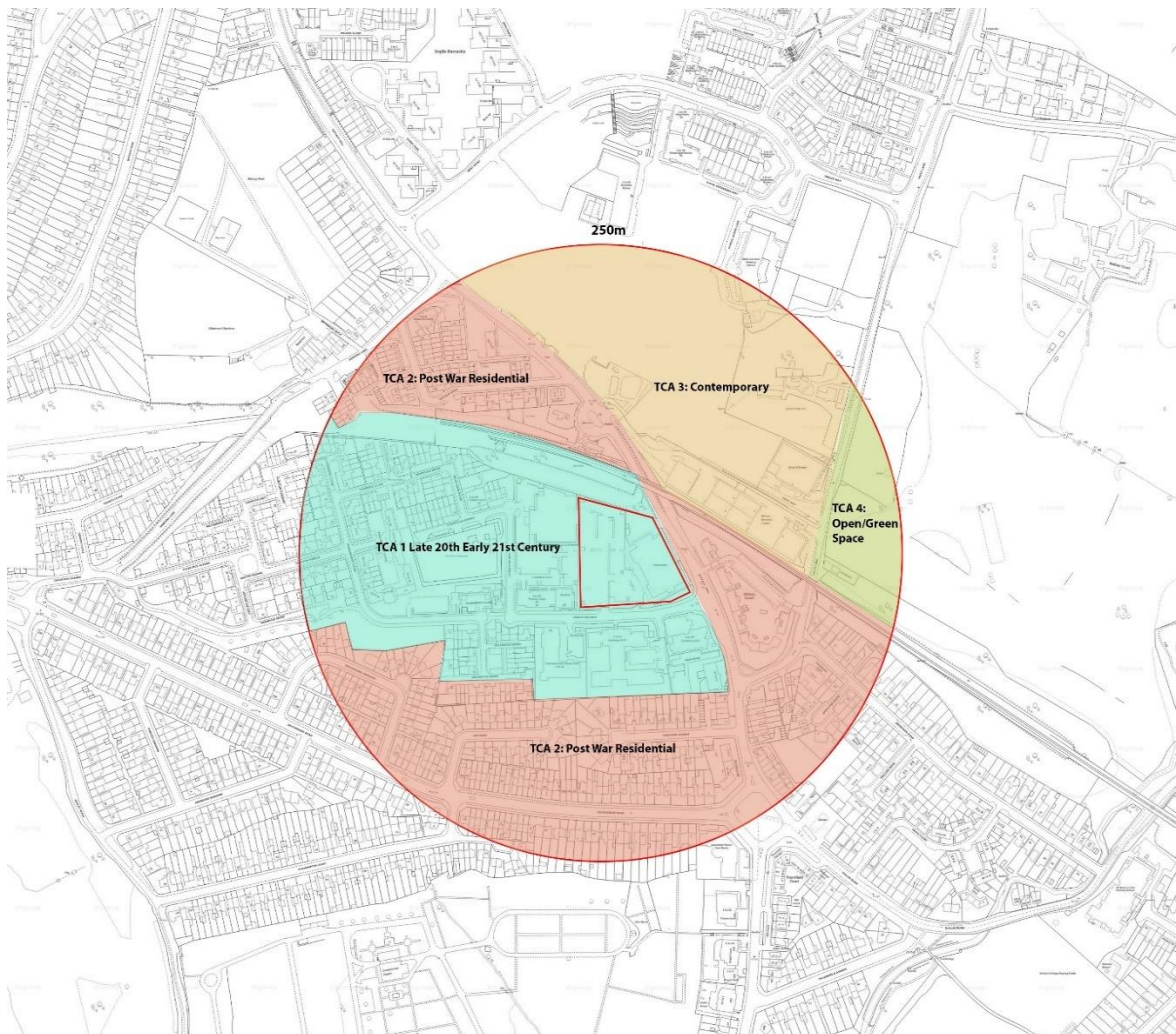
- 5.5 The Mill Hill East Area Action Plan boundary falls to the north of the Site and only incorporates the northern reaches of Mill Hill East where the former barracks were located, which now forms a major development. The design guidance provided in the AAP remains relevant for the Site, given its proximity to the boundary of the AAP. The AAP design guidance discusses the suburban character and nature of the area, with a mix of housing typologies and landscaped spaces between and around buildings (See Core General Document\_12: 'Mill Hill Area Action Plan', Design Guidance, p. 88 onwards). The policy (GSS07) states that the southern end of the area defined under the AAP acts as a 'gateway' to Mill Hill East and draws upon the AAP site's relationship with the station; given the proximity of the Site to the southern end of the AAP and Mill Hill East station, it would be fair to define the Site as also having potential as a gateway location to Mill Hill East.

#### *Views and Visual Impact*

- 5.6 London Plan Policy D9 suggests that the applicant of a proposed tall building should consider the impacts in long, medium and short range views. The Site has not been specifically identified by LB Barnet as suitable for a tall building and as a result this element of the proposed development conflicts with parts A and B of the Policy D9 of the London Plan. However, Policy D9 Part C sets out specific criteria by which the acceptability of a tall building can be assessed, including its visual, functional, environmental and cumulative impacts. Recent appeal decisions and court of appeal judgements have confirmed that a development can be acceptable in areas that the local authority has not identified as being suitable for a tall building, if the impacts in Part C are addressed.
- 5.7 As part of the views and visual impact assessment, we have considered the impact of a tall building upon the perceived openness to the Green Belt (to the east of the Site) and the character and appearance of the setting of the nearby Mill Hill Conservation Area. Both of these designations are characterised by a sense of open space and neither would be altered materially by development visible in the distance from their boundaries. These elements therefore contribute to the considerations that the Site is suitable for a tall building and reinforces the point that the draft BLP Policy CDH04 and the modification proposed to GSS07 should be reconsidered.

## EXISTING TOWNSCAPE CHARACTER

- 6.1 We have identified four townscape character areas within the study radius of 500m from the centre of the Site. These are shown on figure 1 below; a summary description of each character area is also below. The purpose of providing these here is to show that the surrounding townscape, while characterised by predominantly low-rise buildings, has accommodated new buildings of additional height (to the north) and is in a location of transition, close to Mill Hill East underground station. The existing baseline condition of the townscape are that while a tall building on the Site would be a new addition typologically, it can be accommodated by the existing character of the area.



**Figure 1 – Map of Townscape Character Areas.**

### **TCA 1: Late 20<sup>th</sup> / Early 21<sup>st</sup> Century**

#### *Key Features*

- 6.2 The Site is within the TCA, at its eastern end. Mill Hill East station is the northern boundary of the TCA. There are no outstanding key features to the area. Its built form is largely homogenous.

#### *Urban Structure*

- 6.3 Langstone Way cuts through the middle of the TCA providing access to a network of cul-de-sacs and residential areas. The form of these does not follow historical street or field patterns and were imposed on the area when they were constructed.

*Townscape Character: Scale, Grain, Density*

- 6.4 The area is predominantly low-rise suburban housing that dates from the late 20th and early 21st centuries. The scale is therefore reasonably small. The overall townscape grain of the area is quite fine, with a mix of terraced, semi-detached and detached houses. It is densely built up.

*Materiality*

- 6.5 Much of the area utilises a simple palette of homogenous and mass-produced materials which include uPVC windows and stock red, brown and yellow brick. Roofs tend to be clad in a similar material, with grey, clay tiles.

*Landscape Features*

- 6.6 There are no landscape features of note in the TCA.

*Contribution of the Site to the Character Area*

- 6.7 The Site occupies an important location within the character area, to the south of Mill Hill East railway station and a short distance from new development to the north of the railway on former barracks lands. In townscape terms, the Site makes a neutral contribution to the existing townscape character. The frontage along Bittacy Hill has a neutral frontage which indicates the existing Waitrose store and legibility of the entrance from the south of the Site. The remainder of the Site includes a car park serving a practical purpose for the store. The current condition of the Site is primarily typical of large-format buildings required for retail and contrasts with the residential character of the surrounding townscape areas.

*Summary*

- 6.8 The area is typical of a low-rise suburban character area. It is a transitional area of character between the commercial area to the south and the contemporary developments to the north with a range of building types and scales around the area.

**TCA 2: Post-War Residential**

*Key Features*

- 6.9 The centre of Mill Hill East is in the south east corner of the TCA and is marked by a roundabout. Elsewhere, the area is primarily characterised by a homogenous layout of post-war residential buildings, low-rise in scale and of similar materiality.

*Urban Structure*

- 6.10 There is a clear hierarchy to the road layout, with Devonshire Road spanning the east to west route terminating at the central roundabout that meets Bittacy Hill. Off this, secondary residential streets run with a dense layout of suburban housing.

*Townscape Character: Scale, Grain, Density*

- 6.11 The scale of the area is mostly characterised by low-rise, two-storey post-war houses. The grain is generally quite fine – but consistent – being broadly homogenous in style. The area is densely laid out.

*Materiality*

- 6.12 The area is characterised by its homogenous materiality and forms. Most buildings are either rendered in plaster or are red brick. Houses generally have dark grey clay tiled roofs.

### *Landscape Features*

- 6.13 The central roundabout to the south east features some greenery. The area is characterised by a sloping topography from north to south. There are few designed landscape features within the TCA.

### *Summary*

- 6.14 The TCA is characterised by mostly homogenous, post-war residential buildings. There are few townscape features of note. The overall value of the townscape is quite ordinary.

## **TCA 3: Contemporary**

### *Key Features*

- 6.15 The TCA is characterised by the newly laid out Barratt Homes estate which lines Bittacy Hill to the north of Mill Hill East underground station.

### *Urban Structure*

- 6.16 The structure is newly laid out and does not follow old field patterns or historic streets as would be found with an organically developed town, but has been developed to create a layer of streets and scales that sits comfortably with the differing heights and uses of the buildings in the TCA.

### *Townscape Character: Scale, Grain, Density*

- 6.17 The scale is varied, with a mix of townhouses to six storey blocks adjacent to the station. The grain is therefore mixed but proportional to the scale of development in the area. The density is commensurate to a development of this scale and type, though represents a departure from the low-rise and homogenous suburban development that surrounds it.

### *Materiality*

- 6.18 The palette of materials is consistent across the TCA, with much of the materiality being represented by a use of light coloured brick with finer details.

### *Landscape Features*

- 6.19 The areas between buildings are landscaped as part of the new development. Topographically, the TCA is sited on a hill that descends from the north towards the south.

### *Summary*

- 6.20 Overall, the development that forms much of the TCA is of good quality, contemporary building. There are few townscape sensitivities in the TCA. It is mostly of ordinary townscape value.

## **TCA 4: Open Green Space**

### *Key Features*

- 6.21 The TCA is characterised by an open green space that forms the south western portion of Finchley Golf Club. The edge of the TCA is defined by a perimeter of mature trees with low-rise industrial buildings characterising the built element. The TCA draws upon the Green Belt's boundary and is characterised by a sense of openness with an urban edge.

*Urban Structure*

- 6.22 Explorer Way splits the TCA providing access to the low-rise industrial buildings. Finchley Golf Club is a landscaped space used for Golf and recreation.

*Townscape Character: Scale, Grain, Density*

- 6.23 The scale of the industrial buildings are large in footprint and low in height. The grain is consistently large. The density of built form in the whole area is low.

*Materiality*

- 6.24 The industrial buildings are of typical materiality for this typology, using metal sheeting and brick construction.

*Landscape Features*

- 6.25 The golf course is an open, designed landscape used for leisure.

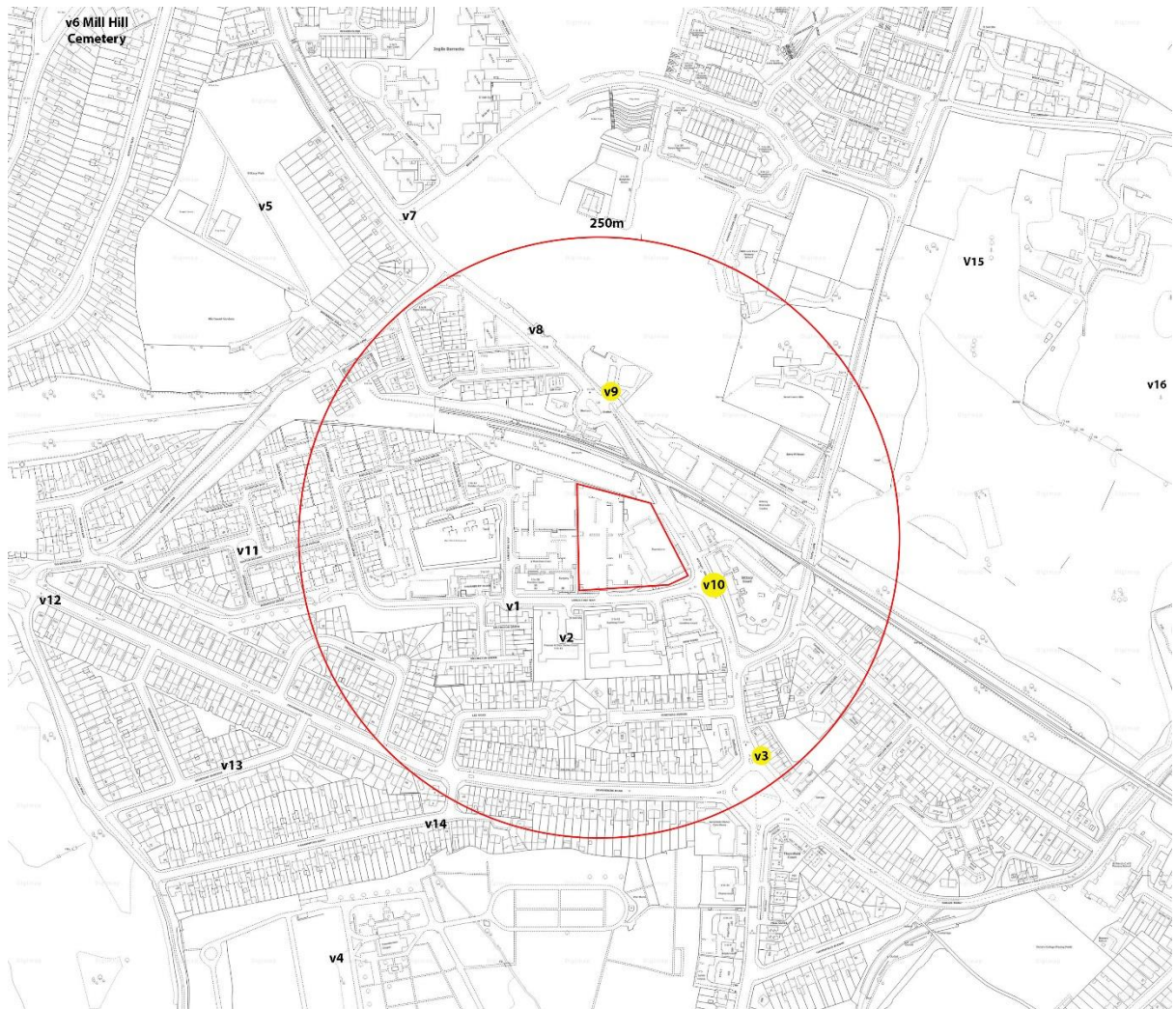
*Summary*

- 6.26 There is little relationship with the Site as existing. The area has little townscape sensitivities and is generally ordinary in character.



## VISUAL ASSESSMENT

- 7.1 In assessing the impact of potential tall buildings, Policy D9 of the London Plan discusses visual impacts and the necessity to test views of buildings from different distances, including long-range views, mid-range views and immediate views. In the discursive assessment of these, any assessment would follow GLVIA3 discussing the baseline condition for each view, the proposed impact and the cumulative; the latter, being an assessment of the proposed development alongside consented and implemented schemes nearby.
- 7.2 We have identified the following townscape views to assess a scheme of G+7 storeys and which we summarise below.
- 7.3 We then provide a commentary on the view locations (Figure 2). Three of which have been modelled to illustrate the potential effect of the development.



**Figure 2 Map of viewing locations for a visual impact assessment for a G+7 scheme on the Site; views highlighted in yellow are sketched up for the purposes of supporting this note.**

- 7.4 The views have been selected in accordance with best practice outlined in the GLVIA (3<sup>rd</sup> Edition) and GPA3 Settings of Heritage Assets. These have been selected on the basis of a site visit and an understanding of where streets align with the Site. All viewing positions are indicative and will be agreed with LBB during pre-application consultation. A full pack of views is not provided as part of this note; the three views shown here are taken from this wider pack of positions that visually depicts the townscape and surroundings.

View No.	Location	Rationale
1	Langstone Way	Chosen for its proximity to the Site and axial alignment with the southern edge of the Site. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
2	Francis and Dick James Court	Chosen for its proximity to the Site and its unimpeded visibility. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
3	Holden Hill Circus	Chosen because it is a busy residential and commercial area to the south of the Site. From here there would be good chance of visibility across rooftops. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
4	Hendon Cemetery	Chosen because it is an open space with clear views across the rooftops to the south of the Site. Those using the cemetery would primarily experience this view. The townscape has good features. The view is not designed and any visibility would be incidental.
5	Bittacy Hill Park	Chosen because it is an open space with clear views across the rooftops to the north of the Site in an elevated position. The Barratt Homes schemes would be visible on the left of a view from this position, which any proposed development would complement. Those using the park would primarily experience this view. The view is not designed and any visibility would be incidental.
6	Mill Hill Cemetery	Chosen because it is an open space with clear views across the rooftops to the north of the Site in an elevated position. Those using the cemetery would primarily experience this view. The townscape has good features. The view is not designed and any visibility would be incidental.
7	Bittacy Hill at Ingliss Way	Chosen for its elevation, alignment with the Site and to demonstrate the mix of ages of housing within the townscape with new developments on the left of the frame. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
8	Bittacy Hill South	Chosen for its alignment with the Site and to demonstrate the mix of ages of housing within the townscape with new developments on the left of the frame. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
9	Mill Hill Station	Chosen for its alignment with the Site and the focus of Mill Hill East underground station. Residents of the area would primarily experience this view, with a focus on moving towards the station. The townscape is of an ordinary quality.
10	Langstone Way (2)	Chosen for its proximity to the Site and axial alignment with the southern edge of the Site. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
11	Cheldon Avenue	Chosen for its proximity to the Site, axial alignment and the focus of a set piece of recent planning. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
12	Devonshire Road	Chosen for it being a major route into Mill Hill and the townscape being representative of the typical low-rise suburban character of the area. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
13	Aberdare Gardens	Chosen because it aligns with the Site and is a good example of the typical townscape character of Mill Hill. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
14	Oakhampton Road	Chosen because it aligns with the Site and is a good example of the typical townscape character of Mill Hill. Residents of the area would primarily experience this view. The townscape is of an ordinary quality.
15	Finchley Golf Club	The viewing position is indicative and would require further research into positioning and locations. There are no public footpaths through the golf course itself but there are long, open vistas westwards towards the Site. The golf club is sited within the Green Belt. Any development on the Site would be outside of the Green Belt and would be unlikely to impact any sense of openness perceived in the Green Belt.
16	Dollis Valley Green Walk/Green Chain	The viewing position would need to be tested, primarily in winter without leaf on the trees, to see the impact from the Dollis Valley/Green Chain walk to the east of the Site. The area is heavily wooded with significant clearings at places. The walks are also within the Green Belt and it is advised that visual testing is completed on the walking routes, within the Green Belt. Any development on the Site would be outside of the Green Belt and would be unlikely to impact any sense of openness perceived in the Green Belt.

7.5 The below images have been produced by the architects, HTA, to show how the massing of a G+7 storey building would appear in the local townscape. The views prepared below are illustrative only, they are not what is proposed on the Site. They show only the principle of a tall building on the Site using a dressed massing. The tall building would mark the southern side of Mill Hill East underground station acting as a way-finder from the south, an area characterised by commercial uses. The viewing positions chosen are taken from the above, having selected views 3, 9 and 10.

### VIEW 3

Existing



Proposed



7.6 The G+7 storey building is seen on the horizon, beyond the residential buildings in front of the Site. The commercial area is behind the viewing position and the principle of a tall building provides legibility to the underground station beyond and acts as a way-marker in the townscape. The height appears congruous within the established context of residential buildings and the character of Mill Hill East. In being visible from the commercial area, the services and amenities of the area will be well served by those who use the tall building, acting in line with London Plan D9. Visually, it is clear that the Site could be included within Policy CDH04 as a location suitable for a tall building in LBB. In addition, in visual terms, it shows that understood in conjunction with the townscape character analysis, that the viewing location is a point between a commercial area and a transport node suggesting that GSS07 should not be modified to suggest Mill Hill East cannot accommodate a tall building.

## VIEW 9

Existing



Proposed



- 7.7 The Site would appear beyond the underground station, in the foreground. The station is allocated (Site 47) and should something come forward here, it would be read in conjunction with the G+7 iteration in the background. Visually, it implies that the Site is well connected by transport, with the station in the foreground. It acts as a way-marker for those moving south from the populated area to the north, for people moving towards the commercial area in Mill Hill East. Due to the topography of the wider area, the Site softens the visibility of a tall building in this location. Visually, it is clear that the Site could be included within Policy CDH04 as a location suitable for a tall building in LBB due to the above points that concur with London Plan policy and national policy. In visual terms, it shows that understood in conjunction with the townscape character analysis, that the Site is a point between a commercial area and a transport node suggesting that GSS07 should not be modified to suggest Mill Hill East cannot accommodate a tall building.

## VIEW 10

Existing



Proposed



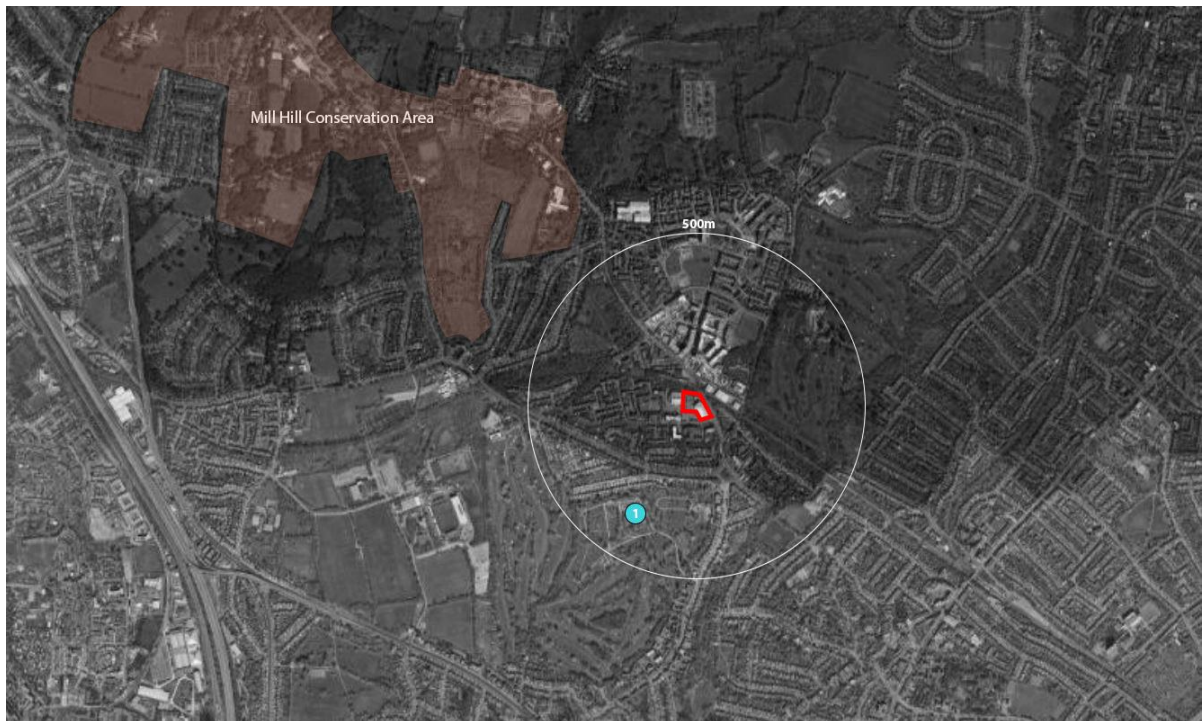
- 7.8 The G+7 element protrudes above the existing Waitrose store in the foreground with the railway bridge in the backdrop and existing residential area to the right. The tall building on the Site signifies the important location between the underground station and the commercial area to the south. At G+7, visually, the tall building sits comfortably within its context in principle. Visually, it is clear that the Site could be included within Policy CDH04 as a location suitable for a tall building in LBB due to the above points that concur with London Plan policy and national policy (on density near transport in the NPPF and policy D9 of the London Plan). In visual terms, it shows that understood in conjunction with the townscape character analysis, that the Site is a point between a commercial area and a transport node suggesting that GSS07 should not be modified to suggest Mill Hill East cannot accommodate a tall building.

## SUMMARY ANALYSIS

- 8.1 In our judgement the Site offers a good opportunity to provide a tall building of G+7 in Mill Hill East. The Site connects the established and commercial character of townscape to the south of the Site to the emerged, new character to the north in the new developments on the former barracks site. We have established that there is the potential for a cumulative effect, with the allocated site (Site 47) of the Barnet Local Plan occupying land to the north of the railway tracks at Mill Hill East underground station. With regard to Policy CDH04, Mill Hill East (Underground Station and Waitrose) should be added to the list of locations where tall buildings are acceptable in LBB. In addition, the text modification to GSS07 that suggests Mill Hill East is not a suitable location for tall buildings should be reconsidered as it is unfounded in terms of policy base.

### *Heritage Analysis*

- 8.2 There is sufficient distance (approx. 500m) from the conservation area boundary to the Site ensuring that any visual incursions would be incidental and are unlikely to impact any contribution setting makes to significance. There is one listed building within 250m of the Site, which is the Grade II listed Tomb of Charles Atkin Swan; again, the distance and intervisibility would mean it is unlikely development on the Site would impact any contribution setting makes to significance.



**Figure 3 Heritage Asset Plan. The number 1 to the south west denotes the Grade II listed Tomb of Charles Atkin Swan**

### *Townscape Impact*

- 8.3 We have identified four character areas within a radius of 500m from the Site. The townscape character is generally ordinary with some bits of good quality townscape in open and green spaces, interspersed between 20<sup>th</sup> century residential buildings. The addition of a G+7 storey building within the townscape would be a new feature, but would only be marginally taller than the buildings on the barracks site, which are topographically on higher ground. In terms of design for a hypothetical scheme, the manner in which the former barracks' site have been designed offer cues for larger buildings than the predominant suburban typology to recede into the background, through light, earthy hues brought out through the use of brick. In terms of understanding the Green Belt, the former barracks site is much closer to the Green Belt than the Site. The openness of the Green Belt is an important characteristic of townscape character area 4: Open/Green Space. The edge of the urban area is defined by Mill Hill East and the suburban development. The construction of a tall building at G+7 storeys away from this boundary will not impinge on the sense of openness.

- 8.4 In regards to Policy CDH04 and GSS07, a tall building on the Site would adhere to London Plan Policy D9 through providing a legible, way-finding marker at a transport node. It would be situated in an area by Mill Hill East underground station and the commercial area to the south acting as a new phase in the emerging character and density for Mill Hill East following the development of the former Barracks site.

*Visual Impact*

- 8.5 As shown, HTA have modelled a G+7 storey building for indicative views. This is an illustrative scheme that demonstrates a building of this scale and massing would be situated comfortably within the existing townscape character. This is drawn out in the policy basis provided by London Plan Policy D9, particularly in the advice on qualitative methods for defining suitable locations for tall buildings.
- 8.6 The visual impact would aid the townscape function of the tall building. In light of this, we suggest considering Mill Hill East (Tube Station and Waitrose) to be allocated as a site appropriate for tall buildings. This would require an alteration to Policy CDH04 and the proposed modification to the wording of GSS07.

*Commentary on draft BLP Policy CDH04*

- 8.7 The policy highlights eight areas in LBB where the council consider areas to be appropriate for tall buildings. In our judgment the draft Policy CDH04 does not align with the existing policy evidence base provided by London Plan D9. Detailed analysis is required to form a judgement on acceptable locations for tall buildings. London Plan D9 provides a detailed qualitative commentary on the spatial requirements for a Site to be a suitable location for a tall building (legibility, way finding, close to transport) of which the Site at Mill Hill East meets.
- 8.8 As stated in the Lichfields representations (section 4 of Waitrose Mill Hill East: Statement in Support of a Tall Building in the Barnet Plan), we propose that the BLP Policy CDH04 part (a) is changed to the following:

*a. Tall buildings (8 to 14 storeys (26 to 46 metres above ground level)) may be appropriate in the following strategic locations:*

- *Brent Cross Growth (Opportunity) Area (Policy GSS02);*
- *Brent Cross West Growth (Opportunity) Area (Policy GSS03);*
- *Colindale Growth (Opportunity) Area including Grahame Park Estate (Policy GSS06);*
- *Cricklewood Growth (Opportunity) Area (Policy GSS04);*
- *Edgware Growth Area (Policy GSS05);*
- ***Mill Hill East (Tube Station and Waitrose) (Policy GSS07);***
- *West Hendon Estate (Policy GSS10);*
- *New Southgate Opportunity Area<sup>27</sup> (Policy GSS09);*
- *Major Thoroughfares - Edgware Road (A5) and Great North Road (A1000) (Policy GSS11); and the*
- *Town Centres of Finchley Central and North Finchley (Policy GSS08)*

- 8.9 We also consider **Map 4** – Locally Important Views, should be updated to reflect a suitable location for Strategic Tall Building Locations.

*Commentary on draft BLP Policy GSS07 and Proposed Modifications*

- 8.10 Our analysis identifies that the Site is suitable for a building of G+7 which would be defined as a tall building by the emerging BLP. We consider that the site is suitable for a tall building on the basis of the following:

- The Site is located within the defined Mill Hill East Centre in an area of growth.
- The Site lies adjacent to Site Allocation 47 in the BLP.
- The Site comprises already developed land.
- The location is sustainable, lying close to Mill Hill East Station.
- To the northeast, Mill Hill East has been intensified with significant development with buildings of up to eight storeys. The townscape character local to the Site has changed, with buildings of six storeys adjacent to the station. A new building of G+7 storeys on the Site would be consistent with that broad pattern of development within the Mill Hill East Centre.
- The townscape views prepared as part of this submission indicate that a development would provide a legible marker and gateway building for the station and would appear appropriate for the location.
- The Site provides opportunities for a new building of high-quality design to contribute to local character.
- The Mill Hill Conservation Area is over 500m to the north west of the Site. Any eventual development would need to be tested against the NPPF (2021). However, using professional judgement, in our view a building of G+7 is unlikely to have an impact on the setting and significance of the conservation area, especially given the level of changes within the Mill Hill Growth Area. There are no listed buildings within the vicinity of the Site.
- Our analysis identifies that the Site is suitable for a building of G+7 which would be defined as a tall building by the emerging BLP. On that basis Policy GSS07 should be amended to remove the reference to tall buildings being inappropriate for this location because the locations listed are not appropriate and sufficiently precise.
- We recommend that policy GSS07 is amended to include the Site as part of the strategic locations suitable for a tall building.

8.11 On that basis Policy GSS07 should be amended to remove the reference to tall buildings being inappropriate for this location because the locations listed are not appropriate and sufficiently precise.

**Montagu Evans**

**06.09.22**