

**MEETING**

**PLANNING COMMITTEE**

**DATE AND TIME**

**WEDNESDAY 21ST FEBRUARY, 2018**

**AT 7.00 PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG**

**TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)**

Chairman: Councillor Melvin Cohen LLB,  
Vice Chairman: Councillor Wendy Prentice

**Councillors**

Maureen Braun	Tim Roberts	Mark Shooter
Claire Farrier	Agnes Slocombe	Jim Tierney
Eva Greenspan	Stephen Sowerby	Laurie Williams

**Substitute Members**

Anne Hutton	Reema Patel	Philip Cohen
Dr Devra Kay	Gabriel Rozenberg	Arjun Mittra
Sury Khatri	Hugh Rayner	Shimon Ryde
		John Marshall

Please note that the below agenda may not reflect the order in which items will be heard at the meeting.

**You are requested to attend the above meeting for which an agenda is attached.**  
**Andrew Charlwood – Head of Governance**

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**ASSURANCE GROUP**

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## ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 8
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Montrose Playing Fields, Montrose Avenue, Colindale, NW9 5BY - 17/1929/FUL	9 - 56
7.	Brent Cross Cricklewood Regeneration Area - 17/6662/RMA	57 - 148
8.	Phases 9a & 9b, Millbrook Park, Frith Lane, London, NW7 1PX - 17/7662/RMA	149 - 186
9.	Any item(s) that the Chairman decides are urgent	

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## Decisions of the Planning Committee

8 February 2018

Members Present:-

AGENDA ITEM 1

Councillor Melvin Cohen (Chairman)  
Councillor Wendy Prentice (Vice-Chairman)

Councillor Maureen Braun  
Councillor Eva Greenspan

Councillor Laurie Williams  
Councillor Jim Tierney

Apologies for Absence

Councillor Claire Farrier  
Councillor Tim Roberts

Councillor Stephen Sowerby  
Councillor Mark Shooter

### CHAIRMAN'S INTRODUCTION AND DECISION

The Chairman welcomed everyone to the meeting, explained the speaker rules and that the meeting would be audio recorded.

At 9:55 pm, in accordance with Article 7.27 of the Constitution the Chairman decided to extend the period for the transaction of business to 10.30pm.

#### 1. MINUTES OF THE LAST MEETING

**RESOLVED** that the minutes of the meeting held on 14 December 2017, be agreed as a correct record.

#### 2. ABSENCE OF MEMBERS

Apologies for absence were received from:

1. Councillor Shooter who was substituted by Councillor Khatri.
2. Councillor Farrier who was substituted by Councillor Hutton.
3. Councillor Slocombe who was substituted by Councillor Kay.
4. Councillor Roberts who was substituted by Councillor Patel.

#### 3. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

All Councillors declared a non-pecuniary interest on the agenda item 7 and agenda item 8 as some of speakers are known to them.

#### 4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

#### 5. ADDENDUM (IF APPLICABLE)

The Committee noted the addendum.

**6. 17/2304/FUL - THE CROFT, EAST ROAD, EDGWARE HA8 0BS**

The Planning Officer introduced the report and addendum, which related to The Croft.

A representation was made by the applicant's agent Shontelle Williams.

Councillor Tierney proposed a condition that was unanimously agreed by the committee to include a time working directive condition.

Following discussion of the item, the Chairman moved to vote on the recommendation in the cover report, which was to approve the application subject to conditions.

The votes were recorded as follows:

For	11
Against	0
Abstain	0

The Committee therefore **RESOLVED to APPROVE** the application, subject to the conditions as per the officer's report and addendum, and the additional condition.

**7. 17/5373/FUL - BARNET HOUSE. 1255 HIGH ROAD, N20 0EJ**

The Planning Officer introduced the report and addendum, which related to Barnet House.

Representations in objection to the application were heard from Christopher Price, Barbara Jacobson, Councillor Richard Cornelius, Teresa Villiers MP and Andrew Dismore GLA Assembly Member.

A representation was heard from the applicant's agent Adam Vine.

Following discussion of the item, the Chairman moved to vote on the recommendation in the cover report, which was to approve the application subject to conditions.

The votes were recorded as follows:

For	0
Against	11
Abstain	0

As a consequence of the above vote, Councillor Sowerby moved a new motion that was duly seconded by Councillor Braun to refuse the application for the following reasons:

1. The proposed development, by virtue of its excessive height, scale, massing and density would represent an over development of the site resulting in a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development in its context, to such an extent that it would be detrimental to the character and appearance of the area and would be detrimental to the visual amenity of adjoining residential occupiers. The proposal would therefore not constitute a sustainable form of development and would be contrary to the provisions of the NPPF, policies 3.4, 7.4, 7.6 and 7.7 of the London

Plan 2016 and policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies 2012.

2. The proposed development by reason of the quantum of development and absence of appropriate secured mitigation would result in an undue strain being placed upon local services contrary to the provisions of Paragraph 7 of the NPPF, Policy 3.2 of the London Plan 2016 and Policy CS11 of Barnet Local Plan Core Strategy 2012.

Councillor Tierney moved an amendment to the tabled motion that was seconded by Councillor Hutton to add “the low level of affordable housing” as a reason for refusal.

The votes were recorded as follows:

For	5
Against	6
Abstain	0

The amendment to the tabled motion was therefore lost.

The committee therefore voted on the motion to refuse the application as moved by Councillor Sowerby and the votes were recorded as follows:

For	7
Against	0
Abstain	4

The Committee therefore **RESOLVED to REFUSE** the application which overturned the officer recommendation for the reasons above. The committee also agreed that, if required, Councillor Sowerby would represent the committee at appeal.

**8. 17/5761/EIA - CRICKLEWOOD RAILWAY YARD, LAND TO THE REAR OF 400 EDGWARE ROAD, LONDON NW2 6NH**

The Committee received the report and addendum, which related to Cricklewood Railway Yard.

Representations in objection to the application were heard from Christopher Miller, Jessica Howey, Councillor Shimon Ryde (Barnet), Councillor Jack Cohen (Barnet), Councillor Lorna Russell (Camden), Councillor Liz Dixon (Brent), Councillor Lia Colacicco (Brent) and Andrew Dismore GLA Assembly Member.

A representation was heard from the applicant representative Jens Geldmacher.

Following discussion of the item, the Chairman moved to vote on the recommendation in the cover report, which was to approve the application subject to conditions.

The votes were recorded as follows:

For	6
Against	5

Abstain	0
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The Committee therefore **RESOLVED to APPROVE** the application, subject to the conditions as per the officer's report and addendum.

**9. ANY ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT**

None.

The meeting finished at 10.10 pm



**LOCATION:** Montrose Playing Fields, Montrose Avenue, Colindale, NW9  
5BY **AGENDA ITEM 6**

**REFERENCE:** 17/1929/FUL **Received:** 27 March 2017

**Accepted:** 30 March 2017

**WARD(S):** Burnt Oak **Expiry:** 29 June 2017

**APPLICANT:** Jon Sheaff and Associates

**PROPOSAL:** The refurbishment of Silkstream Park and Montrose Playing Fields; the creation of new entrances; the installation of new footpaths and cycleways with 9 racks which would accommodate 18 bicycles; the installation of new hard paved public realm areas; the installation of new bridges and refurbishment of an existing bridge; the creation of a new pedestrian and cycle crossing of Montrose Avenue; the installation of new road surfaces and road design details on Montrose Avenue; the demolition of the existing pavilion building; the refurbishment of the existing tramshed building; the creation of new flood attenuation areas through amendments to levels and cut and fill operations; the installation of new playground facilities; the installation of new skateboarding facilities; the installation of new outdoor sports facilities including a multi-use games area, tennis courts, a green gym and basketball hoops; the provision of two no. 9 x 9 grass football pitches; the installation of occasional play equipment; new tree planting; new soft landscape planting

### **RECOMMENDATION 1**

Resolution to approve subject to conditions detailed in Appendix 1.

### **RECOMMENDATION 2**

It is RESOLVED that the Committee grants delegated authority to the Head of Planning to make any minor alterations, additions or deletions to the recommended conditions and obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

### **OFFICER ADDENDUM REPORT**

This addendum report follows the approval of the above scheme, which was unanimously approved by the Planning Committee on the 25<sup>th</sup> of October 2017. This addendum report makes no amendments to the originally approved scheme or plans. All details of the application, as previously approved by the October

Committee remain the same. However following further discussions with the applicant regarding the then attached conditions, officers have identified a number of conditions that are no longer required as they do not relate specifically to the development, are excessive or are unclear. In the interest of a smoother, less convoluted planning process Officers have elected to remove such conditions at this stage prior to the formal issuing of the Decision Notice. The relevant conditions to be removed or amended are as follows:

- *Removed:* 9, 13, 15, 16, 18,
- *Amended:* All other conditions due to a minor clerical error.

Subject to the acceptability of the above to the committee, the list of new conditions and informatives to be attached is as per Appendix 1.

## **APPENDIX 1 – CONDITIONS**

1) This development must be commenced within three years from the date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

A1749-JSA-L001; A1749-JSA-L010; A1749-JSA-L100; A1749-JSA-L101; A1749-JSA-L102; A1749-JSA-L103 A1749-JSA-L104; A1749-JSA-L105; A1749-JSA-L110; A1749-JSA-L111; A1749-JSA-L112; A1749-JSA-L113; A1749-JSA-L114; A1749-JSA-L115; A1749-JSA-L200; A1749-JSA-L201; A1749-JSA-L202; A1749-JSA-L203; A1749-JSA-L204; A1749-JSA-L205; A1749-JSA-L300; A1749-JSA-L301; A1749-JSA-L302; A1749-JSA-L303; A1749-JSA-L304; A1749-JSA-L305; A1749-JSA-L400; A1749-JSA-L401; A1749-JSA-L402; A1749-JSA-L403; A1749-JSA-L404; A1749-JSA-L405; A1749-JSA-L406; A1749-JSA-L407; A1749-JSA-L408; A1749-JSA-L409; A1749-JSA-L410; A1749-JSA-L411; A1749-JSA-L430; A1749-JSA-L431; A1749-JSA-L432; A1749-JSA-L433; A1749-JSA-L434; A1749-JSA-L435; A1749-JSA-L500; A1749-JSA-L501; A1749-JSA-L502; A1749-JSA-L503; A1749-JSA-L504; A1749-JSA-L505; A1749-JSA-L506; A1749-JSA-L507; A1749-JSA-L508; A1749-JSA-L509; A1749-JSA-L600; A1749-JSA-S001; A1749-JSA-S002; A1749-JSA-S003; A1749-JSA-S004; A1749-JSA-S010; A1749-JSA-S011; A1749-JSA-S012; A1749-JSA-S020; A1749-JSA-S021; A1749-JSA-S022; A1749-JSA-S023; A1749-JSA-S025; A1749-JSA-S030; A1749-JSA-S031; A1749-JSA-E001; A1749-JSA-E002; A1749-JSA-E003; A1749-JSA-E004; A1749-JSA-E005; A1749-JSA-E006; A1749-JSA-E007; A1749-JSA-E008; A1749-JSA-SK020; A1749-JSA-SK030; A1749-JSA-SK031; A1749-JSA-SK032; A1749-JSASK032; A1749-JSA-SK033; A1749-JSA-SK034; A1749-JSA-SK035; A1749-JSA-SK036; A1749-JSA-SK037; A1749-JSA-SK038; A1749-JSA-SK039; A1749-JSA-SK040; A1749-JSA-SK041; A1749-JSA-SK042; A1749-JSASC001; A1749-JSA-DOC01; A1749-JSA-DOC02; A1749-JSA-DOC03; A1749-JSA-APP\_1; A1749-JSA-APP\_2; A1749-JSA-APP\_3.1; A1749-JSAAPP\_3.2; A1749-JSA-APP\_3.3; A1749-JSA-APP\_3.4; A1749-JSA-APP3.5.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

3) 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 plans hereby approved have been erected around existing trees on site. These protection measures shall remain in position until the development works are completed and no material or soil shall be stored within the tree protection zone at any time.

**Reason:** To safeguard the health of existing trees in accordance with policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted) September 2012, policy DM01 of the Development Management Policies DPD (adopted) September 2012, and Policy 7.21 of the London Plan (2016).

4) a) Prior to commencement details of the soft landscaping, plants and trees species proposed for the scheme along with a full and detailed management programme for the establishment of these plants shall be submitted to and approved in writing by the Local Planning Authority

b) The development shall thereafter be implemented in accordance with details approved under this condition.

**Reason:** To protect visual tree amenity within the local area in accordance with policy DM01 of the Development Management Policies DPD (Adopted) September 2012.

5) a) No development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. The planning application lies in an area of archaeological interest.

b) If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place.

**Reason:** In the interest of recording historic data within the area in accordance with policy CS5 of the Core Strategy DPD (Adopted) September 2012; policy DM06 of the Development Management Policies DPD (Adopted) September 2012; Policy 7.8 of the London Plan (2016); and the provisions of the National Planning Policy Framework (2012).

6) The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) 'Silkstream and Montrose Parks: Flood Risk Assessment August 2016', specifically in regards to the compensatory flood storage measures detailed within the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reasons:** To prevent flooding on site and elsewhere by ensuring that compensatory storage of flood water is provided in accordance with policies CSNPPF, CS5, and CS7 of the Core Strategy DPD (Adopted) September 2012; policy DM04 of the Development Management Policies DPD (Adopted) September 2012; and Policy 5.12 of London Plan (2016).

7) No development shall take place until a detailed method statement for removing or the long-term control of Japanese Knotweed (and other Wildlife and Countryside Act listed knotweed) on the site shall be submitted to and approved in writing by the

local planning authority. The method statement shall include measures that will be used to prevent the spread of Japanese Knotweed and other identified invasive plants during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

**Reasons:** To help prevent the spread of the two species of Japanese knotweed and other invasive species identified on site in accordance with policies DM04, DM15 and DM16 of the Development Management Policies DPD (Adopted) September 2012.

8) No development shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- Details demonstrating how a minimum 5 metre undeveloped and naturalised buffer zone to the Silkstream will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan. The buffer zone should be free from built development.
- Details should be provided of any proposed footpaths and bridge crossings, including within the buffer zone.
- Detail of the extent and type of new planting, including within the buffer zone.
- Details of habitat establishment and maintenance regimes, with details of any new habitat created on site.
- Details of treatment of site boundaries and/or buffers around water bodies.
- Details of management responsibilities and a long term management plan.
- Details of retained vegetation and trees.
- Plans showing no light spill from external artificial lighting into the watercourse or adjacent river corridor habitat (to achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 8 metres of the top of bank of the watercourse are maintained at background levels which are considered to be a Lux level of 0-2).

**Reason:** To protect the existing biodiversity within the area, the watercourses and wildlife in accordance with policies CSNPPF, CS5, and CS7 of the Core Strategy DPD (Adopted) September 2012; policies DM01, DM04 and DM16 of the Development Management Policies DPD (Adopted) September 2012; Policies 5.12, 7.18 and 7.19 of London Plan (2016); and the NPPF

9) In line with the existing and proposed highways ownership details, the development hereby permitted shall ensure that integrated access with the proposed Montrose Youth Zone development proposals access is retained and maintained at all times, from Montrose Avenue as created for the development.

**Reason:** To ensure that the proposed development does not harm the character of the area and maintains highway and pedestrian safety in accordance with policies CS9, CS13 and CS14 of Core Strategy (Adopted) September 2012; policies DM01, DM04 and DM17 of Development Management Policies (Adopted) September 2012; and Policies 5.3, 5.18, 5.21, 7.14, 7.15, and 7.21 of the London Plan (2016).

10) The developer to ensure that the detailed plans for the proposals are undertaken in collaboration with the Montrose Youth Zone masterplan developers, and an integrated plan showing how the two development sites will interact to be submitted to the Council for approval. Such details will include any diversion of the existing pedestrian footpaths for the whole development.

**Reason:** To ensure the development meets the needs of its future users complies with the requirements of Policies 3.8 and 7.2 of the London Plan (2016).

11) Before the development hereby permitted is occupied; details of cycle parking and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority and such spaces shall be permanently retained thereafter. Minimum aisle widths, as set out in London Cycling Design Standards, must be met and 5% of space should be provided for the storage of non-standard cycles.

**Reason:** In order to encourage sustainable transport methods in accordance with policy CS9 of Core Strategy (Adopted) September 2012; policy DM17 of Development Management Policies (Adopted) September 2012; and the London Cycling Design Standards (2016).

12) Prior to Ground Works and Site Preparation Works, no development shall commence until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works
- iv. Temporary hoarding and fencing
- v. Temporary works
- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)

Construction management and procedures

- viii. Code of Considerate Practice
- ix. Consultation and neighbourhood liaison
- x. Staff training and briefing procedures
- xi. Schedule of environmental legislation and good practice

- xii. Register of permissions and consents required
- xiii. Environmental Audit Programme
- xiv. Environmental Risk Register
- xv. Piling Works Risk Assessment
- xvi. Health and safety measures
- xvii. Complaints procedures
- xviii. Monitoring and reporting procedures

#### Demolition and waste management

- xix. Demolition Audit
- xx. Site clearance and waste management plan
- xxi. Asbestos survey and disposal strategy

#### Construction traffic

- xxii. Construction traffic routes
- xxiii. Construction traffic management including access to the site (specifically any proposed temporary construction accesses to the site); the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

#### Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation any existing ecological features that may be affected by works in that Development Phase
- xxv. Measures to minimise visual impact during construction
- xxvi. Measures to minimise noise and vibration levels during construction
- xxvii. Measures to minimise dust levels during construction
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan)
- xxix. Construction lighting strategy, including measures to minimise light spill
- xxx. Measures to reduce water usage during construction
- xxxi. Measures to reduce energy usage during construction
- xxxii. Any other precautionary and mitigation measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

The development shall thereafter be implemented in accordance with the measures detailed within the statement.

**Reason:** To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13 and CS14 of Core Strategy DPD (adopted) September 2012 and policies; DM01, DM04 and DM17 of the Development Management Policies DPD (adopted) September 2012; and Polices 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan (2016).

13) No part of the development shall come into operation until works for the entrance ways as approved by the Local Planning Authority, are made available for use. This includes the raised crossing and new footpaths.

**Reason:** To ensure there is adequate access available to all units and commercial units in accordance with policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

14) In the event that the Gaelic Football Club and pitch displaced by the Copthall Leisure Centre redevelopment are unable to be accommodated within the National Institute of Medical Research or another robustly identified site, a Gaelic Football pitch, and ancillary facilities, that meets Sport England or National Governing body approval shall be made on Montrose Playing Fields in addition to the playing pitches indicated in the masterplan hereby permitted. In this event, before first use of the Gaelic Football playing pitch on the Montrose Playing Fields, a management plan should be submitted to the Local Planning Authority detailing the hours of use and activities associated with the Gaelic Football Club.

**Reason:** To safeguard the character and visual amenities of the site and wider area in accordance with policies CS5 and CS7 of Core Strategy (Adopted) September 2012; policies DM01 and DM15 of Development Management Policies (Adopted) September 2012; and Policies 2.18 and 7.18 of the London Plan (2016).

15) Prior to first occupation of the refurbished tram shed hereby permitted a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to the following:

- Hours of opening for the tram shed;
- Management arrangements for the site and facilities;
- Scale and frequency of events taking place on a weekly, monthly and annual basis and how these events will be managed;
- Code of conduct for users of the site;

The tram shed shall thereafter operate in accordance with the approved details.

**Reason:** To ensure the development is fit for purpose and sustainable and to accord policies with CS1, CS5 and CS7 of Core Strategy (Adopted) September 2012 and DM01 of Development Management Policies (Adopted) September 2012.

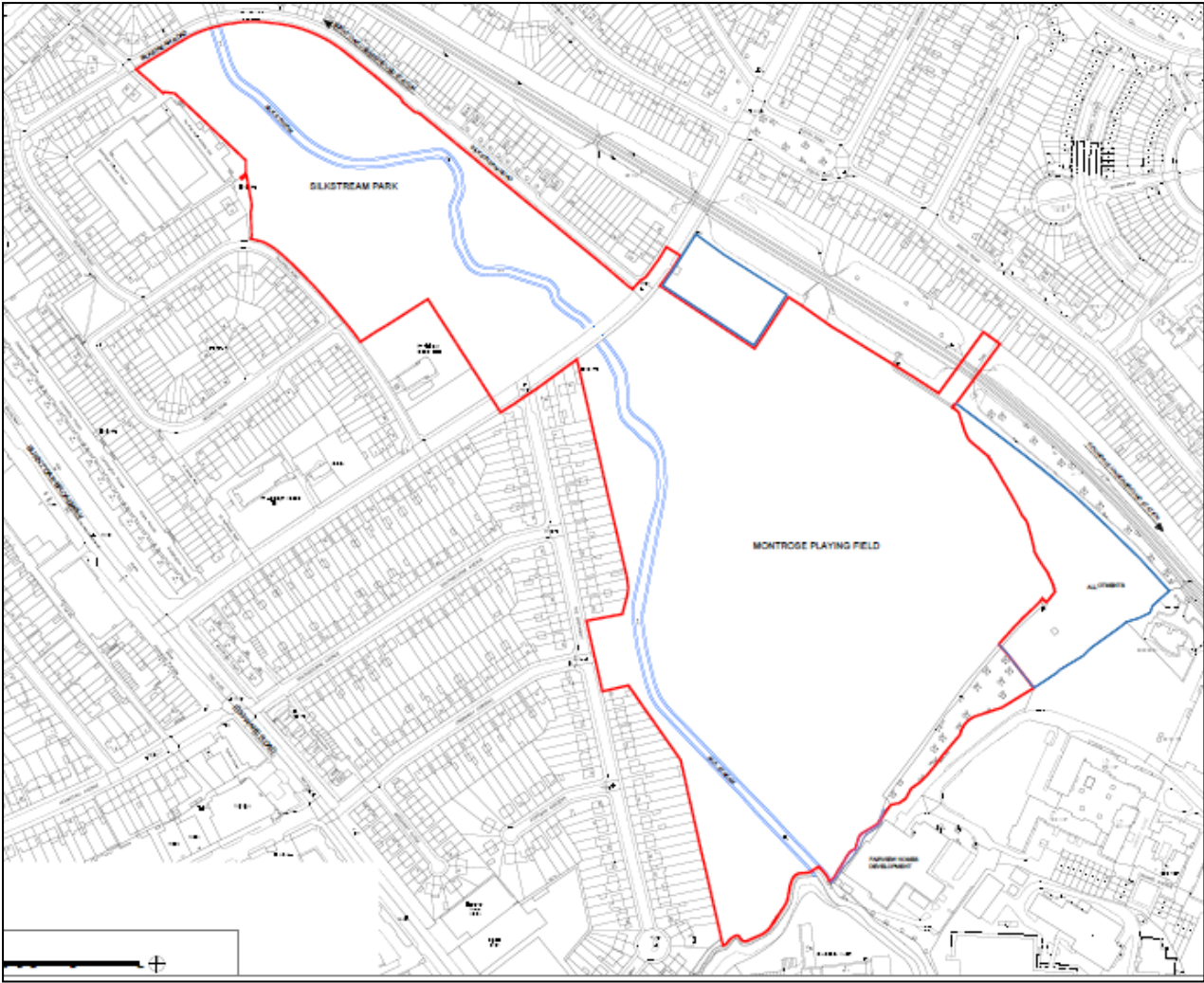
## **INFORMATIVES**

- 1) Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.



An overarching recommendation is to follow *BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations* and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and noninfection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine.

- 2) Under the terms of the Environmental Permitting Regulations, a Flood Risk Activity Permit is required from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Silkstream, designated a 'main river'. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found on the gov.uk website. A permit will definitely be required for this particular development proposal, including for any morphological enhancement work and temporary works during preparatory stages. Please contact us at [PSO-Thames@environment-agency.gov.uk](mailto:PSO-Thames@environment-agency.gov.uk) for more information.
- 3) For use of herbicides in or near to water, prior consultation and approval from the Environment Agency is required before the first application. This is to ensure that the herbicides will not have a detrimental effect on the riverine habitat.
- 4) This permission relates to the works outlined in the application description and does not include the construction of a new 'café hub' building. The construction of a new café hub building will have to be appraised under a separate planning application.
- 5) Any new café hub building application will be expected to include changing facilities in line with Sports England comments.
- 6) Any new buildings or structures required to support sports uses which are not detailed in this application (e.g. floodlighting, changing rooms, sports equipment storage building) will require planning permission.



**APPENDIX 2 – ORIGINAL COMMITTEE REPORT APPROVED ON 25<sup>TH</sup> OCTOBER 2017.**

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**LOCATION:** Montrose Playing Fields, Montrose Avenue, Colindale, NW9  
5BY

**REFERENCE:** 17/1929/FUL **Registered:** 16/03/2017

**WARD:** Burnt Oak

**APPLICANT:** Jon Sheaff and Associates

**PROPOSAL:** The refurbishment of Silkstream Park and Montrose Playing Fields; the creation of new entrances; the installation of new footpaths and cycleways with 9 racks which would accommodate 18 bicycles; the installation of new hard paved public realm areas; the installation of new bridges and refurbishment of an existing bridge; the creation of a new pedestrian and cycle crossing of Montrose Avenue; the installation of new road surfaces and road design details on Montrose Avenue; the demolition of the existing pavilion building; the refurbishment of the existing tramshed building; the creation of new flood attenuation areas through amendments to levels and cut and fill operations; the installation of new playground facilities; the installation of new skateboarding facilities; the installation of new outdoor sports facilities including a multi-use games area, tennis courts, a green gym and basketball hoops; the provision of two no. 9 x 9 grass football pitches; the installation of occasional play equipment; new tree planting; new soft landscape planting

### **Application Summary**

This application is proposing a range of improvements to Silkstream Park and Montrose Playing Fields which are designed to improve accessibility to and use of these green spaces.

### **RECOMMENDATION**

**Approve the application subject to conditions:**

- 1) This development must be commenced within three years from the date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

A1749-JSA-L001; A1749-JSA-L010; A1749-JSA-L050; A1749-JSA-L051;  
A1749-JSA-L052; A1749-JSA-L053; A1749-JSA-L054; A1749-JSA-L055;  
A1749-JSA-L100; A1749-JSA-L101; A1749-JSA-L102; A1749-JSA-L103;

A1749-JSA-L104; A1749-JSA-L105; A1749-JSA-L110; A1749-JSA-L111;  
A1749-JSA-L112; A1749-JSA-L113; A1749-JSA-L114; A1749-JSA-L115;  
A1749-JSA-L200; A1749-JSA-L201; A1749-JSA-L202; A1749-JSA-L203;  
A1749-JSA-L204; A1749-JSA-L205; A1749-JSA-L300; A1749-JSA-L301;  
A1749-JSA-L302; A1749-JSA-L303; A1749-JSA-L304; A1749-JSA-L305;  
A1749-JSA-L400; A1749-JSA-L401; A1749-JSA-L402; A1749-JSA-L403;  
A1749-JSA-L404; A1749-JSA-L405; A1749-JSA-L406; A1749-JSA-L407;  
A1749-JSA-L408; A1749-JSA-L409; A1749-JSA-L410; A1749-JSA-L411;  
A1749-JSA-L420; A1749-JSA-L421; A1749-JSA-L422; A1749-JSA-L423;  
A1749-JSA-L424; A1749-JSA-L425; A1749-JSA-L430; A1749-JSA-L431;  
A1749-JSA-L432; A1749-JSA-L433; A1749-JSA-L434; A1749-JSA-L435;  
A1749-JSA-L500; A1749-JSA-L501; A1749-JSA-L502; A1749-JSA-L503;  
A1749-JSA-L504; A1749-JSA-L505; A1749-JSA-L506; A1749-JSA-L507;  
A1749-JSA-L508; A1749-JSA-L509; A1749-JSA-L600; A1749-JSA-S001;  
A1749-JSA-S002; A1749-JSA-S003; A1749-JSA-S004; A1749-JSA-S010;  
A1749-JSA-S011; A1749-JSA-S012; A1749-JSA-S020; A1749-JSA-S021;  
A1749-JSA-S022; A1749-JSA-S023; A1749-JSA-S024; A1749-JSA-S025;  
A1749-JSA-S030; A1749-JSA-S031; A1749-JSA-E001; A1749-JSA-E002;  
A1749-JSA-E003; A1749-JSA-E004; A1749-JSA-E005; A1749-JSA-E006;  
A1749-JSA-E007; A1749-JSA-E009; A1749-JSA-SK010; A1749-JSA-SK020;  
A1749-JSA-SK030; A1749-JSA-SK031; A1749-JSA-SK032; A1749-JSA-  
SK032; A1749-JSA-SK033; A1749-JSA-SK034; A1749-JSA-SK035; A1749-  
JSA-SK036; A1749-JSA-SK037; A1749-JSA-SK038; A1749-JSA-SK039;  
A1749-JSA-SK040; A1749-JSA-SK041; A1749-JSA-SK042; ; A1749-JSA-  
SC001; A1749-JSA-DOC01; A1749-JSA-DOC02; A1749-JSA-DOC03; ;  
A1749-JSA-APP\_1; A1749-JSA-APP\_2; A1749-JSA-APP\_3.1; A1749-JSA-  
APP\_3.2; A1749-JSA-APP\_3.3; A1749-JSA-APP\_3.4; A1749-JSA-APP3.5

**Reason:** For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

3) a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 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) have been submitted to and approved in writing by the Local Planning Authority.

b) 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.

**Reason:** To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

4) a) Prior to commencement details of the soft landscaping, plants and trees species proposed for the scheme along with a full and detailed management programme for the establishment of these plants shall be submitted to and approved in writing by the Local Planning Authority

b) The development shall thereafter be implemented in accordance with details approved under this condition.

**Reason:** To protect visual tree amenity in the local area in accordance with DM01

5) No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. The planning application lies in an area of archaeological interest.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place.

**Reason:** The planning authority wishes to secure the recording of these historic buildings in accordance with the provisions of the NPPF and London Plan policy 7.8 and Barnet Core Strategy Policy CS5 and Development Management Plan Policy DM06.

6) The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) 'Silkstream and Montrose Parks: Flood Risk Assessment August 2016', specifically in regards to the compensatory flood storage measures detailed within the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reasons:** To prevent flooding on site and elsewhere by ensuring that compensatory storage of flood water is provided. The proposal will provide a betterment of flood storage capacity on the site, with attenuation areas and wetland meadows created.

- 7) No development shall take place until a detailed method statement for removing or the long-term control of Japanese Knotweed (and other Wildlife and Countryside Act listed knotweed) on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include measures that will be used to prevent the spread of Japanese Knotweed and other identified invasive plants during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

**Reasons:** Two species of Japanese knotweed have been identified on site. This condition is necessary to prevent the spread of Japanese Knotweed and other invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to paragraph 109 of National Planning Policy Framework, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

The Thames River Basin Management Plan (RBMP) also requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the ecological impact of Japanese Knotweed could lead to deterioration of the Silkstream watercourse through interfering with bank stability, altering the habitat diversity of the riparian zone, and undermining the river restoration achieved through the proposal.

- 8) No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:
- Details demonstrating how a minimum 5 metre undeveloped and naturalised buffer zone to the Silkstream will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan. The buffer zone should be free from built development.
  - Details should be provided of any proposed footpaths and bridge crossings, including within the buffer zone.
  - Detail of the extent and type of new planting, including within the buffer zone (planting to be of native species only, of local genetic provenance).
  - Details of habitat establishment and maintenance regimes, with details of any new habitat created on site.



- Details of treatment of site boundaries and/or buffers around water bodies.
- Details of management responsibilities and a long term management plan.
- Details of retained vegetation and trees.
- Plans showing no light spill from external artificial lighting into the watercourse or adjacent river corridor habitat (to achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 8 metres of the top of bank of the watercourse are maintained at background levels which are considered to be a Lux level of 0-2).

**Reason:** Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. This condition is supported by paragraph 109 of the National Planning Policy Framework (NPPF), which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

It is also particularly important to minimise light spill from the new development into the watercourse and the adjacent river corridor habitat, as artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat.

- 9) Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied the following information shall be submitted to and approved in writing by the Local Planning Authority:
- i. A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.
  - ii. Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
  - iii. Plans showing satisfactory points of collection for refuse and recycling.

The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

**Reason:** To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

10) In line with the existing and proposed highways ownership details, the development hereby permitted shall ensure that integrated access with the proposed Montrose Youth Zone development proposals access is retained and maintained at all times, from Montrose Avenue as created for the development.

**Reason:** To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2015.

11) The developer to ensure that the detailed plans for the proposals are undertaken in collaboration with the Montrose Youth Zone masterplan developers, and an integrated plan showing how the two development sites will interact to be submitted to the Council for approval. Such details will include stopping up and diversion of the existing footpath to ensure a safe, convenient and an integrated connection for pedestrians into the existing surrounding facilities, and from Montrose Avenue.

**Reason:** To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015).

12) Before the development hereby permitted is occupied; details of cycle parking and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority and such spaces shall be permanently retained thereafter. Minimum aisle widths, as set out in London Cycling Design Standards, must be met and 5% of space should be provided for the storage of non-standard cycles.

**Reason:** In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and the London Cycling Design Standards 2016.

13) Before the development hereby is occupied; details to show entry and egress arrangements and pedestrian walkways / cycleways are to be submitted to and approved in writing by the Local Planning Authority. Submission shall include road safety audits, proposed introduction of highway features on, stopping up and land ownership plans will need to be revised showing the proposed layouts and footways in association with the new accesses to both the Montrose Youth Zone and the Montrose Park. Stopping up details will be required and agreed. The details of the

proposed works to be undertaken to the existing public highways shall have been approved in writing by the Local Planning Authority and implemented prior to the formal opening of the development. The development shall thereafter be implemented in full in accordance with the approved details.

**Reason:** To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

14) Prior to Ground Works and Site Preparation Works, no development shall commence until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works
- iv. Temporary hoarding and fencing
- v. Temporary works
- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)

Construction management and procedures

- viii. Code of Considerate Practice
- ix. Consultation and neighbourhood liaison
- x. Staff training and briefing procedures
- xi. Schedule of environmental legislation and good practice
- xii. Register of permissions and consents required
- xiii. Environmental Audit Programme
- xiv. Environmental Risk Register
- xv. Piling Works Risk Assessment
- xvi. Health and safety measures
- xvii. Complaints procedures
- xviii. Monitoring and reporting procedures

Demolition and waste management

- xix. Demolition Audit
- xx. Site clearance and waste management plan
- xxi. Asbestos survey and disposal strategy

Construction traffic

- xxii. Construction traffic routes
- xxiii. Construction traffic management including access to the site (specifically any proposed temporary construction accesses to the site); the parking of vehicles for site operatives and visitors; hours of

construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

#### Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation any existing ecological features that may be affected by works in that Development Phase
- xxv. Measures to minimise visual impact during construction
- xxvi. Measures to minimise noise and vibration levels during construction
- xxvii. Measures to minimise dust levels during construction
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan)
- xxix. Construction lighting strategy, including measures to minimise light spill
- xxx. Measures to reduce water usage during construction
- xxxi. Measures to reduce energy usage during construction
- xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

The development shall thereafter be implemented in accordance with the measures detailed within the statement.

**Reason:** To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2015.

- 15) Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

**Reason:** In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and London Plan policy 6.14 'Freight'.

- 16) Prior to the commencement of the development hereby approved, details of any highways to be stopped under Section 247 of the Town and Country Planning Act 1990 in relation the Montrose Youth Zone shall be submitted to and agreed with the Local Planning Authority.

**Reason:** To ensure that adequate public access is provided throughout the development.

17) No part of the development shall come into operation until the access roads and highways works (on and off-site) associated with the new access are made available for use.

**Reason:** To ensure there is adequate access available to all units and commercial units.

18) Prior to the occupation of the development, the works to be undertaken to the existing public highways and unadopted road layouts shall have been approved in writing by the Local Planning Authority and implemented prior to the formal opening of the development. The details of the works will cover the newly proposed raised crossing points, any access points and road features, car parking areas, new footways and footpaths, along with any supporting Road Safety Audits.

**Reason:** To ensure that adequate and satisfactory provision is made for vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

19) In the event that the Gaelic Football Club and pitch displaced by the Copthall Leisure Centre redevelopment are unable to be accommodated within the National Institute of Medical Research or another robustly identified site, a Gaelic Football pitch, and ancillary facilities, that meets Sport England or National Governing body approval shall be made on Montrose Playing Fields in addition to the playing pitches indicated in the masterplan hereby permitted. In this event, before first use of the Gaelic Football playing pitch on the Montrose Playing Fields, a management plan should be submitted to the Local Planning Authority detailing the hours of use and activities associated with the Gaelic Football Club.

**Reason:** To safeguard the character and visual amenities of the site and wider area in accordance with policies CS5 and DM01 of the Barnet Local Plan and to support use of green spaces and sports activities in line with policies 2.18 and 7.18 of the London Plan and CS7 and DM15 of the Barnet Local Plan.

20) Prior to first occupation of the refurbished tram shed hereby permitted a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to the following:

- Hours of opening for the tram shed;
- Management arrangements for the site and facilities;
- Scale and frequency of events taking place on a weekly, monthly and annual basis and how these events will be managed;
- Code of conduct for users of the site;

The tram shed shall thereafter operate in accordance with the approved details.

**Reason:** To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.

## **1. MATERIAL CONSIDERATIONS**

### **Key Relevant Planning Policy**

#### **Introduction**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is the London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

The Barnet Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents, both adopted by the Council in September 2012.

A number of other planning documents, including the National Planning Policy Framework and supplementary planning guidance are also material to the determination of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

#### **The London Plan**

The London Plan (2016) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

##### Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

##### London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

##### London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

#### London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

#### London's Response to Climate Change

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land).

#### London's Transport

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

#### London's Living Places and Spaces

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

#### Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

### **Barnet Local Plan**

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the

Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet’s Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

CS5 (Protecting and enhancing Barnet’s character to create high quality places)

CS6 (Promoting Barnet’s Town Centres)

CS7 (Enhancing and protecting Barnet’s open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well-being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet’s character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet’s Heritage and Conservation)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet’s town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

Local Supplementary Planning Documents:

Sustainable Design and Construction (October 2016)

Residential Design Guidance (April 2013)



Planning Obligations (April 2013)  
Affordable Housing (February 2007 with updates in August 2010)  
Strategic Supplementary Planning Documents and Guidance: Accessible  
London: Achieving an Inclusive Environment (April 2004)  
Sustainable Design and Construction (May 2006)  
Health Issues in Planning (June 2007)  
Wheelchair Accessible Housing (September 2007)  
Planning for Equality and Diversity in London (October 2007)  
All London Green Grid (March 2012)  
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)  
Housing (November 2012)

#### National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and replaced 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance.

The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

#### The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

#### Colindale Area Action Plan (CAAP)

#### Watling Estate Conservation Area Character Appraisal Statement (Adopted 2012)

#### Silkstream Park Draft Landscape Masterplan April 2016

#### Draft Stage D of the Playing Pitch Strategy 2016

#### Draft Green Infrastructure SPD 2017

### **1.2 Relevant Planning History**

Details of site history are listed in Appendix 2 of this report.

### **1.3 Public Consultations and Views Expressed**

As part of the consultation procedure, 1499 letters were sent to local residents. Site notices were also displayed on 27/04/2017 and the application was published in the local press on 25/04/2017.

9 responses were received by the council, of which 1 was an objection, 4 were letters of support and 4 were comments. Details of these consultation responses are outlined below.

#### **Support**

- Acoustic fencing along the Montrose boundary would significantly boost enjoyment of the park as the London Underground trains are noisy.
- The proposals would support healthy lifestyles.
- The proposals would benefit nearby residents.
- This is a much needed development.
- Development will bring local community together

#### **Objection**

- Can the flood alleviation scheme be looked at in detail to make sure homes on The Greenway are protected? The redevelopment of this park is an opportunity for flooding issues in this area to be addressed.

#### **Third Party Comments**

- I would like to ask if a metal bar fence can be installed at the edges of Silkstream Park, similar to Montrose Park and Watling Park. The reason for this is to ensure the general public's safety and security.
- Will proposed facilities be free for all to use?
- Will there be overspill parking during the construction phase on The Greenway?
- Is it possible to have table tennis table.
- What plans are there to protect nearby homes from extreme weather – particularly flooding?

#### **Officer Response to public objections**

The proposal has been reviewed by the Environmental Agency who considers the impacts of the proposal to be acceptable.

### **1.4 Internal Statutory Consultation Responses**

#### **Trees**

The application is for the refurbishment/renovation of parks which are located in a high density housing area. This density has increased considerably with a large development in close proximity to Montrose Park.

The proposed works will improve the overall structure of and facilities within the parks for local people. The plans take account of ecology and important riverside margins through both parks.

The applicant has provided tree plans, however the colouring of trees does not relate those set out in BS5837:2012. This is confusing as it shows category C trees in red instead of grey, Category B trees in yellow instead of blue and category U trees in red.

Tree removals:

X 2 Cat A

X 5 Cat B trees and 5 Cat B groups (Group G15 is to be selectively cleared, not completely removed.)

X 104 Cat C trees and 30 Cat C groups.

X 31 Cat U trees and 3 Cat U groups

In total: 142 trees and 38 groups of trees.

There will be a loss of visual tree amenity in the local area which will be offset by a significant level of new planting shown on landscape plans.

The loss of trees within the parks is offset by new tree planting, wet areas and other environmental improvements around the parks. This will improve the facilities for users of the parks.

Recommendations: No objection.

### **Officer Comments**

Conditions have been attached as requested.

### **Highways**

Based on recent additional information submitted by the applicant, Transport and Regeneration (T&R) have reviewed the planning application and have no objections to the proposals. The application is recommended for approval but with the attached planning conditions to ensure that the development proposals are sound and acceptable.

Full analysis of the highways impact is detailed in the Highways section (para 3.6) of this committee report.

### **1.5 External Statutory consultation responses**

#### **Historic England**

Although this application does not lie within an Archaeological Priority Area the two parks cover a large area (over 15 hectares) of undeveloped land within which the proposals envisage extensive earthmoving for flood attenuation and recreational facilities. Although there are no recorded archaeological finds within the park this may simply reflect a lack of previous investigation. There is no evidence of historic settlement but the location close to Roman Watling

Street and along an historic stream may have been attractive to Roman or prehistoric occupation. On balance these factors indicate moderate potential for new discoveries of archaeological interest being revealed and potentially harmed by groundworks.

Framework and GLAAS Charter.

The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by attaching a condition.

### **Officer Response**

Condition attached as requested.

### **Environmental Agency**

Following the Environment Agency's initial objections, we had a site meeting on 5th July at which time we were able to discuss our concerns with the applicant. As a result of these discussions, we are now able to **remove our objections** to this planning application as we are confident that our concerns can be addressed.

On the whole, we are highly supportive of the objective to naturalise the watercourse and to restore natural processes as best feasible, yet also incorporate elements that allow public interaction and enjoyment. We do however recommend that planning permission could only be granted if conditions are attached relating to flood risk, Japanese Knotweed and landscaping. Without these conditions, the proposed development poses an unacceptable risk to the environment and we would object to the application.

## **Officer response**

Condition attached as requested.

## **Thames Water**

There are public sewers crossing or close to these developments. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit [thameswater.co.uk/buildover](http://thameswater.co.uk/buildover)

The depth of excavation above sewers and water mains must not exceed 0.6 metres unless the actual depth of apparatus has been checked in advance (by trial holes). In any event there should be at least 300mm clear between the top of our apparatus and the underside of any excavation. Where there is less than 300 mm clear margin between the top of our apparatus and the underside of any excavation, then machine excavation should cease. Any excavation below that to be hand-dug to expose the pipe at its crown but no further than waist-level.

Unless empirical evidence suggests that our pipework is not at a recommended depth in general accordance with HAUC recommendations, the presumption is that diversionary works are not warranted. Specific for water mains, if road reconstruction extends to below this along straight lengths only, the main can be undermined in short lengths only (exposing only one joint at a time and without destroying any thrust blocks) so that a concrete haunching can be placed in stages to support the pipe.

Trial holes should be dug by hand at locations where you intend to erect signal posts, bollards, columns or other street furniture. Please ensure that posts, guard-railing and bollards are not erected directly over, or within close proximity to, our mains and that they are not placed so as to restrict access to valves/hydrant boxes and/or manholes/covers, etc for maintenance.

Thames Water recognizes the environmental benefits of trees and encourages the planting of them. However, the indiscriminate planting of trees and shrubs can cause serious damage to the public sewerage system. In order for these public sewers to operate satisfactorily, trees and shrubs should not be planted over the route of the sewers.

## **Water supply comments**

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water

Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ. Tel. - 0845 782 3333.

### **Sports England**

Sports England have raised the following objections:

- 1) The provision of changing accommodation in the new hub building is welcomed but the hub building is not shown on the masterplan? As the plans are developing and there is a commitment to provide changing rooms, Sports England is satisfied to have this secured (including design being agreed) via a condition if possible.
- 2) Gaelic Football – The PPS states that should the NIMR site not come forward then Gaelic Football would be located to Montrose Park. Since the NIMR application has not permitted Sport England would not be able to lift its objection in relation to this element at this stage. Sport England will need more certainty with relation to the Gaelic Football pitch before being able to remove its objection.
- 3) The construction of high quality playing pitches and high standard of pitch maintenance would produce good pitches to point and is welcomed but the ability to shift pitches around allows the more used areas to be ‘rested’ which is also a considerable factor of maintaining high standard playing pitches. Also, uninterrupted areas of playing field, as is currently at Montrose Park, gives more flexibility for playing pitch provision in the future.
- 4) Sport England welcomes the acknowledgement that funfairs and similar should not be located on the pitches.

### **Officer response**

- 1) The new building to be included within the refurbished Montrose Playing Field is still in its design phase and will be the subject of a future application for planning consent. An informative has been attached to this permission stating that any future proposal for the hub building should include changing rooms.
- 2) At present the ability to relocate St Kiernan’s Gaelic Football Club to the former NIMR is to be determined by the GLA. However, a condition has been attached to this permission stating that the relocation of the Gaelic Football Club to Montrose Park would be acceptable if it cannot be located on either NIMR or West Hendon, subject to a submission of a management plan.
- 3) A condition has been implemented requiring details of the layout of paths be submitted. These will then be agreed with the Green Spaces Team and Sports England to ensure the layout of any paths has an acceptable impact on the sports pitches and their orientation.

- 4) The restriction of funfairs on sports pitches has been controlled by condition.

## 2.0 SITE CHARACTERISTICS

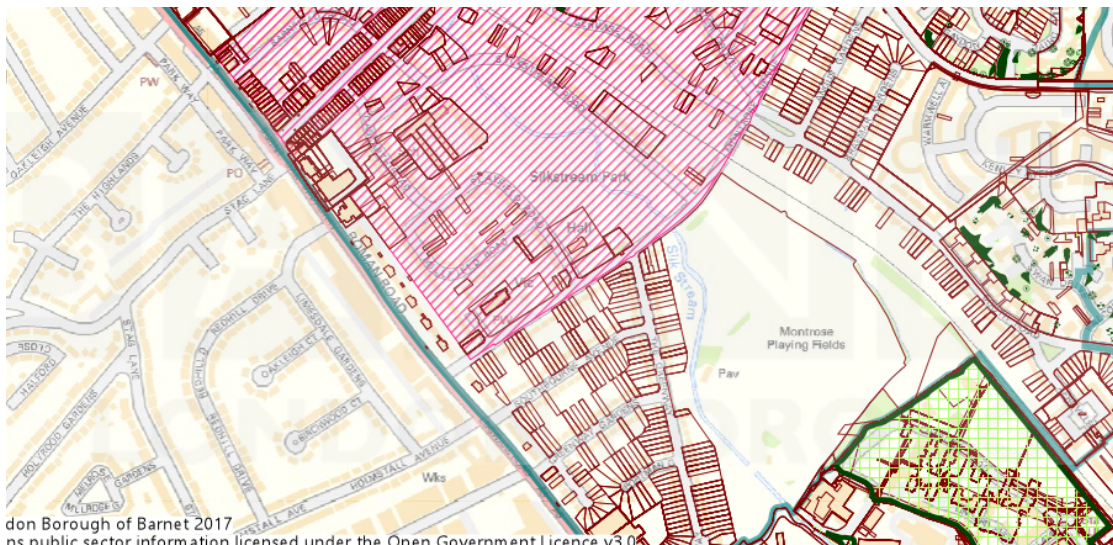
### 2.1 Site Description

The site is located in the Burnt Oak ward in the western part of the London Borough of Barnet. The application site has an area of 5.2 hectares. It is bounded by Silkstream Road, Playfield Road and the Greenway to the west and by Silkstream Road and Booth Road to the north and east. The Colindale Hospital development site lies at the southern boundary to the site. Montrose Avenue separates Silkstream Park to the north from Montrose Playing Fields to the south, but this application includes this intersecting road within the application site.

The site is not within an area identified and protected as a Site of Importance for Nature Conservation. The site is not located in an area of the borough that is considered deficient in public open space (as identified on Map 10 of LBB Core Strategy DPD 2012).

The proposed site sits within the boundaries of the Colindale regeneration and development area and the Colindale Area Action Plan (CAAP) recognises that Colindale has an important role to play in the borough-wide strategy to protect the most important open and green spaces.

Silkstream Park lies in the Watling Estate Conservation Area (Conservation Area shown by pink hash on plan below). On Montrose Avenue or the surrounding area there are no statutory or locally listed buildings. There are no areas of special archaeological interest, with the nearest one found east of Burnt Oak station to the north of the site. Burnt Oak Broadway is the nearest road that forms part of the strategic road network.



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Figure 1: Application site boundary (outlined in red) and Watling Estate Conservation Area (pink hash)

## 2.2 Proposal

This application seeks to carry out a series of improvements and renovations to Silkstream Park and Montrose Playing Fields. These are detailed below:

- The creation of new entrances;
- The installation of new footpaths and cycleways;
- The installation of 9 cycle racks which would accommodate 18 bicycles;
- The installation of new hard paved public realm areas; new bridges and refurbishment of an existing bridge;
- The creation of a new pedestrian and cycle crossing of Montrose Avenue;
- The installation of new road surfaces and road design details on Montrose Avenue;
- The demolition of the existing pavilion building;
- The refurbishment of the existing tram shed building;
- The creation of new flood attenuation areas through amendments to levels and cut and fill operations;
- The installation of new playground facilities and the installation of new skateboarding facilities;
- The installation of new outdoor sports facilities including a multi-use games area, tennis courts, a green gym and basketball hoops;
- The provision of two No. 9 x 9 grass football pitches;
- The installation of occasional play equipment; new tree planting; and new soft landscape planting.

## 3.0 PRINCIPLE OF THE REDEVELOPMENT OF THE PARKS

### 3.1 Policy Appraisal

#### National Planning Policy Framework (NPPF)

Para 73 of the NPPF states that '*Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities*'. It is considered that the proposal is improving the quality of the open spaces of Silkstream Park and Montrose Playing Fields and improving the opportunities for sport and recreation. The proposal will therefore have a beneficial impact on the health and wellbeing of the Burnt Oak community.

#### London Plan (2016)

Colindale/Burnt Oak is identified as an opportunity area where a minimum 12,500 new homes will be provided through mainly residential-led mixed use development.

**Policy 7.18** identifies the need for '*protecting local open spaces and addressing local deficiency*'. The policy sets out the requirement for LDFs to: '*ensure that future open space needs are planned for in areas with the*



*potential for substantial change such as opportunity areas, regeneration areas, intensification areas and other local areas' and to 'ensure that open space needs are planned in accordance with green infrastructure strategies to deliver multiple benefits'.*

Green infrastructure is considered as a multifunctional network that will *'secure benefits including, but not limited to: biodiversity; natural and historic landscapes; culture; building a sense of place; the economy; sport; recreation; local food production; mitigating and adapting to climate change; water management; and the social benefits that promote individual and community health and well-being'.*

The proposal is not resulting in the loss of any local open space. On the contrary, the works proposed will significantly improve its functionality and usability by securing a range of benefits. These benefits will support sport and recreational uses, improve Silk Stream and soft and hard landscaping. As such the proposal is considered to comply with London Plan policies.

### **Barnet Council Core Strategy (2012)**

**CS7: Enhancing and protecting Barnet's open spaces** states that Barnet will secure improvements to open spaces including provision for children's play, sports facilities and better access arrangements.

**CS11: Improving health and wellbeing** states that Barnet will improve health by ensuring increased access to Barnet's green spaces and opportunities for higher levels of physical activity through the Green Infrastructure SPD.

The proposal is creating new children's play areas with new play equipment, new park entrances and improvements to sports facilities within the playing fields. As such, the proposal complies with policy CS7 and CS11.

### **Barnet Council Development Management Policies (2012)**

**DM15: Green Belt and Open Space** states that *'Open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:*

- a. The development proposal is a small scale ancillary use which supports the use of the open space or*
- b. Equivalent or better quality open space provision can be made.*

*Any exception will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.'*

The proposed refurbishment works are considered to create better quality open space. As such, the proposal is considered to comply with policy DM16.

### **Green Infrastructure SPD (2017)**

This document identifies that *'the provision of Green Infrastructure in and around urban areas contributes towards creating places where people want to live, work and invest; delivering benefits not only to the environment but also to the development of better places. Green infrastructure planning enables a co-ordinated and cross-sectorial approach to be taken across many different sectors. It can increase access to open spaces, contribute to urban cooling, allow greater appreciation of valued landscapes and support healthy living'*.

This document states *'The improvement and enhancement of parks in Colindale will deliver significant support to the Council's regeneration initiatives in that area. In support of the Council's regeneration area policies new investment in the parks and open spaces of Colindale and Burnt Oak includes improvements to Montrose Playing Fields, Silkstream Park, Heybourne Park and Colindale Park to be completed by 2021'*.

The **Colindale Open Spaces Strategy (2013)** proposes a number of initiatives for green space:

- High intensity, high quality open spaces that are accessible, welcoming, attractive, well used, shared by all groups, well maintained and managed.
- Larger individual local parks with a range of uses including cafés and changing facilities nature conservation areas, playgrounds and sports facilities to allow increased usage for all ages.
- Existing park facilities including sport pitches upgraded and intensified including shared use of open space and school sport facilities to maximise use of the open space resource within Colindale.
- Linked greenways for walking and cycling to promote health and wellbeing with high quality integrated wayfinding, trim trails, public art and public transport connections.
- Enhanced visual links to provide increased visibility of, and inter-visibility between open and public spaces to increase legibility and provide a greater feeling of security.

The proposal will improve the quality of these two green spaces and will implement new and improve existing uses. The proposal will also improve routes for walking and cycling as well as legibility. All of this will increase the usability of Silkstream Park and Montrose Playing Fields. As such, the proposed complies with Colindale Open Spaces Strategy (2013).

### **Barnet Parks and Open Spaces Strategy (2016)**

The strategy proposes that parks and open spaces can deliver a range of positive benefits for the borough and its residents in respect of economic, social and environmental outcomes.

This strategy 'recognises that a clear vision is needed to deliver a whole range of benefits for people who live and work in the borough.'

The benefits identified in this document include:

- enhancing the physical and mental health of residents
- making Barnet a better place to live, work, learn and play
- joining communities together by creating new green links between different parts of the borough
- preparing the borough for the impacts of climate change by controlling flooding,
- reducing pollution and moderating temperatures
- protecting and enhancing the borough's cultural and natural heritage

The proposal complies with the aims of this strategy as it creates new pedestrian and cycle links through this green space, makes improvements to water courses, increases accessibility to green spaces and preserves and enhances the character and appearance of the Watling Estate Conservation Area,

### **Outdoor Playing Pitch Strategy (2017)**

Barnet's Outdoor Playing Pitch Strategy was adopted by the council in March 2017. The strategy will be considered for adoption by Sport England during the determination period for this application and Sport England as a statutory consultee have referred to the OPPS to develop their response to this application.

This strategy assesses the London Borough of Barnet's current quantity and quality of outdoor playing pitch provision and makes recommendations in respect of future provision.

Proposals for outdoor playing pitch provision in this application reflect the findings and recommendations of the strategy in respect of Silkstream Park and Montrose Playing Fields.

## **3.2 Key components of proposal**

### **3.2.1 New entrances**

This application proposes several new entrances to both Silkstream Park and Montrose Playing Fields. The details of these new entrances are outlined below:

Silkstream Park:

- 4 new entrances from Silkstream Road
- 2 new entrances from Montrose Avenue
- 2 new entrances from Playfield Road

Montrose Playing Fields:

- 2 new entrances from Montrose Avenue
- 1 new entrance from Greenway Gardens
- 1 improved and widened entrance from Booth Road
- 1 new entrance from former Colindale Hospital site

The Silkstream Avenue entrance will be paved in brick and will incorporate ornamental planting, seating and signage. Primary and secondary routes will connect this entrance to the public open space beyond.

The Booth Road entrance is currently constricted by fencing preventing access to the TfL tube line embankment. Where this land is in the ownership of the London Borough of Barnet on the south-west side of the underpass access to the playing fields, the entranceway will be widened to create an open and welcoming approach to the open space.

Where accesses to the open spaces are implemented along road edges (i.e. along Silkstream Road and Playfield Road), the existing edge will be de-cluttered by clearing sight lines interrupted by stands of new trees and areas of short and long grass. Timber bollards will be however implemented along these edges as necessary to prevent unlicensed vehicular ingress.

The connection of Silkstream Park and Montrose Playing Fields across Montrose Avenue will be simplified to create a sense of continuous open space. The installation of a raised table along the existing boundary in Montrose Avenue will create the sense of a level connection between these two green spaces. This connection will be strengthened by the removal of boundary railings that currently act as a barrier between these two open spaces. Access to the road crossing will be made through ramped footpaths and steps. As part of the consultation process, Highways have been consulted regarding the new treatments to this part of Montrose Avenue. They have raised no objection to this treatment.

### **3.2.2 New bridge crossings**

This application seeks permission for five new bridges to be included, two within Silkstream Park and three within Montrose Playing Fields.

The submitted Design and Access Statement states that '*the bridges are intentional interruptions of materiality and stand out from distance in white*'.

These new bridges improves access into and throughout the site and is therefore considered to represent a positive addition.

The walking surface of the decks is formed from bright-galvanised perforated steel planks. The finish to the steel is red oxide anti-corrosive primer with a polysiloxane finish coat in traffic white. The raised and lowered profile of the perforations give grip to the deck surface and allow water to pass through to a

drainage layer below the walking surface.

The balustrades will be of solid steel tubes, rising out of an edging plate with upstand to prevent accidental kick damage to the bottom of the balustrade material. The vertical infill will be of perforated steel, finished in powder coated traffic white. The fixing detail at top and bottom of the robust steel sheets will allow the balustrade to be repaired if damaged or replaced when beyond repair.

### **3.2.3 The refurbishment of the existing tram shed**

The tram shed building lies in the south-west area of Montrose Playing Fields. It is a distinctive, historic building and, as such, its refurbishment is considered appropriate. The refurbishment will provide this building with power and water. It is proposed that the refurbished tram shed building will be converted for use as a volunteer base and store. The Council has no objection to this use being accommodated within this building.

A condition has been attached to this permission requiring that a management plan be submitted for this tram shed, specifying the hours of use, this building's management. Any extensions or external changes to this building (e.g. implementation of new windows or doors) will be subject to a separate planning application.

### **3.2.4 New playgrounds**

Play opportunities within both green spaces are currently limited. The proposed refurbishment seeks to introduce a variety of play equipment to serve the local community and improve the current deficiency.

A new equipment-based playground will be re-provided on the current site in Silkstream Park. The new playground will include fixed play equipment for children between the ages of 4 and 12 years of age.

A second playground will be provided in Montrose Playing Fields in close proximity to the proposed café building. This playground will be targeted at a younger age range (2-9 years) with a variety of more traditional play equipment being proposed. This playground edge will be defined by playable planting and bunding but will be open to the rest of the park.

This application also proposes a variety of incidental play opportunities to be installed at different positions around the site, including the eastern edge of Montrose Playing Fields.

### **3.2.5 New skateboarding facilities**

The refurbishment project proposes a new skateboarding facility close to the Youth Zone building approved under application 17/1713/FUL. The skateboard facility will include a variety of skating features in a purpose-designed contoured landscape. The public realm area between the formal

skateboard area and the Youth Zone will be constructed to support skateboard use.

This proposed facility is considered appropriate for a park as it is a recreational use. The proposed skateboarding area is located far enough from residential units to not have a detrimental impact in terms of noise and disturbance. Its location by the Youth Zone building is considered appropriate.

### **3.2.6 New sports facilities and fitness equipment**

The Council's new Outdoor Playing Pitch Strategy will propose a low level of demand for outdoor playing pitches on Montrose Playing Fields. The strategy proposes the retention of a single 9 x 9 grass pitch and this will be re-provided on the existing Gaelic football pitch which is a levelled surface with incorporated drainage. The refurbishment scheme does not include any further allocation of formal grass pitches but opportunities for informal ball games play across the site will be retained. Following consultation with Sports England, the proposed pathways which originally cut through the sports pitch will be reviewed under condition.

The scheme proposes the provision of a range of hard-surface sports opportunities along the northern boundary of the site close to the Youth Zone hub. This will include two new tennis courts, a free sports area with basketball, a free style soccer area, an outdoor gym and concrete bench seating for participants and spectators. These proposed new surfaces provide a range of opportunities for sport and therefore are supported by the Local Planning Authority. A condition has been attached requiring details of hardsurfacing materials be submitted for approval to the Local Authority. This will ensure the materials proposed are of a high quality and the appearance of the new hard surfaces will not have a detrimental impact on the character of the park.

### **3.2.7 The demolition of the existing pavilion building and the provision of a new park hub and café building**

The current pavilion building lies in the south-west area of Montrose Playing Fields. It is currently under-used and this application seeks to demolish this building and replace it with a new park hub and café building. The building is positioned within Flood Zone 3b and a consequent presumption against development (including change of use) will restrict the uses to which it can be put.

The Council's emerging Outdoor Playing Pitch Strategy has established a low level of demand for playing pitches in Montrose Park, insufficient to justify the retention or re-provision of changing facilities on this site. Given these factors, the refurbishment project proposes the demolition of the existing changing room building and the provision of a new park café and hub building towards the centre of the site. This building will be the subject of a future application but the proposed site is indicated in the park masterplan.

The Council does not consider the loss of the pavilion to be detrimental to the character of the park or local area. Furthermore, it is considered that the proposed cafe use would be ancillary to the park. As such, the Council is open to the proposal of a new café hub building. However, a separate application would need to be submitted in order to agree the size and design of this facility.

### **3.2.8 New park furniture and lighting**

A range of different types of seating have been proposed under this application. This includes a single bench type of varying lengths (in steel with a timber slat) which has been selected for ease of maintenance and armchair style seating. Seating is proposed to be concentrated at entrances, at key nodes and activity areas. Concrete seating walls will be installed in playgrounds and in the active sports zone. Other parks furniture will consist of cycle racks, litter bins, bollards and signage. All of this is required to ensure the functionality and usability of these green spaces.

Signage will conform to Legible London guidelines and will be provided through fingerpost directional signage and a number of interpretative information and map panels both at entrances and at strategic points across the site. Litter bins will be fabricated in powder coated steel with a capacity of 45 litres. Bins will have a hinged door and an internal emptying bin in galvanised steel. Bins will be located at strategic locations – entrances, key nodes and areas of intensive use, next to benches and around the events area. Details of refuse storage will need to be submitted under a condition (see full details in the conditions section of this report).

The use of bollards will be limited to edges of both green spaces (specifically Playfield Road, the western end of Montrose Avenue and sections of Silkstream Road) where there is a risk of vehicular ingress and unlicensed occupation of the sites.

The submitted design and access statement states that *'the range of furniture selected is intended to provide consistency and coherence across the site using appropriate high quality and robust materials suited to an urban park environment'*. A condition has been attached requesting details of the proposed furniture and materials be submitted. This will ensure these additions are of a high quality.

### **3.3 Impact on surrounding residential amenities**

The proposed new playground areas and new features which will be the focus of activity are located at a distance (e.g. Silkstream Park play area will be circa 17 metres to the front boundary and 23 metres to the front elevations of these properties) from neighbouring residential properties. The proposed Montrose play ground is located a significant distance from residential properties. This separation distance is considered sufficient to mitigate any disturbance resulting from the increased activity in these areas. As per current arrangements, the park will be locked during at night, meaning that there

should not be any noise or disturbance in the park during potentially anti-social hours.

The new community hub building will require planning permission. Therefore, the scale and design of this new facility and its impact on nearby residential units will be considered during the application appraisal stage.

A management plan for the refurbished tram has been requested under condition. This will ensure its hour of use and activities will not have a detrimental impact on nearby residential units.

### **3.4 Impact on the Watling Estate Conservation Area**

The Watling Estate Conservation area cover lies in Burnt Oak between Edgware, Mill Hill and Colindale in the northwest part of the London Borough of Barnet. It covers an area of 158 hectares. There are a number of other significant places in the vicinity, including the Hendon RAF museum to the south. Silkstream Park lies fully within the conservation area and Montrose Playing Field's northern boundary adjoins the conservation area.

Section 4.3 of the Watling Estate Conservation Area Character Appraisal states the following regarding Montrose and Silkstream Playing fields:

*'There is a large tract of open space running through the middle of the estate. This follows the meandering lines of the Silk Stream and its tributary from the north of the estate to the south. There are three distinct parts of this tract, The Meads (3.5 hectares) to the north of Deansbrook Road, Watling Park (10 hectares) between Deansbrook Road and Watling Avenue, and Silkstream Park (10 hectares) in the south. Each area has its own character'.*

Section 4.3 also states:

*'All the parks, playing fields and open spaces are key features and offer an important amenity in the area. The relationship between open spaces and buildings was an important part of Garden Suburb planning. The views afforded both from and to the parks, the way buildings bound the open spaces and the link created by the open space across the area all help to define the estate's character'.*

Section 6.2 of the Character appraisal identifies a principal negative feature as:

*'the link way to the Silk Stream is very poor. Whilst some attempts have been made to improve this route by means of low key enhancements, it remains dirty, unpleasant and has no lighting. The water in the Silk Stream is stagnant at this point. There is however great potential to provide a pedestrian link into green spaces to the south and to the rear of the station to the north.'*

The Character appraisal does not identify any particular developments to these open spaces which would be detrimental to the character of the Conservation Area. It is considered that the works proposed under this



application, by means of the types of development and their design, will not have a detrimental impact on the character and appearance of the Conservation Area. There will be no negative impact on the relationship between open spaces and the surrounding buildings as identified in Section 4.3 of the character appraisal. The improvements will enhance this existing amenity and the appearance of Silk Stream itself.

### **3.5 Relationship of parks improvements with the Youth Zone**

Earlier this year a single storey Youth Zone building was approved to be constructed in the northern part of Montrose Playing Fields (planning reference: 17/1713/FUL, approved 14/08/2017).

Although the Youth Zone lies outside the red line boundary of this application, the two schemes do interact and conditions and accesses to the Youth Zone site does overlap with the application for the parks improvements. To ensure consistency with these two applications, a condition has been implemented requiring that an integrated plan be submitted to the Local Planning Authority for approval showing how the two development sites will interact.

### **3.6 Highways**

Details of the predicted traffic and transportation implications are summarised below.

#### **3.6.1 Trip generation and impact**

The development site is a combination of the two existing parks of Montrose Playing Fields and Silkstream Park for refurbishment and development into a comprehensive contiguous landscaped public open space and park that can be integrated and used as one.

In term of vehicular traffic generation, it is considered that there will be negligible impact on the surrounding roads as a result of the new site, in comparison with the existing uses. Therefore, no further assessment was needed in this regard. However, the applicant proposed to undertake general improvements to accessibility footpaths and cycleways and connectivity between the two spaces, and these are discussed in the subsequent paragraphs.

#### **3.6.2 Public transport**

The site has a range of PTAL between 3 and 5, which implies that the public transport accessibility is high. Whilst this may not be up to the high end of PTAL level 6, there are nearby buses which are expected to be actively and positively used by the visitors to the site. Daily trips using public transport will be made by the bus and rail during the highway peak hours.

Public transport is provided by the following local bus routes accessed from nearby bus stops located approximately within 400m from the application site

with existing high frequency bus routes. The nearest bus stop is located on the eastern side of Lanacre Avenue, 400m from the application site, served by bus routes 186 and 204. Three additional bus route services can be found along Burnt Oak Broadway. The following are some available routes that can be used to access the site:

**Route 186 (Lanacre):** Hospital - Harrow Town Centre - Harrow & Wealdstone Station - Belmont Health Centre - Canons Park Station - Edgware Station - Mill Hill Circus - Mill Hill Broadway Station - Hendon Central Station - Brent Cross Shopping Centre

**Route 204 (Lanacre):** Sudbury Town Station - Wembley Central Station - Preston Road Station - Kingsbury Station - Colindale Station - Burnt Oak Leisure Centre - Burnt Oak Station - Edgware Community Hospital - Edgware Station

**Route 32 (Burnt Oak):** Kilburn Park Station - Brondesbury Station - Cricklewood Broadway - Hendon Magistrates Court - The Greenway - Montrose Avenue - Burnt Oak Broadway - Edgware Community Hospital - Edgware Station

**Route 142 (Burnt Oak):** Watford Junction Rail Station - Watford High Street Station - Bushey Station - Red Lion Pub - Common Road - Stanmore Station - Park Grove - Edgware Station - Montrose Avenue - Park Road - Etheridge Road - Brent Cross Shopping Centre

**Route 292 (Burnt Oak):** Colindale Superstores - Montrose Avenue - Burnt Oak Broadway - Edgware Community Hospital - Edgware Station - The Fairway - Elstree Studios - Elstree & Borehamwood Station - Rissington Avenue

The closest rail station is Mill Hill Broadway, approximately 1.77km away and serving areas such as Hendon, Cricklewood, West Hampstead Thameslink, London St Pancras, St Albans, and Wimbledon. The closest London Underground station is at Burnt Oak on the Northern line, at a walking distance of 700m or nine minutes from the site.

### **3.6.3 Parking and accessibility**

The development scheme is not expected to generate excessive cars trips to the site, in order to push the demand for parking higher than already exists. Hence, there is no dedicated general parking on the site, and this is acceptable to the Council. However, there will be need for disabled parking, and drop-offs and pick-ups. A drop-off/pick-up zone can be created on the highway immediately adjacent the development site, along Montrose Avenue.

It will thus be required that the highway treatment proposed for the section of Montrose Avenue lying between the two open spaces is rationalized and improved for parking to enhance visibility along the highway and the safety of pedestrians and cyclists making use of the proposed new crossing. A new

crossing would also be beneficial to the proposed Montrose Youth Zone, and therefore welcomed. Condition 11 therefore suggested that both schemes should ensure that there is integration in order for the benefits to be widely realized.

A new raised table will be installed on Montrose Avenue between the two open spaces and a new road crossing installed. Boundary railings will also be removed and bollards installed (to prevent unlicensed incursions) and parking rationalised to provide clear sight lines and to enhance a sense of connectivity between the two spaces. These works will be undertaken by the Council upon approval of details.

The proposed hierarchy of footpath routes to be created for a continuous combined footpath and cycleway running north-west to south-east across both sites is laudable. The proposals will also ensure that all new footpaths is Disability Discrimination Act (DDA) compliant. Details will be approved under Condition 13 to ensure that Council standards are maintained across the site.

In term of cycle infrastructure the proposed development provides a new combined pedestrian and cycle route linking the Barnfield Road/Silkstream Road park entrance with the new entrance connecting Montrose Playing Fields with the Colindale Hospital regeneration site. This intervention fulfills the requirements of the 'Quietways' scheme and the aspiration to create an off-road route connecting Brent Cross with West Hendon. The development also proposed to install cycle stands at key locations including at entrances, adjacent to existing and proposed buildings, adjacent to play areas and sports facilities.

### **3.6.4 Access (Vehicular, pedestrians and cyclists)**

The Silkstream Road entrance provides access and a connection to Watling Avenue, and this is proposed to be quality primary and secondary routes that will connect this entrance to the public open space and beyond.

Condition 10 is required to retain access to the adjacent Montrose Park site – which is also subject to planning (ref 17/1713/FUL Montrose Youth Zone). In view of proximity of the access, the developer of the Youth Zone has been asked to build a new improved access to the park. This access will also serve as a pedestrian access into Montrose Park.

The existing site also has a footpath used by park visitors to access Montrose Park. This is proposed to be relocated adjacent to the Youth Zone's boundary. Since the layout needs to be agreed in conjunction with the Montrose Youth Zone developer, Condition 10 ensures that the detailed plans for this will be undertaken in collaboration with the Montrose Park and Silk Stream masterplan developers. Details will include stopping up and diversion of this footpath to ensure a safe, convenient and an integrated connection for pedestrians into the existing surrounding facilities.

There will be a requirement for a Road Safety Audit (RSA) to check visibility is sufficient and that no safety issues will be introduced due to the location of the

proposed accesses and new crossings on Montrose Avenue, specifically in regards to the introduction of official parking bays within the visibility splays Condition 18.

In terms of highways, stopping up and land ownership plans will need to be revised showing the proposed layouts and footways in association with the new accesses to both the Montrose Youth Zone and the Montrose Park. Stopping up details will be required and agreed via Condition 13. The requirement that details of the proposed works to be undertaken to the existing public highways and un-adopted road layouts shall have been approved in writing by the Local Planning Authority and implemented prior to the formal opening of the development will be included in this condition.

### **3.6.5 Management Plans**

A full Delivery and Servicing Plan (Condition 15) and also a Construction Environmental Management Plan (Condition 14) will be provided which is expected to be used to control and minimize any impact of construction and delivery services. Construction staff parking will be provided within the site and managed with controls to ensure that overspill parking at non-restricted parking areas is avoided. Waste collection is also proposed to be controlled via a Refuse and Recycling Collection Strategy (Condition 9).

## **4.0 EQUALITY AND DIVERSITY ISSUES**

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

*“(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*

*(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*

*(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council’s statutory duty under this important legislation.

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

## **5.0 CONCLUSION**

In conclusion, the scheme is considered acceptable and has regard to relevant policies and guidance. This application is therefore recommended for approval.

## **6.0 INFORMATIVES**

- 1) Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

An overarching recommendation is to follow *BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations* and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and noninfection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine.

- 2) Under the terms of the Environmental Permitting Regulations, a Flood Risk Activity Permit is required from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Silkstream, designated a 'main river'. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found on the gov.uk website. A permit will definitely be required for this particular development proposal, including for any morphological enhancement work and temporary works during preparatory stages. Please contact us at PSO-Thames@environment-agency.gov.uk for more information.
- 3) For use of herbicides in or near to water, prior consultation and approval from the Environment Agency is required before the first application. This is to ensure that the herbicides will not have a detrimental effect on the riverine habitat.
- 4) This permission relates to the works outlined in the application description and does not include the construction of a new 'café hub' building. The construction of a new café hub building will have to be appraised under a separate planning application.
- 5) Any new café hub building application will be expected to include changing facilities in line with Sports England comments.
- 6) Any new buildings or structures required to support sports uses which are not detailed in this application (e.g. floodlighting, changing rooms, sports equipment storage building) will require planning permission.

## APPENDIX 1: SITE LOCATION PLAN



## **APPENDIX 2: PLANNING HISTORY**

Reference number: 17/1713/FUL

Description: Erection of part single storey, part two storey Youth Zone including multiuse sports hall, floodlit roof level MUGA/kick pitch, music suite, indoor/outdoor recreation areas, and café/kitchen

Decision: Approve subject to conditions

Decision date: 14/08/2017



**LOCATION:** Brent Cross Cricklewood Regeneration Area  
North West London

AGENDA ITEM 7

**REFERENCE:** 17/6662/RMA

**Received:** 19.10.2017

**Accepted:** 27.10.2017

**WARD:** West Hendon

**Expiry:** 26.01.2018

**APPLICANT:** BXS Limited Partnership

**PROPOSAL:** Reserved Matters Application in respect of Plot 12 of Phase 1B (South) pursuant to Condition 1.2.2.B and 2.1 and for the part discharge of Condition 13.1 of planning permission Ref. F/04687/13 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Area. Application seeks approval for Layout, Scale, Appearance, Access and Landscaping for Plot 12, comprising of 292 residential units, ancillary housing office, flexible retail, café, basement car parking and plant including heating plant, to be provided within two buildings with heights ranging from 6-13 storeys arranged around a public pocket park and private courtyard together with north-south and east-west tertiary streets for the provision of access. Application is accompanied by an Environmental Statement of Compliance.

## 1. APPLICATION SUMMARY

The proposal is a reserved matters application for housing-led development on Plot 12 within Phase 1B (South) of the Brent Cross Cricklewood Regeneration Scheme.

The application proposes 292 residential units comprising of 276 upper level flats and 16 maisonettes split between the ground floor and first floor. 110 of the residential units proposed are provided as new homes to rehouse the Whitefield Estate Residents Part 2. This amounts to 92 Secure Tenants and 18 Owner Occupier Leaseholders. Decant of these residents allows delivery of highways infrastructure enabling Phase 1A (North) of the Brent Cross Cricklewood Regeneration Scheme to be delivered.

The proposals for Plot 12 comprise two residential buildings: a northern building (12N) comprising 120 units, and a southern building (12S) comprising 172 units. Plot 12N proposes a principal façade onto the High Street South with retail uses at ground level. Building 12S faces Claremont Park Road with predominantly residential uses at the ground level.

The submission provides details of Layout, Scale, Appearance, Access and Landscaping for the proposed buildings on Plot 12. It conforms with all the parameters and principles relevant to these development plots and the

residential form of development. The submission is also supported with technical information to satisfy the requirements of pre-reserved matters conditions. These have been incorporated either within the RMA submission or submitted under separate planning applications.

A request for an EIA (Environmental Impact Assessment) Screening Opinion was submitted to LBB in accordance with regulation 6(3) of the Town and Country Planning EIA Regulations 2017 under application reference 17/6852/ESR regarding the need for an EIA to accompany the submission of Plot 12 RMA. Where there have been deviations from the s73 Permission, these have been assessed within the screening request which concludes that they are unlikely to give rise to any new or different significant environmental effects from those reported in the Environmental Statement ('ES'). The LPA issued a Screening Opinion confirming that a further EIA to accompany the RMA is NOT necessary.

## **2. RECOMMENDATION**

This application is recommended for **APPROVAL** subject to conditions attached in Appendix 1 of this report and any changes to their wording and their attached reasons as considered necessary by the Head of Development Management.

## **3. BACKGROUND**

### **3.1 Outline Consent**

The principle of development at BXC was first established as a Supplementary Planning Guidance (SPG) in 2004, in accordance with the then current London Plan. The comprehensive redevelopment of the wider BXC regeneration area was granted outline planning permission in 2010 (with planning reference C/17559/08) and was subsequently amended via a Section 73 planning application (with planning reference F/04687/13) which was approved on 23 July 2014 (the 'S73 Permission'). The description of the 2014 permission is as follows:

*"Section 73 Planning application to develop land without complying with the conditions attached to Planning Permission Ref C/17559/08, granted on 28 October 2010 ('the 2010 Permission'), for development as described below: Comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 - A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment*

*technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP/CCHP, relocated electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the Development (Outline Application).*

*The application is accompanied by an Environmental Statement.”*

The regeneration will deliver:

- 7,500 residential units and more than 20,000 new jobs;
- New town centre including retail, leisure, hotel, restaurants and some community uses;
- Expanded shopping centre and new bus station;
- New Living Bridge over A406 to connect the north and South;
- Significant highways infrastructure improvement to the M1/A406/A5 and the A406/A41 junction improvements, southern junctions of the A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road;
- Clitterhouse Playing Fields and Claremont Park Improvements;
- Replacement and expanded schools;
- New Thameslink train station and replacement train stabling facilities;
- Replacement Waste Handling facility and Rail Freight Facility.

Both the 2010 and 2014 permissions were subject to an Environmental Impact Assessment. The Environmental Statement (the ‘ES’) for the BXC scheme is comprised of the approved Environmental Impact Assessment which accompanied the S73 Permission and subsequent ES Addendums, Further Information Reports (FIRs) and Supplementary Environmental Statements which have accompanied Reserved Matters Applications (RMAs), Re-phasing Applications and Non-Material Amendments (NMAs) against the S73 Permission.

### **3.2 Phasing of the BXC Regeneration Scheme**

The S73 Permission is a multi-phase scheme of 7 Phases to be delivered over a period of at least 16 years. Reserved Matters have been granted for

sub-Phases 1A (North), 1A (South) and 1B (North) of the development (see Appendix 2 for a full list of approved RMAs).

The Phase 1 sub phases are as follows:

**Phase 1A (North)** includes highways infrastructure, junction improvements, the re-routing of the River Brent and the new Tempelhof Bridge and Living Bridge over the A406. RMA approval was granted for this phase in 2015. The following Highways Infrastructure: Claremont Avenue; Claremont Road Junction North; High Street South (East Works); Orchard Lane; and, the following Open Space Infrastructure: Claremont Park Improvements; Clitterhouse Playing Fields Improvements (Part 1) have been re-phased via condition 4.2 (16/7489/CON) to Phase 1B (South).

**Phase 1A (South)** comprises the delivery of Claremont Park Road (Part 1) to support Phase 1 of the Southern Development. RMA approval was granted for this phase in 2016.

**Phase 1B (North)** includes all of the plot development on the north side of the A406 with the exception of the residential development within the Brent Cross West Zone. This sub phase also includes the new bus station, reconfigured shopping centre, Brent Cross Main Square, High Street North and other northern pedestrian routes, as well as elements of the Riverside Park, Sturgess Park Improvements and around 52 housing units. RMA approval was granted for this phase in 2017.

**Phase 1B (South)** includes the Clarefield Park Temporary Replacement Open Space, along with the Claremont Park Improvements and Clitterhouse Playing Fields (Part 1). It also includes residential floorspace (circa 260 units including the Whitefield Estate Replacement Units (Part 2) on Plot 12). This sub-phase will also deliver a number of highway infrastructure items including Claremont Avenue, Claremont Road Junction (North), High Street South (East Works) and Orchard Lane. The RMA for this phase is the subject of this application.

**Phase 1C** will include the remaining plot development in Phase 1 on the south side of the A406, including Plots 11, 13, a temporary health centre and neighbourhood policing unit, and the Market Quarter Community Facilities.

### **3.3 Whitefield Estate Replacement Units**

This reserved matters application includes the provision of new homes to allow for the rehousing of the residents from the Whitefield Estate Existing Units (Part 2).

The Whitefield Estate Existing Units (Part 2) comprise 132 units evenly split between three tower blocks on the estate: Clare Point; Nordon Point; and Whyhcote Point. All of the units in these towers are one and two bed units.

The historic tenure mix reported in Schedule 24 of the s.106 agreement identifies 96 tenanted units and 36 leaseholder units within these towers. However, since the S73 Permission this mix has slightly changed to 92 tenanted units and 40 leaseholder units, as reported in the Barnet Housing Needs Survey of March/April 2017.

Of the 40 leaseholders, 22 are currently not resident in their property. Therefore whilst they remain entitled to compensation they are not entitled to be rehoused within the regeneration area. Of the existing 132 units located in the Whitefield Estate Existing Units (Part 2), a total of 110 replacement homes are therefore required. The replacement homes are proposed to be provided on site within Plot 12 for Secure Council Tenants and Resident Leaseholders.

An update to the Residential Relocation Strategy (RRS) has been submitted separately from this application to provide the necessary detail in relation to the Whitefield Estate Relocation Units (Part 2) and to reflect the updated Barnet Housing Needs Survey from 2017 and the associated tenure mix for the replacement units. Condition 1.10 has been re-discharged under planning application reference 17/4872/CON with the updated RRS.

It should be noted that the proposed mix for the replacement homes includes 13 x 4 bed flats and 23 x 3 bed flats for Secure Council Tenants. These larger units reflect the housing needs survey and requirements of the existing estate tenants. Therefore whilst fewer units are provided, they are larger units in size and can be considered to be of a 'like-for-like' replacement in terms of area.

The s.106 agreement currently requires re-provision of the existing 132 units on a like for like basis (i.e replacing 1 and 2 bed units with 1 and 2 bed units). An update to the s.106 agreement is therefore required to reflect the proposed mix which includes larger units to meet resident's housing needs which results in 110 units being re-provided. This approach has been agreed with the Council's housing and regeneration officers. A deed of variation to the s.106 agreement will be formally made to establish the necessary changes.

#### Minimum Additional Affordable Housing

Within Phase 1 (South) the '15% minimum' affordable housing provision is established through the sum of the Whitefield Estate Replacement Units (Part 2) and any 'Phase 1 South Additional Minimum Affordable Housing Units'.

Phase 1 (South) Additional Minimum Affordable Housing Units is defined as follows:

*"Means 50 (fifty) Affordable Housing Units to be delivered within Phase 1 (South) pursuant to clause 1.6.7(b) of Schedule 2A SAVE THAT if pursuant to the approved Affordable Housing Scheme for Phase 1 (South) or pursuant to Reserved Matters Approvals covering the whole of Phase 1 (South) the proposed number of Dwellings within Phase 1 (South) is higher or lower than 1568 (one thousand five hundred and sixty eight) Dwellings (which is the*

*number assumed at the date of this Agreement) then the said minimum figure of 50 (fifty) Affordable Housing Units shall be:*

- (a) increased by 1 (one) Affordable Housing Unit for every 6.67 Dwellings by which the total in Phase 1 (South) in excess of the assumed 1568 (one thousand five hundred and sixty eight) Dwellings; or*
- (b) decreased by 1 (one) Affordable Housing Unit for every 6.67 Dwellings less than the assumed 1568 (one thousand five hundred and sixty eight) Dwellings proposed within Phase 1 (South)."*

The effect of this would be that, in accordance with 'part (a)' for every 6.67 dwellings within Phase 1 (South) above the 1568 units assumed at the time of the outline approval there would be a requirement for an additional affordable housing unit. Similarly in accordance with 'part (b)' for every 6.67 units below the 1568 units assumed at the time there would be a reduction of an affordable housing unit.

Therefore the minimum provision for Phase 1 (South) therefore comprises:

- The Whitefield Estate Replacement units; and
- The Phase 1 (South) Additional Minimum Affordable Housing Units which is 50 Affordable Housing Units subject to adjustment described above.

The submitted RMA for Phase 1B (North) comprises 292 residential units including 110 Whitefield Estate Replacement Units (Part 2). The detail of Phase 1C (Plots 11 and 13) is not known at this stage, however the submitted AHVTR has assumed a total of 997 units for Phase 1 (South) comprising 887 new homes plus 110 replacement homes for the Whitefield Estate. Part (b) of the ratchet mechanism set out above is therefore applicable. Where the total number of units is 334 units (i.e. 50 x 6.67) below 1,586 (i.e. 1,252 units) there is no requirement for additional affordable housing in Phase 1 (South). The total number of residential units to be provided within Phase 1 (South) is 997, this is below the threshold of 1,252 units and therefore no affordable homes are required to be delivered. The Whitefield Estate (Part 2) replacement homes are still required to be provided and the viability review determines whether additional units may be required.

The inclusion of the Whitefield Estate Replacement Units towards the minimum provision of affordable housing in these early sub phases of the development (specifically Phase 1 (North) and Phase 1 (South)) was agreed at the outline application stage in recognition of the significant infrastructure costs associated with such early phases and the need to rehouse the Whitefield Estate Residents.

From Phase 2 onwards the minimum of 15% affordable housing will be provided as new affordable housing with a site-wide target of providing 30%.

## Affordable Housing Viability Review for Phase 1 (South)

The S73 Permission requires an Affordable Housing Review to take place in advance of the submission of Reserved Matters applications for each phase to determine whether any additional affordable housing above the minimum provision, can be provided. The Affordable Housing Review is required to be informed by the Affordable Housing Viability Testing Report (AHVTR).

The AHVTR for Phase 1 (South) of the development has been approved under Condition 1.13 (17/6770/CON). The application was submitted prior to the submission of Reserved Matters for Plot 12. Due to engagement and consultation with the GLA the application was subsequently approved on 13 February 2018.

The LPA appointed the District Valuation Service (DVS) of the Valuation Office Agency to review the submitted AHVTR for Phase 1 (South) and provide independent viability advice to the LPA and to review the submitted appraisal and scrutinise and challenge the inputs used. The DVS operates exclusively on the basis of providing support to Public Bodies. They do not advise private sector developers or clients. This prevents any possibility of conflict of interest and ensures that their reviews of submitted viability appraisals will genuinely prioritise public interest.

Following detailed engagement with the applicant and their consultants, the DVS' appraisal demonstrates the proposed scheme shows an IRR of 18.5% which is below the viability threshold of 20% IRR specified in the Section 106 Agreement for the S73 Permission. As a result, no additional Affordable Housing beyond the Whitefield Estate Replacement Units (Part 2) are required to be provided in Phase 1 (South).

### **3.4 Pre-Reserved Matters Conditions**

The S73 Permission includes a number of Pre-Reserved Matters conditions intended to establish key principles of the forthcoming development. The majority of these require submission prior to or coincident with applications for reserved matters being submitted to the Council.

There remain a number of pre-reserved matters applications which are yet to be approved in relation to Phase 1B (South). The wording of these conditions does not specifically require their discharge prior to the approval of Reserved Matters but in some instances there is a direct material relationship between the details of the reserved matters submission and the principals being captured within the conditions.

Appendix 3 of this report shows those Pre-RMA Conditions for Phase 1B (South) which have relevance to this application but have yet to be formally determined at the time of writing this report. Discussions relating to these conditions have been taking place in parallel with the progress of the reserved

matters application and there is confidence that such conditions will be determined prior to consideration of this application by committee and will be reported in the Addendum.

#### **4. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**

##### **4.1 Site Description and Surroundings**

The Brent Cross Cricklewood development site as approved by application F/04687/13 covers a 151 hectare area defined to the west by the Edgware Road (A5) and the Midland Mainline railway line and to the east by the A41 and is bisected east to west by the A406 North Circular Road. It is adjacent to Junction 1 of the M1 (Staples Corner) and includes the existing Brent Cross Shopping Centre and Bus Station to the north of the A406.

To the south of the North Circular Road the area contains the Brent South Shopping Park, existing Tesco store and Toys 'R' Us store, the Whitefield estate (approximately 220 units), Whitefield Secondary School, Mapledown Special School and Claremont Primary School; Hendon Leisure Centre, Brent Cross London Underground Station to the east; Clarefield and Claremont Parks and Clitterhouse Playing Fields (Metropolitan Open Land); the Hendon Waste Transfer Station, Claremont Way Industrial Estate and Cricklewood Railway Station to the far south.

##### **Plot 12 Site**

The proposal is spread over part of the existing Claremont Way, the Rosa Freedman Centre, the southern part of Clarefield Park and light industrial units to the west. The site area for Plot 12 measures approximately 0.77 hectares.

To the north of the application site Clarefield Park and the 'Old Dixons Site' (an area of unused hardstanding and waste ground) run up to the Holiday Inn Hotel and Tilling Road beyond.

To the South the site bounds a part of Claremont Way Industrial Estate and Claremont Open Space leading to the back gardens of properties on Clitterhouse Crescent beyond.

The site is located between 60m and 150m to the west of the existing Whitefield Estate Towers.



## **4.2 Proposal**

This reserved matters submission provides details of Layout, Scale, Appearance, Access and Landscaping for the residential-led mixed use development of Plot 12 comprising of 292 residential units accommodated across two buildings.

Plot 12 is proposed as two largely residential buildings including an area of retail and café uses accommodated at the ground floor.

The northern building on the plot (Building 12N) includes a total of 120 residential units. 110 of these units provide accommodation for the Whitefield Estate Replacement Units (Part 2) and a further 10 units would be for private market sale.

Building 12N is L-shaped and composed of two distinct parts, a 9 storey building (with top floor set back) forming the main frontage along the new High Street South referred to as 12N High Street block, and a taller element of 13 stories referred to as 12N Tower element.

The main non-residential floorspace will be located at ground floor level of Building 12N fronting the High Street along with a small unit on the southern elevation (723m<sup>2</sup> (GIA) of retail floorspace in total).

The southern building (Building 12S) includes 172 residential units for private sale. This building is U-shaped enclosing a private courtyard and opening onto Claremont Park to the south. Both wings of the building are proposed to be of 8 stories linked by a lower six storey building to the north. The top floor of building 12S is set back from the main façade.

At the south eastern corner of the building at ground floor level the café would be located fronting Claremont Park across Claremont Park Road (both of which have been approved in detail and will be delivered alongside Plot 12).

A shared basement car park spans the whole footprint of the site and is accessed via a ramp on the west façade of the southern building 12S providing 126 spaces including 13 disabled bays. A plant room is also proposed at the northeast corner of the basement which will accommodate the temporary energy centre.

A ratio of 0.5 car parking spaces per residential unit is proposed amounting to 146 parking spaces for 292 residential units. The basement parking area will provide 126 spaces with a further 20 dedicated spaces to be provided for the Whitefield Estate (Part 2) Residents in the vicinity of the site and under the management of the Estate. More detail is provided in section 6.8 of this report.

Secured long-stay cycle parking spaces for a total of 518 bicycles is proposed in the Basement Level, (234 to serve Building 12N and 284 to serve Building 12S). A total of 28 short-stay cycle parking spaces are also proposed as part

of the landscaping scheme along the internal north-south tertiary streets at the ground level.

High Street South (Part 1) (approved under Phase 1A North) will run east to west to the north of the Plot. Claremont Park Road (Part 1) (Approved under Phase 1A South) will run east-west to the south of the plot.

To the east and west of plot 12 tertiary or minor routes allow pedestrian but not vehicular access between the future Claremont Park Road and High Street South. Vehicular access to these tertiary routes will be largely restricted to a one way loop from Claremont Park Road around the north of 12S with access to the west and egress the east. This vehicular route will be used for refuse and delivery vehicles, access to the basement car parking and to six visitors parking bays.

These routes will be under the management of the Estate, they are proposed as shared surfaces and require vehicles to turn in places along their length to slow traffic and emphasise that they are pedestrian-focused. Space has been made for planting and street furniture to support a domestic scale and character with street trees, planting beds and SUDS in the form of rain gardens providing visual amenity. Spill out spaces fronting the retail units are also proposed helping to activate the streetscape.

Private amenity space will be provided in the form of garden space for residential units at the ground level and balconies for upper level units.

Communal amenity space is also proposed in the form of a raised podium courtyard in 12S for use of residents of that building, and a publically accessible 'Pocket Park' at the ground level adjacent to 12N for resident and public use.

The proposal includes a scheme of landscaping for the proposed pocket park at the centre of the site, the podium courtyard within Building 12S, and the green streets that run north-south through the scheme.

Residential entrances to the upper units are proposed through the buildings' entrances cores at ground floor level, though ground floor maisonettes fronting the tertiary streets on 12S are accessed by a flight of steps. These units are however also accessible by a second accessible entrance to the rear to be through the building's lobbies at cores. Ancillary uses such as refuse and recycling stores are proposed at the ground level for both 12N and 12S, with a housing office and a substation proposed in 12N.

Table 1: Schedule of Residential Unit Size and Tenure:

Tenure	1 Bed Studios	1 Bed Flats	2 Bed Flats	3 Bed Flats	4 Bed Flats	3 Bed Maiso nette	Total units
<b>Building 12N</b>							
Affordable Rent		7	49	21	13	2	<b>92</b>
Shared Equity			18				<b>18</b>
Private Sale			8			2	<b>10</b>
12N subtotal		7	75	21	13	4	<b>120</b>
<b>Building 12S</b>							
Private Sale	4	56	96	4		12	<b>172</b>
<b>Total units</b>							
	<b>4</b>	<b>63</b>	<b>171</b>	<b>25</b>	<b>13</b>	<b>16</b>	<b>292</b>

## 5. MATERIAL CONSIDERATIONS

### 5.1 Key Relevant Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan comprises the London Plan at the strategic level and, at the local level, Barnet's Local Plan - the Core Strategy and the saved UDP Policies. The Development Management Policies DPD (2012) states at paragraph 1.4.3 that it will not apply to planning applications for comprehensive development in the Brent Cross regeneration area unless and until the Core Strategy is reviewed in accordance with Policy CS2 and Section 20:13 of the Core Strategy.

The London Plan Consolidated with Alterations since 2011 published March 2016 and updated January 2017 forms the Development Plan for Greater London.

Policy within Barnet's Local Plan (2012) which comprises the Development Plan for Brent Cross includes the Core Strategy (2012) and the saved UDP Policies (saved in 2012). Relevant policies are referred to in the body of this report.

### 5.2 Public Consultations and Views Expressed

#### Initial Public Consultation

Following registration of the application **489** local residents were consulted by letter. The application was advertised in the local press on 9<sup>th</sup> November 2017 and 4 site notices were put up on site also on 9<sup>th</sup> November.

The consultation letters allowed a 4 week period to respond with the consultation period expiring on 30/11/2017.

1 Letter of objection was received in response to this initial consultation.

The Objection was received from a resident of Clitterhouse Crescent and raised the following concerns:

- The proposed development would result in increased traffic and insufficient car parking spaces for such a large building.
- Residents of Clitterhouse Crescent and Clitterhouse Road are experiencing parking overflow issues relating to the Fairview development at the former Hendon Football Club Grounds.
- Residents' lives are being detrimentally impacted by developments generating significant financial gains.

#### Amended Plans Consultation

Following the receipt of amendments and clarifications to the submitted plans 489 local residents were re-consulted by letter on 23/01/2018. The letters allowed a 2 week period for the re-consultation period expiring on 06/02/2018.

The consultation process carried out for this reserved matters application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

The S73 outline consent includes a requirement under Condition 1.23 for submission of a Public Consultation Strategy This was submitted to the Council and considered under planning reference 14/07891/CON. It was approved on 31 March 2015.

The developer's own consultation processes are detailed in the Statement of Community Involvement submitted with this application and it is considered it accords with the requirements of the approved Public Consultation Strategy.

In response to the amendments and clarifications received the applicant undertook its own exhibition, specific to residents of the Whitefield Estate who would be moving into block 12N where the majority of the proposed amendments were taking place.

Residents from Norden, Clare and Whyhcote Point were invited via a letter that was distributed to each flat by independent tenant advisors, PEP. Posters outlining the dates, times, locations and purpose of the exhibition were put up

at the entrance to each block. The Exhibition took place over two separate days: Wednesday 24<sup>th</sup> January (from 7-9pm), and Saturday 27<sup>th</sup> January (from 1-3pm).

The applicant has provided a summary of the key comments made:

**Design changes:**

The response to the architectural changes was generally positive – a number of residents preferred the new colour palette.

**Parking:**

Some residents raised concerns about the amount of parking spaces being offered, and whether or not it was sufficient. Those with particular concerns have more than one car per household or use another vehicle for business purposes. Residents also would like clarification as to whether the parking will be managed. It was raised by some residents that existing parking is chaotic, as people can park anywhere at any time, including on the grass.

**High street frontages:**

Some residents asked for information about the uses expected for the ground floor of their building. Some stated, as at previous events, that they do not want a supermarket or a fast food restaurant generating a large amount of footfall, noise and smells below.

**Relocation process:**

A number of residents who had not previously attended events had questions about the relocation process, room layouts, flat size and timelines.

**Housing provider:**

Some residents had not yet had discussions with L&Q regarding their individual offers, so these were arranged. Queries regarding rents and shared equity were discussed with L&Q.

**Timeline:**

Some residents sought clarification as to when the works would be starting and when they should be expecting to move out of their current flats.

Consultation Responses from Statutory Consultees and Other Bodies

**Environment Agency:**

The Environment Agency Have confirmed that they have no comments to make in regards to the application and have no objection to the reserved matters submitted.

**London Fire Brigade:**

The Fire Brigade have confirmed that they are happy in principle to the fire fighting access and raise no objection to the proposed development.

**Highways Agency:**

No objection has been raised by the Highways Authority.

**Transport for London:**

Transport for London raise no objection to the development proposed.

TfL have also been consulted separately on the Reserved Matters Transport Report (application 17/6823/CON for the discharge of condition 37.5) relating to Plot 12 of Phase 1BS. Through this consultation TfL have confirmed that they to have no other comments on the RMA.

**Sports England:**

Sport England have stated that whilst the proposed development does not fall within their statutory remit they do not raise any objection to the development.

**Thames Water:**

Waste Comments

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied:

**LB Brent:**

No Objection Raised

In addition, the following consultees were notified of the application but have not responded at the time of writing the report: London Borough of Camden; and GLA.

Internal Consultation responses

**Urban Design Officer:**

The Council's Urban Design Officer has reviewed this application including amendments of January 2018. Officer confirmed it complies with the overarching principles established in the control documents of the Outline Permission and raised no objection to further details submitted under this reserved matters application.

**Environmental Health:**

No concerns raised following resolution of comments in relation to noise associated with the Combined Heat and Power Plant, proposed details of which have been submitted separately against condition 29.1 confirming that noise levels would be 5dB below background levels at 1m from windows for both new and existing residential units.

**Transport and Regeneration team:**

Have reviewed the submitted RMA and the associated Reserved Matters Transport Report. Following responses from the applicant and amended information, have no objections to the approval of this RMA subject to the inclusion of appropriately worded conditions in respect of details of car

parking management, bicycle stand and storage design. (Full appraisal in Section 6.8 of this report).

### **Trees and Landscape:**

Recommends that no fruit trees should be located near parked cars, large trees should have space to grow, where space is limited smaller trees are planted. Smaller trees can be considered small in height or small in crown spread but still tall.

A meeting with the landscape architects to discuss all aspects of the planting scheme for the masterplan would be beneficial to establish a comprehensive tree and shrub planting strategy for future phases of the development.

Subject to the inclusion of a condition requiring confirmation of details of the species to be planted, no objection is raised.

### **Green Spaces**

Response provided confirming that there is no objection to the Reserved Matters submission.

### **Lead Local Flood Authority**

The Council's Sustainable Drainage Officer notes that the development is located entirely within Flood Zone 1 and is considered to be acceptable in accordance with Table 3: Flood risk vulnerability and flood zone 'compatibility' in the Planning Practice Guidance. Further there is support for the provision of storage to store up to the 1 in 100-year + Climate Change on site in line with Policy 5.13 of the London Plan.

The Following Conditions Are Recommended:

#### Surface Water Discharge Hierarchy

The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority(ies).

Reason:

To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, Approved Document Part H of the Building Regulations 2010) and Paragraph 80 of Planning Practice Guidance.

Surface Water Drainage Strategy / Sustainable Drainage Systems

## Construction, Adoption, Operation and Maintenance

The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

### Reason:

To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

## Waste and Recycling Team

Following submission of clarifications by the application have raised no objections to the application.

## 6. PLANNING CONSIDERATIONS

### 6.1 Parameters of the Section 73 Permission

The S73 Permission for Brent Cross Cricklewood is a 'hybrid' permission, in that planning permission has been granted in outline for the majority of the proposed development, whilst detailed permission has been granted in relation to the key gateway access junctions.

Parameters and principles are provided in the approved application documents, in particular within the Revised Development Specification and Framework (RDSF) and the Parameter Plans appended to it, to control the nature and timing of reserved matters applications to accord with the assessments undertaken within the EIA of the likely significant environmental impacts of the Scheme.

The S73 Permission is tied to those key parameters and principles in order to ensure that that proposed development is carried out, used and occupied in accordance with the assumptions which underpin the EIA Process and which the Further Information Report demonstrates accordance with.

The RDSF sets out the updated physical and other parameters and principles to guide and govern the subsequent design and approval of details in accordance with conditions attached to the S73 Permission. The RDSF identifies aspects of the proposed scheme that fall within the parameters and



principles approved under the S73 Permission, and those that do not (the Reserved Matters) which are therefore subject to obtaining Reserved matters approval.

To date a number of updates have been made to the RDSF as a consequence of RMAs and other matters approvals relating other phases of the development. The S73 Permission anticipated that the RDSF would need to amend as the scheme was delivered, reflecting the scale, complexity and duration of the development. The S73 Permission therefore includes a mechanism via Condition 2.4 that allows consequential updates to be made to the RDSF. The Condition 2.4 updates made to date do not affect the parameters that relate to Plot 12.

It is considered that the proposed development relating to Plots 12 conforms with all of the relevant Parameter Plans and this is explained in the appraisal below.

## **6.2 Principle of Development**

The s73 Permission divides the BXC site into a series of Development Zones based upon areas of character (as shown on Parameter Plan 001). Development Zones are sub-divided into Building Zones by the identification of key structural components i.e. primary roads, open spaces (as shown on Parameter Plan 014).

Plot 12 is located within the Market Quarter Development Zone. The Market Quarter Development Zone is sub-divided into three Building Zones identified as MQ1, MQ2, and MQ3 on Parameter Plan 014. Plot 12 is located within MQ2 Building Zone.

The Market Quarter Development Zone, as described within the Revised Development Specification Framework ('RDSF'), is to sit at the heart of BXC. The predominant land use of the Zone is to be residential, with mixed active ground floor uses. The focus of the Zone is a new urban square (Market Square) and High Street.

Development within the Zone is facilitated by the demolition of Claremont Industrial Estate, the Rosa Freedman care centre, and removal of Clarefield Park. The principle of the loss of Clarefield Park to facilitate the BXC development is established within the S73 Permission.

The principle of the redevelopment of the Whitefield Estate Part is established within the S73 Permission which defines 'Whitefield Estate Replacement Units (Part 2)' as an item of Critical Infrastructure (Pre-Phase (South)) comprising of 132 replacement units to be delivered in Phase 1B South.

Plot 12 is the only residential development within this Phase 1B (South) as a result of the re-phasing applications pursuant to condition 4.2 which have updated Parameter Plan 029 (Indicative Phasing Plan). Therefore re-housing

Whitefield Estate Replacement Units (Part 2) in Plot 12 is required in accordance with the S73 Permission.

The principles of Layout, Scale, Appearance, Access and Landscaping of the proposed development have been established with the outline S73 Permission. These are set in the approved control documents mainly comprising Parameter Plans, Revised Design Design and Access Statement (RDAS), Revised Design Framework (RDSF), Revised Design Guidelines (RDG). Those relevant to the proposed development are summated below and followed by an appraisal of Plot 12 against such parameters.

### **6.3 Layout and Access**

#### Layout - Masterplan context

The S73 Permission does not fix the layout or location of the development plots but provides general arrangement of the wider Development and Building Zones within which the plots are to be provided. The overall masterplan intent and an indication of the potential layout of the development across BXC site is shown in Parameter Plan 015 (Indicative Layout Plan) and a closer zonal indication for the area relevant to Plot 12 is shown on Parameter Plan 020 (Indicative Zonal Layout Plan Market Quarter).

The RDSF explains the layout of the development can deviate from the Indicative Layout Plan; it is intended only as a base plan to be reconciled against as RMA applications come forward. This reconciliation is to happen via the submission of an Illustrative Reconciliation Plan, both as part of the RMA submission and separately pursuant to Condition 1.17. The RDSF and condition 1.17 of the S73 Permission also sets a commitment and requirement that green and brown roofs will be provided on a minimum of 10% of available roof areas.

Both Parameter Plan 015 and Parameter Plan 020 are 'indicative' plans show one way in delivery of this regeneration scheme could be achieved in line with the approved parameters. The positioning of Plot 12 does not directly accord with this illustrative layout. However, due to their 'indicative' role and as explained in the RDSF direct compliance is not required as long as the proposed reconciliation continues to accord with wider parameter controls of the permission against which this application is assessed throughout this report.

In accordance with Condition 1.17 the Council has received a proposed Illustrative Reconciliation Plan (IRP) as part of the Plot 12 RMA and separately under planning application reference 17/6825/CON for the discharge of Condition 1.17.

The submitted IRP shows Plot 12 bounded to the north by High Street South (East Works) and to the south by Claremont Park Road and Claremont Park. To the east and west are tertiary north-south streets, beyond which Plots 11

and 13 are located. The RMA boundary for Plot 12 sits immediately adjacent to these boundaries.

Plans 3a and 3c of the IRP submission introduce some changes to the approach shown on the most recently approved IRP under 17/3196/CON and original Parameter Plan 015 (Indicative Layout Plan) with regards to layout for plots 11, 12 and 13. These are now shown as three defined linear plots. In relation to plot 12, the massing and layout is consistent with this current RMA submission, incorporating distinct north and south elements. Concurrent to these changes, plots 14, 15, 16 and 17 (MQ3) are shifted westwards, and plot 18 (MQ1) is now shown as a perpendicular block. High Street South (East) is also altered incorporating its northward curve in a more easterly position in comparison to its current position at the junction of the Tempelhof Bridge approach and High Street South (East Works), with consequences to the positioning of plots 22, 23, 24 and 25. These changes are highlighted in Plan 3c.

The layout of Plot 12 ties in with the RMA consents for Phase 1A (North) and Phase 1A (South) These consents are High Street South (East Works) under 15/03312/RMA pursuant to Phase 1A (North), and Claremont Park Road under 15/06518/RMA pursuant to Phase 1A (South).

The submitted IRP also assumes proposed minor highways realignments which have been submitted separately to the LPA as minor variations to Condition 1A of Phase 1A (North) RMA and to Condition 1 of Phase 1A (South) RMA under 17/6836/BXE and 17/6832/BXE respectively. The highway infrastructure amendments have been addressed and brought forward under separate non material submissions.

Whilst different to the current Indicative Layout Plan, the submitted IRP is compliant with approved parameters and principles of the S73 Permission. In addition, with regards to the proportion of green and brown roofs, supporting information submitted with the IRP clarifies that the total roof area for plot 12 is 2,750sqm and the green roof will cover 453sqm which equates to 16% of the roof area on plot and satisfies the requirement and exceeds it by 6%. The update to the illustrative layout will be approved under 17/6825/CON relating to Condition 1.17.

For clarity, RMA submissions for Plots 11 and 13 (Phase 1C) have not been received by the Council and it is understood applicant is preparing their submission at the time of writing this report. The s73 Permission requires Phase 1C RMAs to be submitted by October 2018.

#### Layout - Plot context

Parameter Plan 002 (Transport Infrastructure) and Parameter Plan 003 (Public Realm & Urban Structure) together provide parameters relating to transport, public realm and urban infrastructure of the BXC development which ultimately influence the layout of each plot. The narrative to the RDSF and the RDAS provide further requirements and guidance. The relevant

requirements to Plot 12 are summarised below, followed by an appraisal regarding the Plot 12 proposals.

#### Parameter Plan 002 (Transport Infrastructure):

Parameter Plan 002 shows a Tertiary Route (Minor Street) intersecting Building Zone MQ2 from Claremont Park Road to the south. This is shown as a no vehicular through route which links Claremont Park Road and High Street South (East Works). Appendix 2 to the RDSF further describes that this no-vehicular through route is intended as a minor street servicing a localised function, providing access and egress into the Building Zone. The location of the Tertiary route intersecting MQ2 on PP002 is approximate with precise details to be provided through RMAs. Paragraph 6 of Appendix 2 to the RDSF further notes that the provision of Tertiary Routes are important in creating sufficient permeability throughout the BXC site.

This plan also shows a Secondary Route running east to west immediately south of MQ2. This relates to Claremont Park Road, for which detailed consent has been granted to Part 1 of this road. To the north of MQ2 a Public Transport Route is identified, relating to the High Street South (East Works), which also benefits from detailed consent.

The narrative text to Parameter Plan 2 (Appendix 2 to the RDSF) gives further guidance on how transport infrastructure illustrated in the PP should be delivered. For Plot 12 is the requirement for Tertiary Routes (Minor Streets) to be delivered. The requirements of routes and accesses associated to Tertiary Routs are set out below:

- Tertiary routes (minor streets) - These streets serve a more localised function and their exact location will be defined at a reserved matter stage, unless otherwise stated. Minor streets will have a maximum building line to building line width of 21m and minimum of 10m and pedestrian footways will be a minimum of 2m. Minor streets will generally have a 'home zone' character designation and the use of shared surfaces for vehicles and pedestrians will be encouraged.
- Vehicular Access Points into Building Zones - These are permitted access points into internal plot access roads and service basements.
- No Through Minor Streets – These will not be through routes for vehicles but may be continuous for pedestrians and cyclists only, and will be identified at a reserved matter stage.

#### Parameter Plan 003 (Public Realm & Urban Structure):

Parameter Plan 003 identifies the network of new and existing public spaces and routes between them for pedestrians. The tertiary pedestrian and cycle network shown to intersect Building Zone MQ2 from north to south is reflective of the no-through route shown on PP002. Similarly, the location of this network as demonstrated on the plan is approximate only. A 'Main

Square' is also located to the north of Building Zone MQ2 on PP003 with a 'Neighbourhood Park' (Claremont Park) located to the south.

The layout and permeability of Plot 12 ultimately relates to the connection between these primary spaces.

The narrative text to Parameter Plan 3 (Appendix 2 to the RDSF) gives detail on the application of the public realm structure identified. Tertiary pedestrian and cycle routes may be combined with vehicular traffic routes shown on PP02. These routes are specified as requiring a maximum building to building line of 21m and a minimum building to building line of 6m.

Finally, Parameter Plan 009 (Basement and Service Access) identifies that the outward facing facades of MQ2 (in this instance facades fronting Claremont Park Road and High Street south) should not comprise any direct car park or service yard entrances.

RDAS:

The Market Quarter is envisioned as highly accessible for pedestrians due its location in the heart of the regeneration development, as described in Section A3.2.

Section A2.2.3 acknowledges that secondary routes and tertiary streets within Plots will be required to connect with primary spaces and routes to create a strong urban grain that is legible. The secondary and tertiary routes will define development plots and the nature of public realm, and will be required to successfully create a development of human scale. The overall urban grain, including secondary routes and tertiary streets should create a safe and accessible public realm where streets, parks and squares are overlooked by buildings.

Section A.2.2.4 provides a rationale of the courtyard block typology which is to make up the urban form of the BXC development. The courtyard block typology is intended to provide a robust urban structure whilst allowing for diversity, amenity and adaptability.

The anticipated delivery of residential apartments clustered around communal garden courtyards, expressed in Section A2.6.1, is envisaged to provide a substantial network of private green spaces offering safe and accessible environments for recreation and play for future residents of the new development.

Section A2.6.3 outlines a Play Space Strategy that requires doorstep play space to be provided either in communal courtyards or areas of public realm within a maximum radial walking distance of 125m from homes. The minimum size of such spaces is 180m<sup>2</sup>, with the total amount to be provided dependent on the child yield generated from the development.

RDG:

The illustrative street typology of Claremont Park Road is described in Section B.2.2.2 as being lined with residential buildings at ground and upper levels which will overlook the road and the park beyond. The lower levels of buildings facing Claremont Park Road are envisaged as having maisonettes with front doors. This section also describes the illustrative street typology of High Street South, with shops, cafes and restaurants at street level and flats at upper floors.

Section B.2.2.3 identifies the access routes within the Market Quarter Development Zone as points to provide routes into clusters of residential buildings. The streets are to be residential in character with maisonettes on ground floors with flats above. The streets are to provide vehicular access to the surrounding residential blocks, but are also intended as hard landscaped areas which create streets where play and pedestrian movement is prioritised. Residential Mews Streets, as illustrated in Section B.2.2.3, are anticipated to be delivered on an east-west axis through development plots in the Market Quarter Development Zone. These streets are envisaged to be delivered as shared surfaces, providing on street parking, spaces for play and an informal street character.

The Revised PROSS (Public Realm & Open Space Strategy) of the S73 Permission provides further guidance on the envisioned public realm for minor streets. Section 6.2.4 Minor Streets of the Revised PROSS states explains that Minor Streets will be more intimate mews style streets within both the commercial and residential quarters. Measures will be taken to reduce traffic speeds and to abate the visual intrusion of on street car parking. Wherever possible, tree planting will be introduced to improve visual amenity and to provide an element of climate and pollution control. Where space permits bioswales will be introduced to deal with rainwater in the most sustainable and efficient way. Some of these streets might be pedestrianised, while others might be allocated as Homezones.

It further explains that residential streets that are not part of the strategic road network will be treated as “home zones”, where appropriate. A home zone is a street, or group of streets, designed for the benefit of pedestrians and cyclists rather than motorists. Pedestrians and vehicles share the same space; and shared surfaces, planting, seating and play features contribute to the creation of an attractive, pedestrian friendly and social environment. The main characteristics will include very low traffic speeds, minimum carriageway widths, traffic calming measures, varied parking orientations, landscape to include trees and understorey planting, seating areas, play features, shared surfacing, SuDS and water management.

#### Assessment of Plot 12:

The layout of Plot 12 responds to both the parameters and principles of the S73 Permission and the consented RMA details of the adjacent Claremont Park Road (Part 1) to the south and High Street South (East Works) to the north. The Highway alignment surrounding these roads also benefit from

consented RMAs which have been the subject of recent non-material minor amendments to reflect the Plot 12 proposals. The proposed layout is therefore in accordance, and responds to the connection between primary spaces and routes surrounding the plot.

Plot 12N proposes a principal façade onto the High Street South (East Works) with retail uses at ground level. Building 12S faces Claremont Park Road (Part 1) with predominantly residential uses at the ground level. Both facades respond to the consented illustrative street typologies for these streets.

The two buildings within Plot 12 conform to the residential courtyard typology stipulated in both the RDSF and RDAS. The proposed layout and relationship of the buildings and amenity space within the Plot has been guided by the requirement to provide sufficient outdoor space to accommodate doorstep play space for under 5s as communal gardens or areas of public realm within the Plot.

Building 12N generates an under 5 child yield of 54, with an associated requirement for 540m<sup>2</sup>. Building 12S generates a under 5 child yield of 10 with an associated requirement of 100m<sup>2</sup>. Building 12N also requires an additional 8.2m<sup>2</sup> of communal space to offset a deficit in private amenity space for the residential units. Building 12S also generates an additional need for 310m<sup>2</sup> of communal space to offset deficits in private amenity space throughout the building. The submitted landscape drawings demonstrate all requirements for both play space and communal amenity space for the two buildings have been accommodated within the Pocket Park adjacent to 12N and the private courtyard within 12S.

Building 12N is L-shaped with its principal façade fronting onto the High Street South, creating an open courtyard area of amenity space to the south that is screened from the High Street South. This amenity space is referred to as the 'pocket park'. The pocket park is overlooked by the residential units in both 12N and 12S, providing a safe space for recreation and play. This area of play will also be further supervised by a pedestrian through route permeating the plot on the western side. Building 12S is a courtyard building, with private amenity space provided as a central podium courtyard. Similarly, this area of communal amenity space is overlooked by the residential units providing a safe and secure space for recreation.

No-through tertiary routes are proposed and incorporated into the layout of Plot 12, as required by Parameter Plan 002. This is proposed on the western side of the plot with pedestrian and cyclist access to the High Street South provided through the landscaped area to the west of Building 12N. This provides a pedestrian link between the primary spaces of Claremont Park and Market Square. The eastern tertiary route is also a no-through route with pedestrian and cycle access only to the High Street to the west of 12N. The internal road network is primarily one-way, except for the portion directly east of Building 12N where a two-way road is required for servicing. This one-way system proposed allows vehicles to access residential parking at the basement level as well as limited number of on-street parking spaces and

loading bays. The one-way system is considered to create a pedestrian focused environment by minimising traffic speeds and maximising the amount of space for planting and street furniture and therefore supporting a domestic scale character as envisaged in the control documents described above.

An east-west tertiary route linking the eastern and western tertiary routes is also proposed and considered to enhance pedestrian and cyclist permeability of the plot. This tertiary road layout accords to the residential mews street typology envisaged in the RDG. It also allows for an open space to be provided between the two buildings which combine to support the residential character envisaged within the control documents.

As identified on the accompanying application drawings, the carpark entrance and exit is located to be accessed from within the tertiary streets rather than to the outward facing facades to Claremont Park Road or High Street South. All carriageways are proposed as shared surfaces that will curve along their routes in order to slow traffic and emphasise that these spaces are pedestrian-focused. Ample street trees, planting beds and SUDS in the form of rain gardens are proposed along these streets providing visual amenity. Spill out spaces fronting the retail units are also proposed helping to activate the streetscape.

All footpaths lining the tertiary streets and the Pocket Park between the two buildings are proposed to be 2m in width with the exception of a small stretch fronting the south elevation of 12S High Street block facing the Pocket Park which is proposed at 1.7m. As the Pocket Park open space designed for pedestrians is adjacent to the footpath proposed at 1.7m this exception is considered acceptable. The height of the footpath kerbs are 50mm in order to enable the provision of shared surfaces and the creation of a 'home zone' character to the streets surrounding the residential buildings.

The east-west tertiary route links the eastern and western north-south routes. The building to building line between 12N and 12S across this tertiary route is 8.9m. This is below the minimum requirement of Parameter Plan 002 of 10m, but above the minimum requirement of Parameter Plan 003 of 6m. As specified in the RDSF the parameters relating to the tertiary routes are interchangeable between PP02 and PP3. Therefore the proposed building to building line complies with the parameters.

The western (north-south) tertiary route is proposed to separate Plot 12 from neighbouring Plot 13 which is the subject of future reserved matters application. As the location of Plot 13 is not yet determined, this application anticipated a building to building line between Plot 13 and Plot 12 of approximately 15.8m. This distance falls between the maximum and minimum distances specified in both PP02 and PP03 and therefore complies.

The eastern (north-south) tertiary route is proposed to separate Plot 12 from neighbouring Plot 11, which is the subject of future reserved matters application. As the location of Plot 11 is not yet determined, this application anticipated a building to building line between Plot 12 and Plot 12 of



approximately 15.95m. This distance falls between the maximum and minimum distances specified in both PP02 and PP03 and therefore complies.

For the above reasons it is considered that the tertiary routes proposed comply with both Parameter Plan 002 and 003, and the relevant guidance of the RDAS and RDG, allowing for a residential courtyards type development within the consented land use and scale which incorporates a road layout that allows for connections between primary spaces, allowing for a residential mews street typology at its ground level as envisaged in the RDG.

### Layout – Building Context

#### Basement layout:

A split-level below ground park, with a semi-basement car park below the south block (12S) and a deeper full basement car park below the north block (12N) are proposed. The car park is accessed from the tertiary north-south street on the west side of Plot 12S via a ramp going half a level down to the upper basement beneath the south block. A second ramp then continues down to the lower basement under the north block.

The car park will provide 126 car parking spaces of which 13 will be accessible to disabled residents. It will also accommodate 518 secure long stay cycle spaces.

A plant room is proposed on the north eastern corner of the basement which will accommodate the temporary energy centre with capacity to accommodate low carbon technologies (such as CHP plant) in future if required.

#### Ground Floor layout:

In Plot 12N retail uses are proposed along the more visible High Street South Frontage, as well as on the south-east corner of the north building facing the proposed public pocket park and the north-south tertiary street.

The residential entrance to the High Street block of 12N faces onto the Pocket Park to maximise activity and use within the park. The residential entrance to the Tower element of 12N faces east, activating the north-south tertiary street. A substation is proposed along the eastern elevation of 12N allowing direct vehicular access as required by UKPN. A housing office is also proposed in this building, located between the two affordable cores and facing onto the courtyard overlooking the play facilities.

In Plot 12S a café is proposed on the south-east corner where the north-south tertiary street meets proposed Claremont Park and Clitterhouse Playing Fields further south-east.

Residential units (maisonettes) line the streets at ground floor on the eastern, northern, and western elevation of 12S, providing active frontage and natural surveillance. To ensure privacy these units are proposed on a raised ground

floor. These units span the depth of the building and have level access via the podium courtyards as well as individual entrance with steps up from the street. Residential entrances to access the upper level flats are also proposed, one at each of the four corners of the building where the cores sit. Residential bin stores are also proposed at ground level for the two buildings. For 12N one bin store is proposed along the eastern elevation facing the north-south tertiary street. For 12S two bin stores are proposed on the western elevation and another two on the eastern elevation, also facing north-south tertiary streets. All locations allow direct vehicular access as required by the refuse collection vehicle.

#### Ground floor level housing:

Section B4-K2 of the RDG sets out that the ground floor level for housing should be a minimum of 0.8 above external ground. On Plot 12N there are only two residential units at ground floor facing the courtyard. These units are not elevated above ground level, but are proposed a front private amenity space is proposed with privacy edge planting, therefore setting them back from the public space. These houses are also split over two levels, with all bedrooms proposed on the first floor. On Plot 12S the ground level is raised above the car park by an average of 1m. However, as the ground level surrounding the building varies, the ground floor level varies from 1.2 to 0.7 at its lowest point.

#### Plant ventilation:

Section B4-N2 states that all plant ventilation should be at roof level. The proposals for Plot 12 generally achieve this; however, the substation located along the access route to the east of Plot 12N has a limited number of vents to the street to comply with the UKPN requirements. Additionally the air intake for the car park ventilation must occur at low level. The submitted information confirms all proposed vents are of limited size and designed to integrate discreetly within the composition of the facades. A condition requiring details of this is recommended.

#### Core upper levels:

All cores serve a maximum of 7 units per floor. The design has been optimised to limit the length of communal corridors providing natural light to the cores.

#### Balcony strategy:

##### Inset balconies

Semi-inset balconies are used along the High Street South and on the tower element to articulate the façade and provide a sense of shelter to the amenity space. Fully inset balconies are proposed on the first floor of the tower on the northern and eastern elevation. This is to strengthen the architectural appearance of the base of the building and to provide privacy to units which have a close relationship with the street below. Fully inset balconies are

proposed on the corners of the 12S to help articulate the massing.

#### Projecting balconies

Projecting balconies are proposed on the elevations facing the larger open spaces of the Pocket Park of 12S and the courtyard within 12N. Careful consideration has been given to the choice of balcony type on each elevation based on outlook and the scale of the space overlooked.

#### Juliet balconies

Juliet balconies are proposed along the western and eastern elevation of 12S, facing the north-south tertiary streets. For these cases, either inset or projecting balconies were considered to compromise the quality of the flats or those surrounding. Extra internal living spaces and communal courtyard area is provided in lieu of the amenity space.

Section B4-M3 of the RDG prescribes the use of recessed loggias along the High Street frontage. As the north-west orientation of this elevation is not favourable for good daylighting, loggias are proposed to be replaced by semi-recessed balconies that will allow more light into the dwellings and have a limited projection.

## **6.4 Land Use and Development Quantum**

### Land use

The residential-led redevelopment of Plot 12 has been established within the S73 Permission within Parameter Plan 04 and Parameter Plan 05. Parameter Plan 04 identifies the plot as predominantly 'retail/leisure/hotel' at the ground level on the northern frontage (fronting the high street) and 'housing' development on all other ground level frontages to the east, south and west. Parameter Plan 05 which identifies the plot as 'residential' on all upper level frontages.

Plot 12 falls within the 'Market Square' Development Zone as identified in the consented Parameter Plan 001 (Development Zones). The accompanying narrative to Plan (Appendix 2 RDSF) defines the Market Square Development Zone as 'Mixed use development. The principal land uses include residential (Class C3), with retail (Classes A1-A5) uses below. The zone also includes hotel accommodation, community facilities and leisure floorspace.'

The Indicative Phasing Plan (0029) identifies the anticipated primary use of each plot and is accompanied by an Indicative Plot Schedule (Table 8a of RDSF Appendix 2). In respect of Plot 12 identifies anticipated primary uses to be 'residential and retail'.

### Floorspace

Parameter Plan 14 (Floor Space Threshold Building Zones) includes within its supporting text a table (Table 6 Floorspace Thresholds for Building Zones)

fixing the maximum level of residential floorspace within each Building Zone. Plot 12 is located within Building Zone MQ2. For Building Zone MQ2 the maximum level of residential floorspace amounts to 56,204m<sup>2</sup> but can be subject to a further 15% increase at the cost of other building zones (MQ1 or MQ3) within the wider Market Quarter Zone.

The proposal equates to a Gross External Area of 31,194m<sup>2</sup> of residential floorspace which is within the parameter for residential floorspace for Building Zone MQ2. No other residential development has been consented or is currently being considered under Building Zone MQ2, MQ1 and MQ3. As such, the proposed 31,194m<sup>2</sup> of residential floorspace for Plot 12 is considered to comply with consented parameters and in the event of approval Plot 12 would provide the first contribution towards the maximum residential floorspace of 56,204m<sup>2</sup> GEA permitted within Building Zone MQ2, and of 170,752m<sup>2</sup> GEA permitted within the Market Quarter Development Zone.

The primary land use and total quantum of floor space within each Building Zone is specified (as shown on Parameter Plan 014). In view of the above, parameters (i.e maximum and minimum thresholds) for the massing of buildings have been established for each Building Zone based on the primary land use types anticipated within that area of the site.

### Density

The proposal has a residential density of 331 units per hectare (or 1319 habitable rooms per hectare) which is within the indicative residential density of 386 units per hectare identified for residential developments located in the Market Quarter Development Zone (set out in Table 3B of the revised DSF) within which Plot 12 is located.

### Residential Unit mix

#### *Affordable Units*

The affordable housing provision in Plot 12 comprises solely the re-provision of the Whitefield Estate Replacement Units (Part 2) as described in Section 3.3 above. The detailed mix has been informed by an updated housing needs survey of the existing secure tenants within the Whitefield Estate Existing Residents (Part 2). This survey indicated a number of residents' current housing need do not match their existing accommodation. The following housing mix for Plot 12 was derived:

Unit Size	Shared Equity – Number of Units	Affordable Rent – Number of Units
1 Bed / 2P		7
2 Bed / 4P	18	49
3 Bed / 5P		23
4 Bed / 6P		13
Total	18	92

The proposed mix includes 13 four bed units and 23 three bed units for secure Council tenants. The units proposed would meet the needs of the secure tenants and is considered to be an acceptable response to the needs of the residents to be decanted. Given the outcome of the needs assessment the proposed mix is considered to be acceptable. This accords with the Update to the Residential Relocation Strategy submitted to re-discharge Condition 1.10. The expected floor areas are compliant with the minimum standards set out in the London Plan and is detailed in section 6.12 of this report.

### *Market Sale Units*

Condition 1.14 States that the principles and parameters for the private housing mix shall be as referred to in paragraph 2.23 of the RDSF. These requirements and the proposed provision are indicated below:

Unit size	Target mix (site-wide) required in section 2.23 RDSF (%)	Proposed mix (units)	Proposed mix (%)
1 Bed Flat / Studio	35%	60	33%
2 Bed Flat	47%	104	57%
3 /4 Bed Flat	18%	18	10%
TOTAL	100%	182	100%

The proposed mix is broadly in accordance with the target mix set out in the RDSF. The mix set out the RDSF applies to the Brent Cross Cricklewood regeneration area as a whole and does not need to be specifically applied on a plot by plot basis. Later developments are expected to come forward in due course to accommodate. Therefore, in respect of the residential unit mix, the proposed development is in accordance with the parameters and principles described in the s73 Permission.

## **6.5 Scale**

Scale controls, both maximum and minimum, in terms of height, width, and length have been established for developments falling within both Development Zones and Building Zones with the S73 Permission. For height these are mainly set out within Parameter Plan 007 (Maximum Building and Frontage Heights), Parameter Plan 008 (Minimum Frontage Heights). Appendix 10 of the RDSF provides further detailed guidance on massing thresholds, in terms of height, length and width, for the predominant land use types within the Building Zones. In terms of balconies on key frontages, Paragraph 9 of the accompanying text to Parameter Plan 003 in Appendix 2 to the RDSF established massing principles. These controls as relevant to Market Quarter Development Zone and MQ2 Building Zone (where Plot 12 is

located) are summarised below followed by Plot 12 proposals assessed against these.

## Height

### North and South flanks

Building Zone Heights Subdivisions across the BXC site are established by Parameter Plan 007 (Maximum Building and Frontage Heights). For the Market Quarter Development Zone the subdivision identifies maximum building heights of 65m and 45m to the north of it, and 33m to the south of it. Building Zone MQ2 falls on both sides of this subdivision with a maximum building height of 45m to the north and 33m to the south. These heights are to be measured from finished ground floor level.

The maximum and minimum frontage heights for buildings within all Building Zones are established by Parameter Plan 007 and Parameter Plan 008, respectively. Maximum and minimum frontage heights are only outlined for key frontages. As per the narrative accompanying Parameter Plan 003 (Public Realm and Urban Structure) key frontages are those considered to be building lines which are important in defining the primary pedestrian routes and public realm through the site.

In respect of Building Zone MQ2, the maximum frontage height adjacent to Claremont Park is 27m, with a minimum frontage height of 12m. The maximum frontage height onto High Street South (East Works) and Market Square is 33m, with a minimum frontage height of 16m.

Section A2.4.3 RDAS explains that the identified frontage height on Parameter Plan 007 is to apply to a zone 16m back from the frontage, however within the 16m frontage zone a building may exceed the maximum frontage height if a 45 degree maximum set back parameter is applied.

Section A2.4.3 RDAS allows for buildings to exceed the maximum frontage height for up to 30% of the length of any frontage, and as long as they do not exceed the maximum building height.

### East and west flanks

In respect of eastern and western perimeters within a Building Zone, there are no frontage height requirements for buildings as the controlled frontage heights are only outlined for key frontages enclosing Building Zones not within the Zones. However, the maximum building heights established for each Building zone and the maximum key frontage heights act in conjunction to create a parameter envelope for all development proposed within the consented Building Zones, thereby defining the parameters of eastern and western perimeters.

### Height, Width and Length

Table 5A of Appendix 10 RDSF provides further massing principles in terms of height, width and length for the predominant land use types consented within each of the Building Zones. The heights of buildings are expected to include all roof top plant. For MQ2 the massing parameters are set out for 'Residential (Courtyard)' land use as follows:

Height: maximum of 45m, minimum of 12m  
Width: maximum of 100m, minimum of 50m  
Length: maximum of 73, minimum of 46m

#### Balconies

Paragraph 9 of the accompanying text to Parameter Plan 003 in Appendix 2 to the RDSF establishes that key frontages include balconies, and these may overhang by a maximum horizontal depth of 6m and for a maximum length of 50% of a façade on any level (except within Brent Cross East Zone where they may be longer). No overhangs will be less than 6m from the finished ground level, with the exception of canopies to shop fronts which will be considered at a detailed design stage.

#### Assessment of Plot 12:

The proposed massing for each of the two buildings comprising Plot 12 is as follows:

#### Building 12S

Height: 28.6m  
Width: 60.6m  
Length: 55.0m

#### Key frontage height

Building 12S faces Claremont Park Road to the south and is subject to a maximum key frontage height of 27m. The proposals for Building 12S sit within the maximum and minimum frontage height, with a proposed frontage height facing onto Claremont Park Road of 24.5m.

#### Building height

Building 12S also sits within the maximum permitted building height for this part of the plot, with a maximum proposed height of 27.65m above the Claremont Park Road ground level and 28.15.

#### Building 12N

Height: 44.6m  
Width: 61.0m  
Length: 47.8m

#### Key frontage height

Building 12N faces the High Street frontage and is subject to a maximum key frontage height of 33m. The majority of Building 12N sits within the key frontage height, with a proposed height of 28.33m for 71.4% of the frontage. The taller element of Building 12S exceeds the specified maximum frontage

height, with a parapet height of 44.5m for 28.6% of the frontage. This exceedance is for less than 30% of the total frontage and is below the maximum permitted building height and is therefore compliant with Parameter Plan 007.

#### Building height

The maximum building height for the northern part of the plot, within which Building 12N is located, is 45m. The main mass of Building 12N has a maximum height of 44.5m which sits below the maximum parameter height for this part of the plot. However, it is noted that the maximum building height is exceeded by 2.5m in order to accommodate a flue. The flue is associated with the provision of boilers within a heat plant room within the proposed basement. The parameter exceedance presents a small deviation from s73 Permission maxima and is not considered to represent adverse environmental impact which is discussed further in section 7 of this report.

Paragraph 1.8 of the RDSF allows for the consideration of proposed departures from the parameters and principles of the s73 Permission unless they are likely to have significant adverse environmental impacts beyond those already assessed.

The location of the proposed flue has been assessed as part of an EIA Screening Statement for Plot 12 submitted separately to the LPA (17/6852/ESR). This statement is supported by an Air Quality assessment and Visual Assessment Study. This Screening has accompanied this application (Appendix G of Explanatory Report) and the results are explained in further detail in Section 7 of this report.

The screening request confirms that the Plot 12 proposals, including specific reference to the proposed flue, does not give rise to any new or different significant environmental effects. The proposed development has also been subject to a visual assessment from four viewpoints, the location of which have been agreed with the LPA at the pre-application stage. The cumulative impact of Plot 12, including the flue, and the remainder of the BXC development is concluded to not be significantly different to that reported in the Environmental Statement. As a result, it is considered that this very minor departure from the s73 Permission parameters associated with the proposed flue is acceptable.

Balconies are provided on the key frontages facing the High Street South and Claremont Park Road. These are inset and semi-inset balconies rather than projecting. The maximum depth of balconies overhanging the High Street South and Claremont Park Road frontages are 1.55m (with a 0.83m overhang and 0.96m respectively). The High Street South frontage features balconies for no more than 34.5% of the façade on any level. The Claremont Park Road frontage features balconies for no more than 34.2% of the façade on any level. All balconies that overhang over the High Street South and Claremont Park Road key frontages do so only at heights above 6m above the finished ground level. The balcony strategy proposed for the key frontages is therefore in full compliance with the requirements of Parameter Plan 003.



## **6.6 Appearance**

The s73 Permission contains various controls in relation to the appearance of the BXC development. Those of relevance to the proposed buildings at Plot 12 are explained and assessed in this section.

Section A2.5 of the RDAS emphasises the need for buildings to be “durable, attractive and visually harmonious”. In respect of low and medium rise buildings specifically, this section states they will “be generally solid, rather than lightweight – a masonry architecture should prevail; although lighter elements in metal, timber and as well as moments of ornament will add delicacy and richness to the composition”. This same section encourages the use of natural materials and states that brick should be the most typical material.

The RDG sets out guidance relating to the appearance and architectural design of buildings. Section B4.2 provides palettes for building frontages and also provides elevation typologies which are intended to inform the design of the development. Section B4.2.1 specifically sets out guidance of frontage detailing including vertical articulation, horizontal articulation, doors and entrances, building projections and balconies, breaks in frontages and material. The guidelines are non-prescriptive but rather set a framework for the grain and articulation of the building frontages that relates to the hierarchy of streets and spaces.

### Assessment of Plot 12:

The application was accompanied by Architectural Drawings, Landscape Drawings, and Design and Access Statement dated October 2017. Following proposed revisions received by the Council on 19 January 2017 referred to in section 5.2 of this report, replacement of these drawings and documents were also received and dated January 2017. This submission also included an illustrative set of application drawings, annotated to highlight the proposed scheme changes.

The revisions focused on the architecture of Building 12N, to bring its character and materiality closer to that of Building 12S. The intention of the update was to ensure Buildings 12N and 12S read more as a pair. In summary, the revisions proposed comprise:

- Architectural / façade amendments to Building 12N” comprising changes to: Brick colour; Window design and size; Balcony design; Treatment of ground floor; Roof detailing (for the taller component of 12N only); Top floor of High Street block.
- Minor revision to Plot 12N unit mix (as a consequence of the above changes);
- Minor revision to private amenity space provision;

- Increase in window openings to the top floor Building 12S
- Revision to position and number of loading bays and consequential revisions to the on-street car parking layout.

Proposals for Plot 12 are for primarily residential buildings at an urban density, with mixed uses at ground level to create the beginning of a town centre. The proposal seeks to mediate between the existing low rise housing to the south and the consented high density town centre to the west, north and east.

#### Building 12S - South elevation

This frontage sits in views from Clitterhouse Playing Fields, Claremont Park, and the existing residential areas of Clitterhouse Crescent and Clitterhouse Road.

Where the east and west wings of the courtyard building meet the park, they have a slight return to enclose the courtyard. As the gap between the two wings is narrower than the width of the streets on either side, the principal southern elevation is formed, rather than the presentation of two gable ends to the park. The architectural intention is to create the impression of two 'villas' sitting on Claremont Park. Bay windows to the living spaces of the flats predominate on this elevation. This location allows bays to benefit from being on the park edge, and are also features reminiscent of London mansion blocks.

In response to its proximity to the nearby two- storey houses, the mass of the building progressively steps back towards its upper levels. Corner inset balconies provide a lighter framework to the edge of the building, placing emphasis on the central portion. These balconies stop at the fifth floor opening up the corners of the 'villas'. The bay windows stop at the sixth floor, and end forming a small balcony. The top floor is set back behind railings allowing the height of the parapet to be minimised at that level.

The podium courtyard is raised only 750mm above the street level, with a railing set back from the façade line of the building. This allows for a planting zone directly adjacent to the street and creating a direct relationship between the courtyards planting and the park.

A light tone brick work is proposed and is considered to give the building a strong but not overwhelmingly presence on the park edge.

This elevation is shown in CGI 2 image in Appendix 4 of this report.

#### Building 12 S East elevation - fronting tertiary streets

The treatment elevation along the north-south tertiary streets is focused on the experience at the street level. This is because once the adjacent plots are constructed, the north-south streets will only be seen indirectly. Maisonette

entrances at the ground level of Plot 12S are highlighted by precast concrete porches and small flights of steps projecting into the public realm. Planting is proposed between the sets of steps providing privacy and amenity. On the upper floors the elevations of 12S show a subtle hierarchy of window proportions to articulate the building's composition of base, middle and top.

This elevation is shown in CGI 3 image in Appendix 4 of this report.

#### Elevations enclosing the Pocket Park

The south elevation of the 12N High Street block and the western elevation of the 12N Tower element form the northern enclosure to the Pocket Park. Both facades are structured around two sets of balconies. The taller ground floor on 12N High Street block is emphasised through a generous brick entrance porch. The top floor is marked by a change in the brickwork colour and the continuation of a 'framed' architecture.

Plot 12N is composed of two buildings: the 13 storey tower and the lower High Street Building. This distinction is highlighted in the different approaches taken to the massing as well as the choice of brick types.

This elevation is shown in CGI 4 image in Appendix 4 of this report.

#### Elevation 12N High Street Block - fronting the High Street

Along the High Street, while the ground floor plinth lines through with that of the tower, creating a continuous shopping street, the main body of 12N High Street block steps back from the 12N Tower element. This set back emphasises the High Street block as separate from the tower, while still joining to create a continuous shopping street at the ground floor level. The stepped façade, combined with recessed balconies on the first floor, reduces the projection of the projecting balconies on the upper levels so that their external face is in line with the façade of the tower.

The top floor is set back behind a parapet and railings. This step reduces the perceived height of the building from the street. This floor is further differentiated by a change in brick colour and also larger window openings, giving it a lighter 'framed' feel.

This elevation is shown in CGI 1 image in Appendix 4 of this report.

#### Elevation 12N Tower element - fronting the High Street

The tower takes inspiration from historic London residential mid-rise typologies, specifically mansion blocks. As is typical of a mansion block the building's base, middle and top are expressed, as individual elements. In the proposed tower these three elements can be summarised as: a taller commercial ground floor, with specific detailing to its larger retail openings; a calm middle section structured by the regular distribution of residential

windows and balconies and a generous top floor with a slightly projecting roof to mark the skyline.

Fully inset balconies are proposed on the first floor. This increases the perceived height of the ground floor and also benefits the first floor flats by offering more enclosure to the amenity space along the busier and more active High Street. The larger retail openings at the street level also add to marking the building's base. The frames are highlighted by contrasting, but complementary brickwork. The top floor is expressed through taller windows and separated from those below by a precast concrete band. At the very top, a parapet capping overhangs the façade to mark the top.

### Elevation typologies

Section B4-Q of the RDG sets out the character of the different elevation typologies. The High Street is expected to have a minimum of one front door per vertical articulation. However, the accompanying Design and Access Statement explains that a continuous length of retail frontage would provide sufficient animation to the street, whilst the residential entrances would help activate the pocket park to the rear of the building. This strategy also helps increase the residential character within the core of Plot 12. The elevations proposed are considered to relate harmoniously to the hierarchy of consented streets and spaces surrounding them.

### Set backs

Section B4-K2 of the RDG call for a setback of a minimum of 1.5 m above 6 floors for the High Street, Claremont Park and the Access Roads in the Market Quarter. The proposals have introduced setbacks to all these elevations, and they vary in height to reflect the hierarchy of streets. These set backs occur on the 7<sup>th</sup> and 8<sup>th</sup> floors and comply with the frontage heights defined in the Parameter Plans (as described in Section 6.5 of this report).

Therefore it is considered that careful consideration has been given to treatment of the elevations in terms of perceived massing and height in relation to the uses the elevations front.

### Materiality

Section 4.9 of the submitted Design and Access Statement provides a materiality strategy for the proposed development. Brickwork is proposed as the main material for all elevations, with each block in a different but complementary colour. Contrasting brickwork colour, glazed bricks or precast concrete elements are proposed to accent entrances, cills, cornices, banding and copings.

The brick palette proposed marks the three distinct elements of the proposal. 12N split into two parts the tower and the High Street block. First, the High Street block is proposed in an indicative light yellow soft colour brick. Second,

the tower is proposed in a light grey soft colour brick. Ground floor and window surrounds of these two buildings are proposed in a contrasting and complementary colour. Third, a light red soft colour brick is proposed for 12S, with a lighter red soft colour brick at the set-back top floor.

The use of light bricks across all elevations is considered to help maximise light levels particularly within the north-south streets, the Pocket park and the courtyard.

Aluminium framed windows are proposed within a full brick reveal. Communal entrance doors, handrails, balustrades, and soffits are proposed in metal. Projecting balconies are also proposed in metal, contributing to their lightness against the heaviness of the surrounding masonry facades. Juliet balconies are also proposed in metal.

The principles of materiality submitted with this application are considered acceptable. A condition requiring full details and appropriate samples of the materials including sample brick panels is included in the draft conditions in Appendix 1 of this report.

The elevation treatments demonstrate compliance with the framework set out in the RDG and demonstrate how they relate to the consented hierarchy of streets and spaces surrounding the proposed buildings.

It is therefore considered that the proposed architecture of buildings 12N and 12S complies with the principles of appearance within the consented RDAS and RDG and represent high quality which is suitable and fitting for this first residential phase of the Southern Development at BXC.

The Council's design officer's comments have been incorporated in the appraisal above which confirm the proposal complies with the consented outline scheme in terms of appearance, scale and layout details.

Overall, it is considered that the design of Plot 12 has been informed by and is consistent with the principles and parameters set out in the S73 Permission. The design is high quality and in-keeping with the approach to articulation, materials, elevations, amenity, entrances, and balconies as set out in the control documents.

## **6.7 Landscape**

The S73 Permission contains various controls in relation to the landscaping of the BXC development. Those of relevance to the proposed development of Plot 12 are explained and assessed below.

Parameter Plan 003 (Public Realm & Urban Structure) identifies a network of new and existing public spaces and routes between them for cyclists and pedestrians. The accompanying text to this plan explains that the general location of a series of green spaces, civic squares and green corridors have

been identified on Parameter Plan 003, however, the exact location, configuration and size of such spaces will be defined at the reserved matters stage.

## RDAS

Section A2.6.1 of the RDAS sets out the following principles that underpin the landscaping strategy for BXC and are to inform RMA proposals:

- Create a sense of place and identity;
- Promote health and wellbeing;
- Integrate and enhance ecology;
- Make spaces that are inclusive, accessible and secure;
- Promote education and learning through the public realm;
- Create a place for pedestrians and cyclists;
- Integrate the private vehicle and public transport without overwhelming streets and spaces;
- Make a place where stopping and relaxing is encouraged;
- Place the concepts of play and leisure at the centre of the strategy; and
- Make a public realm that is lively and diverse.

The same section states that the character of each open space and street will vary according to the role it plays in the overall hierarchy of the development. The strategy proposes a comprehensive network of public parks, city gardens, and public squares interlinked by a highly accessible pedestrian and cycle network.

The typology of residential development which clusters apartments around communal garden courtyards will provide a substantial network of private green spaces that will offer safe accessible environments for recreation and play for new residents. In addition to this many apartments will have their own private balconies or terraces while new houses will have their own private gardens.

## RDG

The consented RDG sets out in more detail the configuration of streets and spaces throughout the development while also articulating how building frontages will relate to these spaces.

**Section B4.1** provides component palettes for the public realm to inform the design of new development at Plot 12. It should be noted these are indicative and illustrative.

**Section B4.1.1** sets out detailed guidance in respect of soft landscaping. The guidance identifies the type(s) of planting that may be suitable for the various street typologies across BXC.

**Section B4.1.2** sets out a detailed palette providing guidance of materials that may be suitable for the various street typologies across BXC. The palette includes details of: street surface, footpath surface, car parking surface, and facilities in spaces (such as play facilities, sports facilities, performance space).

**Section B4.1.3** sets out the palette of street furniture and facilities including details of: lighting, seating, bollards, refuse, cycle stands, bus stops, public art and water features, thresholds, and fences and screens.

Conditions and RDSF

**Condition 2.1 (g)** (Landscaping) require Reserved Matters applications to be accompanied by details of the landscape including summary of tree details, specification of temporary and permanent surface finishes, post-construction landscaping near trees, tree planting (including tree pit details) and details of green and brown roofs.

Other landscape related conditions such as 27.4 and 27.6 and Table 10 of the RDSF require landscape proposals of RMA applications to be supported with ecological enhancement, maintenance, and programme for commencing and completing planting.

In relation to Plot 12:

To comply with the above requirements applicant has submitted drawing TOWN621(03)3001 Rev 06 (Ground Floor Surface Finishes Plan) and drawing TOWN621(03)3002 Rev 04 (Podium Level Surface Finishes Plan), two section drawings showing finished floor levels, and a Landscape Design Report dated January 2018.

The submitted information shows the principle layout guiding the landscaping strategy, based on a courtyard area serving the southern block and pocket park in front of the northern block. Details of landscape layout, proposed tree species, tree pit, surface finishes, green and brown roofs and post-construction landscaping near trees are provided. The spaces around the buildings are shown with parking bays, surfacing details, landscaping and tree planting. The Landscape Design Report describes these details as indicative at this stage, with an expectation for a requirement to submit further details to the Local Planning Authority in due course. These have been reviewed by the Council's Tree Officer and have been found acceptable in principle. A condition is recommended to require full planting details prior to commencement of the relevant works.

Section 8.1, 8.2 and 9 of the submitted Landscape Design Report provides principles on all aspects of landscape related conditions 27.4 dealing with landscaping and planting details and 27.6 dealing with a detailed programme for commencing and completing planting and landscaping works. These have been reviewed by the Council's Tree Officer and have been found acceptable in principle. A condition requiring full details on these aspects prior to

commencement is recommended.

With regards to a securing a maintenance programme for approved planting and landscaping, condition 27.9 of the s.73 permission dated 11 October 2013 ref: F/04687/13, requires the submission of a Landscape and Ecology Management Plan (LEMP) in relation to approved landscaping details in due course, to be discharged prior to the commencement of works. It is expected this will be adhered with in due course prior to the commencement of relevant works. An informative is recommended to advise of this requirement.

The submitted material identifies the following character areas:

#### Pocket Park

The pocket park is the focus of the Plot 12 development and is intended to be an amenity space where residents and visitors alike can gather and relax. The area will be well planted with play opportunities incorporated, providing doorstep play for children under the age of five.

#### Podium courtyard

The podium courtyard is also proposed as a green amenity space that will be accessible to residents of Building 12S. The courtyard will have an enclosed character, with separately defined spaces for relaxing, gathering and playing.

#### North-south tertiary streets

The green streets will act as the primary circulation routes for Plot 12 with tree planting provided along their lengths. The streets will be shared surfaces to emphasise their pedestrian-focused character while spill-out spaces for cafes and entrances to the buildings will help activate and animate the streetscape.

#### Planting typology

To suit the above character areas the planting typology proposed is as follows:

#### Privacy Edge

Planting of primarily evergreen structural species is proposed along the frontages of all ground floor maisonettes. This is to provide privacy for residents and create a buffer between the private and public realm. Privacy planting is also proposed in the back gardens of the maisonettes of 12S.

#### Rain Gardens

Rain gardens are proposed along the streets to be permeated by the surface run-off from these areas. The species of these beds will be selected to tolerate the varying water levels and help remove contamination from the run-off.

#### Street Planting

Mix of low to mid-height herbaceous and grassy species is proposed along the lengths of the tertiary streets. These are proposed to provide year-round interest and contribute to the biodiversity of the scheme.



### Courtyard and Pocket Park Planting

Planting in these areas is proposed to help define them structurally while providing interest through the year. Plants proposed vary with interesting textures, smells or appearances.

### Edible Landscape

Edible planting is proposed towards the west of the Pocket Park. A mix of species such as the native black currant, the Alpine strawberry or the White currant are proposed on these planting beds.

### Hard surfacing

Tertiary streets and the Pocket Park are proposed in Dutch clay pavers with variations in both bond and brick colour to differentiate between the shared surfaces and pedestrian footpaths.

The areas facing onto Claremont Park Road and High Street South are proposed to be paved with concrete paving flags. This is to allow a more urban character and to tie into the streetscape design from the surrounding streets.

The podium courtyard and hardwood timber for the private terraces are proposed in resin-bound gravel. This is to help differentiate both these spaces from the wider public realm.

It is considered that above hard surfacing strategy follows a selection of a restrained palette of complimentary materials and simple coordinated details. These principles are considered acceptable and a condition requiring full details is recommended.

### Lighting:

The submitted Landscape Design Report incorporates the principles of a Lighting Strategy for the external areas across the site. Four character areas are identified and lighting is proposed for each of these to match the uses of the area.

Column lighting is proposed along the streets to provide a safe public realm and also light key planting elements. Bollard planting is also proposed within the open amenity spaces such as the Pocket Park and courtyard within 12S. Entrance lighting is also proposed at all main entrances to the buildings to allow residents navigate their their flats and building entrances. Terrace lighting is also proposed to the private terraces within the courtyard of 12S (to be fully controllable by residents of these units).

The strategy confirms a commitment to comply with BS 5489-1:2013 (Lighting of Roads and Public Amenity Areas) which is an acceptable and recognised standard. In order to reduce obtrusive light, a commitment to meet the requirements set out in the Institution of Lighting Professionals to reduce obtrusive light.

The principles of the above strategy are found acceptable and a condition requiring full details is recommended in the event of approval.

Street Furniture:

The submitted Landscape Design Report confirms street furniture strategy to the public realm of Plot 12 that includes amongst others: benches, litter bins, street lighting, cycle stands, community tables, and play equipment. This strategy is considered to accord with the overall landscaping scheme and requirements of the residential scheme. The principles are therefore considered acceptable and a condition requiring full details is recommended in the event of approval.

Condition 46.4 – Play Strategy

Condition 46.4 of the S73 Permission requires residential development to provide on-site play space in accordance with the GLA SPG comprising informal and formal play areas for under 5 years old. A summary of the estimated child yields for Plot 12 and associated play space requirements for all age groups including under 5 years old using GLA’s Play Space Calculator is summarised below:

	Building 12N		Building 12S	
<b>Age group</b>	<b>no. children</b>	<b>Playspace requirement (m2)</b>	<b>no. children</b>	<b>Playspace requirement (m2)</b>
under 5	54	540	10	100
5 to 11	51	510	4	40
12 +	37	370	2	20
<b>Total</b>	143	1420	16	160

The proposed development yields 64 children under the age of 5 with a requirement to provide 640m2 of play space (10m2 per child).

A total of 640m2 of doorstep play space is proposed within the Plot 12 boundary. Out of this total 540m2 is proposed in the pocket park adjacent to building 12N, and 100m2 in the internal courtyard within building 12S. Therefore in respect of play space provision, the proposed development accords with the requirements of the S73 Permission.

No other play space typology for other children age groups is proposed. This is in accordance with section A2.6.2 of the RDAS of the S73 Permission which only requires ‘doorstep play space’ provision in communal courtyards and public realm areas located within 125m from resident units. Also in accordance with this document, other parks in the wider regeneration scheme are considered to provide neighbourhood play space and community play space to accommodate for the needs of older age groups. Therefore Plot 12 is only required to provide ‘doorstep’ play space in accordance with the GLA benchmarks.

It is noted that the remaining playspace requirement for both buildings comprising Plot 12, using the GLA's benchmark above, of 550m<sup>2</sup> for 5 to 11 years old and 390m<sup>2</sup> for over 12 years old.

Claremont Park is located a short distance to the south of this plot (maximum distance of 270m from the furthest residential core of Plot 12). Claremont Park already has RMA consent (15/00769/RMA) and will provide a minimum playspace area of: 500m<sup>2</sup> for 1-5 years, 1,000 m<sup>2</sup> for 5-12 years old, 500m<sup>2</sup> for Youth Activity Areas, and 1,000m<sup>2</sup> of Informal Wild Play Area. Clitterhouse Playing Fields is also located to the south of Plot 12 at a maximum distance of 200m where consent for additional and enhanced playing facilities and sport pitches are to be provided. It is therefore considered appropriate that the playspace requirements for 5 to 11 and over 12 years old be provided in nearby Claremont Park and Clitterhouse Playing Fields within the wider development.

## **6.8 Transport, Access and Parking**

### Background:

Since the S73 Permission was approved in 2014 there have been changes to the phasing of parts of the BXC development. Most importantly the new Thameslink train station and some highway infrastructure provision have been brought forward from Phase 5 to be provided within Phase 2 (South).

These adjustments to the phasing of the development have resulted in delivery of highway and public transport infrastructure earlier in the regeneration. The improvements to be delivered are:

- Brent Cross Bus Station will be operational by the end of 2021;
- The Living Bridge connecting BX South over the A406 to the new bus station will be open by the end of 2021;
- Brent cross Thameslink Station will be operational by summer of 2022;

Plot 12 and the surrounding infrastructure are planned be completed by the end of 2021. The RMA submission addresses details of the transport infrastructure and trip generation for this plot in the Reserved Matters Transport Report (RMTR) and is also accompanied by a Servicing and delivery management Strategy, Phase Car Parking Standards and Strategy, Pedestrian and Cycle Strategy and an Individual Travel plan.

Upon detailed consideration of the delivery of Plot 12 a number of variations have also taken place in regards to the site's position within the Indicative Masterplan. These changes have resulted in the need for minor road infrastructure alignment amendments for Brent Cross phases 1AN and 1AS, to enable the provision of the proposed building within Plot 12. The highway infrastructure amendments have been addressed brought and forward under separate non material submissions.

### Plot 12 proposals:

It is proposed that 292 residential units will be built on plot 12 as well as a retail unit, housing office, small café and a basement parking area.

Schedule 17 of the s106 agreement for BXC requires that the approved Transport Matrix be used to develop the quantum of development and the associated trip demand. The Transport Matrix considered the various stages of development and their possible trip generation both at the beginning of their provision/occupation, progressively as each phase is built and at the end of the whole development in 2031. As public transport progressively improves and the development plots in other phases are built out, travel plans are put in place and car ownership is constrained as set out in the S73 Permission, so the use of car based trips for journeys that can reasonably be undertaken by sustainable methods, will decrease.

Plot 12 is the only development plot in Phase 1B (South). Further items of infrastructure will however be delivered during this sub phase including highway infrastructure consisting of Claremont Avenue, Claremont Road junction (north), High Street south (east part), Orchard Lane, and Open Spaces including Clitterhouse Playing Fields (part 1) and Claremont Park, all of which already have detailed RMA approval.

Also of relevance to Phase 1B (South) is Claremont Park Road (part 1) which passes to the south of Plot 12. This road was approved under Phase 1A (South) but will be delivered in the same timescales as Plot 12.

Within the wider highway infrastructure being provided, consideration is being given to walking and cycling by providing wide footways and segregated cycle lanes that will eventually form part of a network of cycle and walking routes joining BX South with the surrounding areas.

Plot 12 will be well placed for access to bus and rail networks, with buses running along the High Street to the north and the new Thameslink rail station a short walk to the west. Pedestrian and cycle access to the existing Brent Cross underground station, east of this site, is also due to be improved as part of the BX Cricklewood proposals.

The current Bus, Rail and underground availability gives the area of BX South a Public Transport Accessibility Level (PTAL) varying between 1a (poor) in Clitterhouse Playing Fields to 5 (good) adjacent to Tilling Road. When the BXC development as a whole is finished the PTAL will rise to 6a (excellent) which is the highest that can be achieved. At the time of the occupation Plot 12 will have a PTAL level between 4 and 5 resulting from the delivery of the new Thameslink Train Station, the New Bus Station to the north of the A406 and the Provision of the Living Bridge providing direct pedestrian access to the Bus Station.

Tertiary routes within plot 12 will remain under Argent's estate management and will be accessed from Claremont Park Road (part 1). The tertiary routes

will form a loop around the southern building, working in a 'one way' mode, with ingress from the west and egress from the east of the site. The vehicle routes are 3.7m wide and provide access to loading bays, visitor spaces, a car club bay and surface level visitor cycle parking, as well as the basement car park where resident cycle storage is also located. A pocket park between the two buildings can also be accessed via segregated, north/south pedestrian footways provided adjacent to the on-plot vehicle route. Cyclists will be able to use the vehicle routes on site where speeds will be kept low. Pedestrians and cyclists will be able to access the High Street via the site, but there will be no vehicle access to the High Street.

#### Reserved Matters Transport Report and Phase Car Parking Standards and Strategy:

##### Car Parking Provision:

The S73 Permission envisaged that car parking provision for the residential elements of the BXC developments would be provided in a staggered fashion with the highest provision being provided for the first 2000 units at a maximum ratio of 1 car parking space per unit. This was to drop to a maximum of 0.7 car parking spaces per unit in subsequent phases of the residential development when the rail station, bus station and improved walking and cycling routes would be in place.

Following the re-phasing of the public transport infrastructure, in particular the delivery of the Thameslink Station in 2022 rather than 2030 as previously envisaged, it is reasonable to consider a lower range of parking provision at an earlier time in the development.

Car parking for the plot is proposed at a ratio of 0.5 spaces per residential unit, amounting to 146 parking spaces for 292 units.

The basement parking area will provide 126 spaces, of which 35 will be designated for the use of the Whitefield Estate residents and be managed by the Housing Association. The remainder of the basement parking would be allocated to the private flats. These spaces will include disabled bays and Electric Charging points to London Plan standards.

The developer has committed to accommodating a further 20 car parking spaces for the Whitefield estate residents to be provided in the vicinity of the site. Claremont Park Road (Part 1) has been considered as one possible location. It has been demonstrated to the satisfaction of officers that this area is capable of accommodating the required number of spaces, though with the delivery of other development plots this may not become the final location for these spaces. A condition has been applied to this reserved matters application which requires the layout and the location of these car parking spaces to be provided to the Local Planning Authority for their agreement.

The 2001 and 2011 Census data on car ownership for LB Barnet has been interrogated. This showed that the car ownership ratio in the borough as a

whole is 0.65 per household on average. The data was further refined to correspond to the BXS area and to respond to the types of units being provided in Plot 12 and to their tenure. This assessment indicates that car ownership is between 0.45 – 0.54 per household. This aligns with the proposed parking ratio of 0.5 per residential unit for Plot 12.

The lower car parking ratio also reflects the current Draft London Plan car parking standards and responds to the Mayor of London's aspirations in the Draft Transport Strategy and Healthier Streets guidance; more use of cycling, walking and sustainable transport for journeys, leading to better air quality and quality of life for Londoners.

To supplement parking provision, car club bays will be provided throughout the BX South development. A car club bay is proposed at street level within Plot 12. The car clubs operation will be open to multiple providers to ensure that residents and businesses receive competitive and best possible value when using the car club cars.

In addition the roads within BXS that are proposed to be adopted and publicly maintained, will become a part of a new or an extended Controlled Parking Zone (CPZ), through which on street parking can be controlled.

On street parking permits are not proposed to be offered to any of the new residential or commercial units within the BXC development. The introduction of new or extended CPZs and the prevention of new residents from accessing these areas will control on street parking in existing residential roads and allow LB Barnet Highways to provide for loading/unloading, visitors, disabled drivers and shoppers in a controlled manner. Enforcement of parking on adopted roads will lie with LB Barnet.

No on-site parking is proposed for the commercial elements of the building, although they will be able to use the loading bays and visitor spaces by prior arrangement with the estate management company.

Cycle storage is provided to London Plan standards on site for residents and businesses with visitor cycle parking provided at ground level. The cycle storage will include Josta type stands, Sheffield stands and folding cycle lockers to provide residents and employees with a choice depending upon their abilities and their use of various cycle types. 518 long stay cycle spaces are proposed in the basement. 234 to serve building 12N and 284 to serve Building 12S. Based on the residential accommodation schedule for the proposed scheme and the cycle parking minimum standards set out in the London Plan, a total of 233 would be required to serve Building 12N and 284 to serve Building 12S. Therefore the proposed long-stay cycle parking meets the requirements for both buildings. 28 short-stay cycle parking spaces are also proposed at the Ground Level. To achieve this 14 cycle stands are proposed near the access to the cores of both buildings. Based on the land use proposal for the proposed scheme (residential and retail) and the cycle parking minimum standards set out in the London Plan for these uses, a total of 25 'short-stay' cycle parking spaces are required for this scheme.

Therefore the proposed provision exceeds the requirement by 3 spaces.

#### Trip Generation:

Trip generation for the proposed uses on plot 12 have been derived using the transport matrix in the s73 permission. These are calculated for the AM and PM peak hours when car and other modes of travel are already subject to their heaviest use and when the impact of additional trips on the road and transport network would therefore be at their most detrimental. Trip generation has been undertaken for the residential, office and retail floorspace.

Plot 12 is expected to generate approximately 199 two way trips in the AM peak and 163 two way trips in the PM peak. These trips are across all modes of transport.

The Transport Matrix predicts that there will be 71 two way trips in the AM and 53 two way trips in the PM peaks. These car trips have already been considered within calculations made to support as part of the original 1B (north) applications and do not affect the operations of the nearby junctions and roads in terms of capacity.

The remaining 128 AM and 110 PM peak trips are spread across other sustainable modes of transport and are considered in the context of bus, rail and underground availability and the provision of improvements to these facilities as well as to walking and cycling within the BXC and the wider area. These trips will not have any discernible impact on the modes used.

Travel planning is an element of the BXC development that will be promoted from the outset and therefore the mode trip generation above could be improved in terms of car generation as residents, visitors etc. choose to use sustainable modes of transport for most of their journeys due to the good/excellent provision for these modes locally.

In addition to the trips above, there will be a servicing element for this plot which is proposed to generate up to 24 two way servicing movements a day.

These trips will vary from motorcycle couriers to larger lorries for the retail element, they also include food deliveries and refuse collections. All these vehicles will be accommodated on plot in the loading bays provided. The majority of these deliveries will take place when residents are at home and therefore outside the adjacent road peak times. This will minimise the impact of these trips during the busiest times for the roads.

#### Servicing and Delivery Management Strategy:

A Servicing and delivery management strategy (SDMS) for Plot 12 has been submitted under condition 1.22 of the s73 Permission encompasses all uses on site and aims to regulate the use of the loading bays and visitor parking bays that are being provided within the plot 12 tertiary roads.

As discussed above under 'Trip Generation', the predicted number of servicing trips for the uses proposed on site are 24 per day. These servicing trips will have the use of 4 loading bays on site which will be managed by the estate management company.

The highest number of servicing trips in any one hour will occur between 7-8pm, when there will be 3 servicing trips. This is mainly for the residential element of the plot, residents arranging for deliveries at times when they will be at home. The duration of the deliveries will be between 15-25 minutes, though those relating to the retail unit fronting the High Street are likely to have larger and longer deliveries of goods to the store of up to an hour. Deliveries for this retail unit will be done from an at grade bay immediately adjacent to the northern building.

The largest servicing vehicle which is expected to access the site is a 10m heavy goods, rigid vehicle. Swept path analysis for the vehicles accessing and manoeuvring through the site has been provided. Further swept path tracking has been provided for vehicles accessing the loading bays, which will be through a reversing manoeuvre due to the one way on plot road and bay length not allowing for forward access into the bays.

Refuse vehicles will also access the site and refuse stores can be directly accessed from the tertiary road, with drag distances for the refuse receptacles within the acceptable limits set by LB Barnet.

#### Phase Pedestrian and Cycle Strategy:

Walking and cycling are given high priority with the aspirations of the Mayor for London to have 80% of Londoners walking, cycling and using public transport by 2040. This is to address air quality and health, as well as better street scape and less car dominance. A conditions application addressing the Phase 1B (south) Pedestrian and Cycle strategy under condition 2.8 of the s.73 Permission has been submitted in parallel to the Reserved Matters Application under reference 17/6804/CON.

TfL have issued various items of guidance in terms of pedestrian audits, cycle design standards and bus stop design to ensure that these modes of transport are given consideration and are promoted as part of any development.

Existing pedestrian and cycle links within the BXC area will be improved, new links provided and these links will join wider pedestrian and cycle links that are being looked at and promoted through studies such as the Area Wide Walking and Cycling Strategy.

Improved connectivity to wider walking and cycling routes and promotion through travel planning of these modes of transport can increase sustainable transport and will have an impact by improving air quality, health and road congestion.

With the environs of Plot 12, wide footways (of a minimum of 2.0m),



segregated cycle-ways and improved rail and bus access are proposed and will be available close to the occupation of the building on site. Good cycle storage facilities on site will further promote cycling. The tertiary routes within Plot 12 provide safe and segregated provision for cyclists and pedestrians and will link or lead towards other quiet, safe routes such as those through Claremont Park and Clitterhouse playing fields and with the Living Bridge.

The trip generation analysis for Plot 12 shows that the footways and cycle ways proposed to be delivered as part of the first phases of development will provide comfortable and high quality infrastructure for use by new residents, staff and existing users.

Individual Travel Plan:

The Individual Travel plan (ITP) is a framework document for Plot 12 and will be populated with survey information once the site is occupied. The aim of the ITP is to minimise car use particularly for journeys that can reasonably be undertaken by sustainable methods of transport, and promote walking, cycling and public transport use.

The ITP will have objectives and targets which will need to be met. The first targets for the site will be set using the S73 permission modal splits for the different uses on site. Given the infrastructure improvements within BXC that will support walking, cycling and public transport use, it is expected that the Plot 12 targets will be exceeded, with lower car based trips and higher sustainable mode trips.

Monitoring of the ITP will be undertaken by Industry Standard surveys (Trics) for consistency and to meet TfL guidance. Management, monitoring, marketing and reporting on the ITP will be through a Travel plan Co-ordinator who will be appointed prior to occupation of the buildings.

Conclusion:

A number of conditions relating to: Management of loading and visitor bays; Residential car parking management and provision of 20 additional spaces within the vicinity of the site; Cycle parking details; Individual Travel Plans; Signage; and, Traffic management on the basement vehicular ramp have been suggested. Subject to the inclusion of these conditions the reserved matters are considered to be acceptable with issues of trip generation, parking, servicing and delivery and access satisfactorily addressed.

## **6.9 Energy and Sustainability**

The s73 Permission contains various controls within the control documents and conditions in relation to energy and sustainability for the BXC development. Those of relevance to this RMA application for Plot 12 are explained and assessed in this section.

An 'Energy and Sustainability Statement', prepared by Sweco forms part of this submitted documentation for Plot 12. Following design amendments received on 19 January 2018, a revised version of this Statement was received with document reference 118580/GC/180126 Revision 06 dated January 2018 prepared by Sweco.

- **Code for Sustainable Homes.** Condition 35.1; RDSF (p 35) and RDAS (page 80) requires all residential units to achieve minimum Level 4 under Code for Sustainable Homes.

The accompanying Energy and Sustainability Statement provides evidence of CfSH pre-assessment for residential units of Plot 12 achieving 'Level 4' rating. Therefore, proposed development complies with this requirement.

- **BREEAM.** Condition 35.2 requires all commercial spaces to achieve at least Very Good rating under BREEAM.

The accompanying Energy and Sustainability Statement confirms compliance and have appended BREEAM pre-assessment of the retail areas achieving 'Very Good' rating. Therefore, in respect of this requirement the proposed development complies.

- **Carbon Emissions Residential.** Condition 35.6 and 35.7 requires RMA applications for Plot Development comprising residential units to accord with the consented Revised Energy Strategy, under application reference 14/08106/CON dated July 2015, including achieving a 40% reduction in regulated carbon emissions over Building Regulations Part L 2010 for residential buildings.

The accompanying Energy and Sustainability Statement provides SAP 2009 calculations demonstrating a reduction of 48% over Part L 2010. Therefore the proposed development complies with the requirement and exceeds it by achieving a further 8% reduction.

It is also noted that the submitted information also provides SAP 2012 calculations against current Building Regulations Part L2013. The results demonstrate compliance to current regulations by achieving a 7.1% improvement over Part L1A 2013.

- **Carbon Emissions Non-residential.** Condition 35.6 and 35.7 requires RMA applications for Plot Development comprising non-residential units to accord with the consented Revised Energy Strategy, application reference 14/08106/CON dated July 2015, including achieving a 25% reduction in regulated carbon emissions over Building Regulations Part L 2010 for nondomestic buildings.

The accompanying Energy and Sustainability Statement provides simulation calculations (using approved software IES VE) that achieve a reduction of 31.2% over Part L2010 for the non-residential areas. Therefore the proposed development complies with the requirement and

exceeds it by achieving a further 6.2% reduction.

It is also noted that the submitted information also provides an assessment against current regulations Part L2A 2013 which demonstrates that the non-domestic areas at Plot 12 are 17.9% better than the target.

- **Construction.** All elements to comply with relevant version of Part L as appropriate at the point of design construction, e.g. Part L 2013 (Revised Energy Strategy);

The accompanying Energy and Sustainability Statement confirms calculations of carbon emissions for residential and non-domestic areas show compliance against current Building Regulations Part L2013.

- **District Heat Network.** Conditions 35.3, 35.6 and 35.7 require all principal residential buildings pursuant to RMA applications to connect to the district heat network, where feasible to do so.

Section 6 (Be Clean – Heating Infrastructure) and Appendix F (Buro Happold's Technical Note on the Site-wide Energy Strategy) of the accompanying Energy and Sustainability Statement confirms that all residential and non-residential units of Plot 12 will be served by the district heating network at a later stage when the rest of the first phase plots come online.

The RES approved under the S73 Permission provided for a main energy centre located in Plot 59 as an early phase development. However, in order to comply with the planning conditions and considering the current phasing of the development, a short-term energy strategy has been proposed within the RES to cover Phase 1 South (Plots 11, 12, 13 and 18).

Plot 12 is the first Reserved Matters Application to be submitted. The strategy includes a heat plant room located within the basement of Plot 12 to supply heat for all plots within Phase 1 South. As the rest of the first phase plots come online, a district heating network from this heat plant room in Plot 12 will distribute heat to the other plots. This district heating network will be sized to accommodate the extension of the district heating scheme for future phases. As part of this strategy, another heating plant room is proposed at Plot 19 to serve elements of the Station Quarter area, which will become operational after Plot 12 (in a later phase).

The heat plant rooms at Plot 12 and 19 will mainly consist of gas boilers but will also include flexible space able to accommodate low carbon technologies (such as CHP).

The long term energy strategy includes a main energy centre located in Plot 59 fitted with peak gas boilers and low carbon technologies (CHP). Once this main energy centre is operational all plots will be connected to

this centre and the heat plant room in Plot 12 and 19 will be retained as back-up during maintenance of the main energy centre and/or top-up facility.

The Energy Panel which was established as required under the s106 agreement and includes representatives from the GLA, has confirmed during the last meeting 15/09/2017 that the current approach mentioned above satisfies the Revised Energy Strategy Rev 08 04/02/2015 and therefore an updated RES is not required to be submitted for approval.

As this short term strategy is different to that which is reported in the ES associated with the S73 Permission (and subsequent updates), a further air quality assessment has been undertaken by applicant. This assessment is explained in Section 7 of this report.

- **Reducing water use.** A number of Water Use Principles are set out within the RDSF with paragraph 2.63 specifically requiring commitment to reduce water use in residential development to 105 litres/person/day. The Energy and Sustainability Statement submitted also incorporates water use assessment of the proposed development. The statement confirms the residential dwellings have been designed achieve a water usage of 105 litres per person per day.
- **Rainwater harvesting.** Paragraph 2.71 of the RDSF sets a site wide target for 10% rainwater falling on the site to be harvested for irrigation and cleansing use. The Energy and Sustainability Statement also confirms that rainwater harvesting has been designed to capture 10% of rain falling on the site for irrigation and cleansing use, and 'grey' water will be recycled from commercial buildings, if that proves necessary to meet demand. Drainage Strategy document

The Conclusion of the Energy and Sustainability Statement submitted confirmed compliance with all energy and sustainability requirements stated above and provided evidence documentation within the report with the exception of the Drainage Strategy (comprising rainwater harvesting drawings) which was submitted separately. Therefore in respect of all energy and sustainability requirements the proposed development is in accordance with the parameters and principles of S73 Permission.

## **6.10 Refuse and Recycling**

Paragraph 2.66 of the RDSF requires provision of dedicated recycling facilities in accordance with the Council's requirements.

The Council's Waste requirements are set out in document Information for developers and Architects: Provision of Household Recycling and Waste Service April 2017. Within this document a maximum collection distance of 10m is allowed between the bin stores and refuse vehicle. All resident routes to the bin stores shall not exceed 30m. The document also sets out the

minimum bin quantities and qualities to be provided subject to the accommodation schedule.

Section 5.3 of the submitted Design and Statement contains a Refuse and Recycling strategy. A total of 22 recycling bins and 22 refuse bins are proposed for building 12N to service the residential units proposed in this building. A total of 26 recycling bins and 26 refuse bins are proposed for building 12S. Both refuse and recycling bins proposed are 1100-litre Eurobins.

All resident routes to the bin stores are less than 30m and therefore comply with LBB standards. All collection routes between bin stores and refuse vehicle are less than 10m and therefore also comply with LBB standards.

Only in two stores the bins slightly exceed the target of 10 bins per store. Applicant will provide facilities management to move the bins within the stores to keep the empty nearest to the entrance. Also a bin store in core A of 12N facing the pocket park will require facilities management to move bins from this store into the other bin store in core B of 12N where it will be access by the refuse vehicle within the allowable collection distance.

The proposed strategy therefore complies with the Council's requirements and considered acceptable.

## **6.11 Drainage**

### Flood risk / Floor levels

Condition 45.2 requires all finished floor levels (excluding car parks, service yards, customer collection areas, goods handling and ancillary basement activities) shall be set no lower than 300mm above the 1 in 100 year (+climate change) flood level.

Section 7 of the accompanying Drainage Statement prepared by Arup confirms all finished floor levels and basement levels are above the requisite level accordingly. Therefore, in respect of flood risk, the proposed development is in accordance with the parameters and principles of the S73 Permission.

### Sustainable Drainage Systems (SUDS)

Condition 44.5 requires SUDS to be maximised across the site and integral to the proposal. Paragraph 2.75 of the RDSF requires proposals to include a careful selection of SUDS features.

Section 8.3.3 of the accompanying Drainage Statement prepared by Arup confirms the design for the public realm incorporates a number of proposed SUDS features. The design includes planters and rain gardens to collect run-off from roads and public realm areas. Water will then make its way through perforated pipes into below ground cellular tanks. Therefore, in respect of SUDS, the proposed development accords with the parameters of the S73

Permission.

### Green Roofs

Condition 1.17 and 2.69 of the RDSF requires green and brown roofs to be provided on a minimum of 10% of available roof area, where possible distributed, distributed across the site.

10% of the available roof areas of Plot 12 equates to 275m<sup>2</sup>. Drawing MLUK-549-A-L-XX-1158 ROA (Level 08 Plan) shows a green roof area of 453m<sup>2</sup> to be provided on the western wing of the roof of Building 12S. Therefore the total green roof area proposed for Plot 12 exceeds the minimum requirement and accords with the requirements of the S73 Permission.

## 6.12 Housing Space Standards

Condition 36.10 requires all housing to meet the space standards set out in Policy 3.5 and Table 3.3 of the London Plan. The table below provides a minimum gross internal floor area for different types of dwelling and shows the areas relevant to the unit types in this proposal.

Table 3.3 Minimum Space standards for new dwellings (adapted from London Plan)

	Dwelling Type (bedroom/persons-bed spaces)	Minimum Gross Internal Area (GIA) (m <sup>2</sup> )
	1 bedroom 2 person	50
Flats	2 bedroom 3 person	61
	2 bedroom 4 person	70
	3 bedroom 5 person	86
	3 bedroom 5 person (2 storey)	93
	4 bedroom 6 person	99

The submitted plans and additional accommodation schedule provided demonstrate that all flats proposed for both affordable and private units meet these minimum standards with many exceeding them. The individual dimensions and room sizes within the flats comply with the standards set out in Annex 1 of the London Housing SPG.

## 6.13 Access and Inclusivity

The S73 Permission sets out strategies relating to access and inclusivity and provides details of access consultant involvement to ensure that detailed design meets the required design standards, good practice guidance and Building Regulations access requirements.

Applicant submitted 'Access and Inclusivity Statement Plot 12 Phase 1B (South) dated October 2017 and prepared by All Clear Designs Ltd.

Following amendments of Jan 2018, a statement of compliance was also submitted to confirm the conclusions of this statement are still valid.

The statement confirms that the access consultant has been actively involved in the preparation of the submitted proposals, and ensured the integration of accessibility measures. The statement details accessibility measures in relation to parking, entrances and exits, vertical circulation (lifts and stairs), doors, floor finishes, Lifetime Homes (responding to changing needs of occupants), and Wheelchair Accessible Homes. Compliance with Lifetime Homes and Wheelchair Accessible Homes is detailed in more detail further below.

The S73 Permission also requires the proposals to be presented to and discussed with the Consultative Access Forum (CAF).

The Access and Inclusivity Statement confirms the proposals were presented to and discussed with CAF at two meetings, one held on the 26th July 2017 for a general introduction to the BXS proposals, and a further one on the 30<sup>th</sup> August 2017 to specifically look at the issues relating to Plot 12. The main concerns and responses from the design team are summated below.

A concern was raised regarding accessibility and permissibility of the proposed maisonettes with steps. The design team confirmed level access is provided via the main lobby which has lifts that rise to the courtyard level where there is a second front level entrance to the maisonette. The team also confirmed these approaches are permissible in Lifetime Homes and the newer Building Regulations Part M4.

Another concern was raised regarding the proposed 20mm kerb edge to north-south tertiary road surface to east and west of Plot 12 as it was considered to provide insufficient detection for people with visual disabilities. The 20mm was considered too small and could cause a trip hazard for older people. The design team reviewed alternative options, and increased the kerb height to a Home Zone 50mm kerb height.

A final concern was raised to find out if places to sit where part of the proposals. The design team confirmed that, whilst not shown on the scheme presented, benches will be provided at regular intervals in the surrounding landscape and the pocket park.

### Lifetime Homes

Condition 36.5 and Paragraph 2.27 of the RDSF requires all new residential buildings to be constructed to meet Lifetime Home Standards (5<sup>th</sup> July 2010 Web Edition). The Access and Inclusivity Statement confirms this standard can be achieved with the submitted proposals for Plot 12. Details of internal and external door landings, clear open reveals, level thresholds, internal circulation space, internal doorways, corridor widths, bathroom layouts, and window operation have all been designed to comply with Lifetime Homes Standards. The proposed development is therefore in compliance with this

requirement.

### Wheelchair housing

Condition 36.6 of and Paragraph 2.28 of the RDSF requires at least 10% of all new homes to be constructed to meet wheelchair housing standards or to be easily adaptable to this standard.

A total of 29 units are proposed as wheelchair units (accessible/ adaptable). This equates to 10% of the total 292 residential units proposed for this scheme.

12 units in building 12N are proposed as wheelchair units (accessible/adaptable) and equates to 10% of the total 120 residential units in this building. 11 of these wheelchair units are provided as Affordable Rent/Shared Equity tenure which are allocated to the Whitefield Estate Replacement Units (Part 2), and 1 as private market sale tenure. Two of the wheelchair units provided as Affordable Rent Units are proposed as wheelchair Accessible. This meets the requirements of the Whitefield Estate Existing Units (Part 2) which identified that 2 replacement units would require full wheelchair accessibility and is detailed in the consented Resident Relocation Strategy application 17/4872/CON.

17 wheelchair adaptable units are proposed in building 12S and equates to 10% of the total 172 residential units proposed in this building.

The Access and Inclusivity Statement accompanying this application further confirms layout the proposed wheelchair accessible units meet the standards and include food internal circulation meeting the minimum turning and manoeuvring requirements. Storage for the wheelchair is also designed for.

Therefore the wheelchair units proposed across both buildings meet the requirements of condition 36.6 of the S73 Permission that requires at least 10% of housing to be constructed or adaptable to meet the needs of wheelchair users. It also meets the existing requirements of the Whitefield Estate residents that are to be rehoused in these units.

### **6.14 Amenity Space Provision**

Within section A2.6.4 of the Revised Design and Access Statement the amenity space provision for development within the Brent Cross Cricklewood regeneration area is established. The relevant unit types and requirements are captured in the table below.

<b>Unit Type</b>	<b>Minimum private amenity space per dwelling (m2)</b>	<b>How private amenity space can be achieved</b>
1 or 2 Bed Flat on Ground Level	5m <sup>2</sup>	Terrace min. depth 1.5m (separate from communal



		courtyard)
1 or 2 Bed Flat on Upper Level	5m <sup>2</sup>	communal courtyard, terrace or balcony min. depth 1.5m
3 or 4 Bed Flat on Ground Level	14m <sup>2</sup>	Terrace min. depth 1.5m (separate from communal courtyard)
3 or 4 Bed Flat on Upper Level	8m <sup>2</sup>	Terrace or Balcony min. depth 1.5m

#### Appraisal of Plot 12:

Private amenity space is proposed across all residential units in the form of: projecting balconies; private terraces; inset balconies or semi recessed balconies and corner balconies.

#### Building 12N:

A private front terrace facing the Pocket Park is proposed for the two maisonettes on the ground floor. On the upper floors, units in the tower or facing the High Street have semi inset balconies (with the first floor of the tower fully inset). Upper level units overlooking the Pocket Park are proposed as projecting balconies.

#### Building 12S:

Private terraces set within the communal courtyard are proposed for the ground floor flats and maisonettes. On floors above, corner units and those facing the park have inset balconies. Flats facing the courtyard or the Pocket Park have projecting balconies.

The drawings submitted demonstrate that in the majority of the cases the proposed private amenity is in accordance with the requirements set out in the above table. However, there are instances where it either has not been possible to provide units with the private amenity space or the private amenity space provision is smaller in size than that required in the RDAS. Where this occurs applicant has confirmed the reasoning behind and also proposed a number of mitigation measures. These are summarised below.

#### Plot 12N:

One unit on the top floor of the High Street block of 12N the provision of a balcony has been omitted to help reduce the perceived massing, and a Juliet balcony is proposed instead. Therefore there is a shortfall of 5m<sup>2</sup> of private amenity space.

Three apartments on the first floor of the High Street building have depths of 1.2m which is less than the 1.5m set out in the requirement. This is proposed in order to avoid balconies projecting over the High Street which would interfere with the perceived massing. Of these three units, one unit provides a private amenity space of 1.4m<sup>2</sup> below the RDAS requirements.

Balconies on the north and east side of the Tower at first floor are also proposed as inset behind a parapet to strengthen the buildings base and to provide more privacy due to the proximity to the High Street. All four units

have balcony depths of 1.2m which is below the 1.5m requirement. For one of these units the proposed private amenity space is of 1.8m<sup>2</sup> which is below the required standard.

Therefore a total of 3 units in 12N show private amenity deficit resulting in a total shortfall of 8.2m<sup>2</sup>.

#### Proposed offsetting for 12N shortfall

To offset the 8.2m<sup>2</sup> shortfall, three ways of compensating are proposed. First, additional internal living space is to be provided within each of the three units. This is demonstrated in the submitted architectural drawings and section 6 of the Design and Access Statement. Second, a total of 8.2m<sup>2</sup> of additional amenity space will be provided in Pocket Park abutting 12N. This is demonstrated in Section 4.0 of the submitted Landscape Design Report and associated Landscape drawings. Third, for one of these units a Juliet balcony can be accommodated within the design and this is also proposed.

#### Plot 12S:

54 units within Plot 12S are proposed with Juliet balconies instead of balconies. Applicant has explained in the submitted Design and Access statement that either inset or projecting balconies would compromise the quality of these flats or those surrounding. This occurs along the north-south streets where inset balconies would limit daylight to living spaces by pushing them deeper into the plan and projecting balconies would limit daylight to units below. For these reasons, these 54 units have been proposed with Juliet balconies to provide some level of small private amenity.

A further 8 units within 12S are also proposed with Juliet instead of balconies. Applicant has also explained that the reason behind this has been to help reduce the mass of the building towards its upper levels.

Therefore a total of 62 units in 12S show private amenity deficit resulting in a total shortfall of 310m<sup>2</sup>.

#### Proposed offsetting for 12S shortfall

To offset the 310m<sup>2</sup> shortfall, three ways of compensating are proposed. First, additional internal living space is proposed within all 62 units with the exception of 4 where this could not be accommodated. This is demonstrated in the submitted architectural drawings and section 6 of the Design and Access Statement. Second, a total of 310m<sup>2</sup> communal amenity space is proposed to be provided within the Plot 12S courtyard. This is demonstrated in Section 4.0 of the submitted Landscape Design Report and associated Landscape drawings. Third, all 62 units are proposed with Juliet balconies to provide some level of small private amenity.

#### Private amenity conclusion

Overall it is considered that the provision of private amenity space is compliant with the standards established in the S73 Permission. Where this has not been able to be accommodated for design issues relating to daylight and massing, the mitigation measures proposed including additional

communal amenity space, larger units, and Juliet balconies are on balance considered acceptable. As such, all private amenity space proposed for Plot 12 is considered acceptable.

## **6.15 Noise**

Condition 29.1 requires, prior or coincident with Reserved Matters Applications submissions, an Acoustic Design Report that describes the design features that have been used to achieve good internal noise standards with reference to BS8233 as also referred to in Paragraph 2.82 of the RDSF. The report is required to demonstrate that a hierarchy of noise mitigation measures has been considered so that the use of noise insulation, whilst necessary in some areas, is minimised.

An 'Acoustic Design Report' was submitted coincident to this application for the discharge of Condition 29.1 regarding the design measures that have been and will be adopted, and the potential noise impacts upon Plot 12 (under application reference 17/6824/CON). Following amendments of Jan 2018, a statement of compliance was also submitted to confirm the conclusions of this report are still valid.

Based on an assessment of the external noise and sound insulation performance of the façade, the report confirmed the predicted noise levels within the proposed development are acceptable and that good internal noise standards with reference to BS8233 can be achieved for all proposed units with the adoption of acoustically rated glazing and either high performance acoustic passive ventilation or mechanical ventilation.

The Council's Environmental Health Officer reviewed the submitted documentation and following clarification on the scope of Condition 29.1 and associated Condition 29.4 (compliance to good standards) and Condition 29.8 (detailed noise mitigation measures) confirmed to be satisfied with the information submitted.

As mentioned in section 7 of this report, the EHO also raised a concern over a potential noise impact associated with the centralised boilers and flue proposed within Plot 12. The applicant provided further information dated 5 January 2018 to confirm that the noise from the proposed boilers is purely a design issue that will be adequately addressed due to the requirement to comply with condition 29.8 of the S73 Permission which requires a scheme of detailed noise mitigation measures demonstrating compliance with good internal noise standards to be submitted before development begins. The applicant further confirmed that the issue of effects of a new plant on future users is a purely design matter that must be met, and it is not an issue that would be included as part of a noise assessment on existing noise sensitive receptors which would normally be undertaken as part of an EIA. In this instance there are no existing noise sensitive receptors that are likely to be affected. The Council's Environmental Health service confirmed that they have reviewed the Additional Information and their concerns have been addressed, therefore supporting the discharge of Condition 29.1 relating to

noise.

A condition requiring compliance to the design measures identified in the Acoustic Design Report is not considered necessary as other conditions of the S73 Permission have secured this. The requirements of Condition 29.8 requires a scheme of detailed noise mitigation measures before development begins for any phase or sub-phase, and Condition 29.4 requires residential buildings to be designed to achieve the 'good' internal noise standards as per BS8233 and sound levels in residential units to be measured to demonstrate compliance with the values prior to occupation of development.

Therefore in terms of the predicted internal noise levels for the Plot 12 proposals these are in accordance with the requirements of the S73 Permission.

### **6.16 Daylight, Sunlight and Overshadowing**

Page 48-49 of the RDSF requires buildings to be designed to meet best practice standards in terms of daylight, sunlight and overshadowing. The application is supported by Building Research Establishment (BRE) Daylight, Sunlight and Overshadowing Assessments prepared by GIA.

Following amendments of January 2018, applicant submitted a replacement document, Internal Daylight, Sunlight and Overshadowing Plot 12 Phase 1B (South) dated January 2018. The results and appraisal are summarised below.

For the daylight assessment the following tests were undertaken:

#### Daylight Assessment - Masterplan

- Vertical Sky Component (VSC) – A measure of the amount of skylight available at the centre of a habitable room window and also, the amount of direct skylight received inside the corresponding habitable room. The BRE guide states that daylighting may be affected if the VSC calculation is less than 27% or less than 0.8 times its former value. This test is useful at the massing stage, but it has some limitations as it does not take into account internal and external reflectance values, and type and size of fenestration and internal arrangement.

The VSC assessment was carried out to assess the daylight potential within a Parameter compliant Illustrative Masterplan (as shown in the Illustrative Reconciliation Plan submitted against Condition 1.17 17/6825/CON) which includes the massing proposed for Plot 12 and all relevant facades of Plots 11, 13 and 18 overlooking the proposal.

	Yellow (good design) and Orange (careful design) (% façade area)	Red (very difficult) and Blues (often impossible) (% façade area)
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Building 12N	86.2 %	13.8 %
Building 12S	77.8%	21.57 %
Plot 11	56%	44%
Plot 13	83%	17%
Plot 18	81%	19%

The VSC levels are measured against a colour coded scale as follows: levels falling in yellow tiles are considered to have good design and meet the standard; levels falling in orange tiles are considered to require careful design to meet the standard; levels falling in red tiles are considered to require very difficult design measures achieve levels closer to the standard; levels falling in blue tiles are considered to be areas where any design measure taken means is often impossible to improve daylight levels.

The above table shows a majority of the façades for Plot 12, and similarly for the neighbouring plots, with good daylight levels that have either achieved the standard or require careful design. In the case of Plot 11 the challenging area is a very small portion which the information submitted confirms could be solved by locating dual aspect units in the corners.

#### Assessment of Plot 12:

- Average Daylight Factor (ADF) – Is a measure of the daylight received inside a habitable room. The BRE guide recommends that the minimum of 2% ADF values should be achieved for all rooms where supplementary electric lighting is provided. BRE provides additional recommendations for dwellings of 1% for bedrooms, 1.5% for living rooms, and 2% for kitchens.

The results show overall very good levels of light in the scheme with 81% of all proposed rooms meeting or exceeding the ADF recommended levels. Specifically, 76% of all Living/Kitchen/Diners (L/K/D) meet or exceed the recommendation of 2% ADF; 78% of all Living Rooms meet or exceed the recommendation of 1.5% ADF; 87% of all proposed Bedrooms meet or exceed the recommendation of 1% ADF; and 53% of all Kitchens meet or exceed 2% ADF. Combined all room types provide a total 81% meeting the recommended guidelines.

In respect of the kitchens, it is to be noted that those that did not meet the standard are proposed as a separate room where the living room within that same flat has achieved the recommended standard of 1.5% ADF. These kitchens do not comprise a kitchen table as this is provided in the living room area. The trade-off of achieving the standard for the living rooms and not for the kitchen in those flats is considered acceptable as the living room is considered to be living areas where more time is spent.

In respect of L/K/D room type, priority has been given to locating the living

rooms next to the window as it is considered more time would be spent in this area of the L/K/D. Assuming this layout, it is considered that the L/K/D room types can be measured against a lower ADF value of 1.5% (instead of 2%), resulting in a higher compliance of 91% of all L/K/D room types meeting this value. In this situation, 80% of the L/K/D and the Living Rooms together would achieve a recommendation of 1.5% ADF for 'living areas' together where it is considered most time is spent.

- No Sky Line (NSL) – Is a measure of the area of a habitable room that receives no direct skylight and the consequential distribution of daylight in that room. In order to achieve satisfactory daylight uniformity, the BRE guide recommends that the area which does not receive direct skylight should not exceed 20% of the floor area.

The results of this test show that a majority of 57.6% of the rooms for Plot 12 have a direct view of the sky on 80% or more of the floor area. Therefore the BRE standards are achieved for the majority of the rooms.

- Room Depth Criterion (RDC) – is a measure of the ratio of room depth to window area. This is particularly of use where access to daylight from windows in one wall only, and therefore the depth of a room can become a factor in determining the quantity of light.

The current design does not propose very deep rooms and the results show that the parameter is met across all rooms of the scheme. This assessment was not applicable on a minority of rooms where the room was designed as dual aspect.

The submitted Internal Daylight Sunlight and Overshadowing Assessment demonstrates the results of these studies and confirms that where low daylight levels were shown on Plot 12 the design responded by removing or re-shaping balconies, maximising window area, placing bedrooms in areas receiving less light, incorporating light veneer to internal floors, optimising layout to have the living area closer to the window, dividing the kitchen area from the living room. As a result of this Plot 12 achieves overall very good levels of light in the scheme with 81% of all proposed rooms meeting or exceeding the ADF recommended levels. In respect of internal daylight, details submitted are considered acceptable.

For the sunlight assessment the following tests were undertaken:

- Annual Probable Sunlight Hours (APSH) – Is a measure of the average number of hours per year in which direct sunlight is received by a window. The BRE guide states that rooms may be affected if they receive less than 25% APSH for the year and 5% APSH for the winter (21 September and 21 March). It also states that in housing the main requirement for sunlight is in living rooms where it is valued at any time of the day, but especially in the afternoon. Only windows facing within 90 degrees of due south can be assessed using this methodology.

The results of the submitted report confirm that the majority of the windows meet or exceed the recommended levels for sunlight. In a minority of the cases where lower light levels were seen this is often a result of the provision of a balcony acting as a shading device. However, it is considered that through the balcony residents would be able to enjoy the sun during the summer, and during the winter as the position of the sun in the sky is lower, the rays would be able to enter the living rooms.

For Overshadowing assessment the following tests were undertaken:

- Sun Hours on Ground 21<sup>st</sup> March – it is a measure of the average number of hours of direct sunlight on 21 March. The BRE guide states that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21 March.

Plot 12 proposes 2 areas of open space, one public pocket park sitting within the L-shaped building to the north (Building 12N) and one private communal courtyard enclosed within the U-shaped building to the south (Building 12S). The overshadowing test shows that approximately 58% of the pocket park of Building 12N and 61% of the courtyard of Building 12S will see at least 2 hours of direct sunlight on 21 March. It is therefore demonstrated that both areas exceed BRE's recommendation for Sun Hours on Ground.

The submitted Internal Daylight Sunlight and Overshadowing Assessment demonstrates that the internal daylight standards for a significant majority of the rooms are achieved, and that the standards of sunlight and sun hours in the proposed open space have also been met. As such, details are considered acceptable.

## **6.17 Wind**

Condition 34.1 requires any RMA that includes a building of more than 4 stores in height which abuts any principal open space or public realm or any pedestrian route to be accompanied by a wind tunnel or other assessment which demonstrates that appropriate levels of amenity, as set out in the Lawson Criteria for Distress and Comfort, which are summarised in Table 7 of the DSF, can be met.

Condition 34.5 requires all RMAs to demonstrate that mitigation measures (such as recessing of entrances, entrance screens, softening sharp building corners, canopies above entrances, localised shelter to create pockets for outdoor sitting) have been considered in order to alleviate adverse wind conditions in accordance with the mitigation proposed in the ES of the S73 Permission.

Submitted with this application is a Pedestrian Wind Comfort Assessment Brent Cross South Plot 12, with document reference 4109 dated October 2017 prepared by AKTII. The conclusions of this assessment confirm trends

of acceptable pedestrian wind comfort as a consequence of the proposed massing of Plot 12 without a strong need of applying further mitigation measures. Following amendments to proposals issued in January 2018, a letter from AKTII dated 16 January 2018 was received by the Council which confirmed that the conclusions of the findings of the original assessment are still valid and unaffected by the amended scheme. In this respect, Plot 12 proposals comply with the wind comfort requirements of the consented scheme.

## **6.18 Safety and Security**

To meet the obligations of Code for Sustainable Homes, the scheme is required to meet the requirements set out in Section 2 (Physical Security) of the Secured By Design (SBD) guidance.

Section 13.0 of the submitted Design and Access Statement refers to Secured by Design proposal to Plot 12. This section confirms the design team has met with the Designing Out Crime Officer (DOCO) who made recommendations which have been included on the submitted application drawings or will be addressed in the future specification of the buildings. Comments received from the Metropolitan Police confirm these conclusions and recommend attaching a condition requiring applicant to achieve at minimum Silver Secured by Design accreditation.

In summary the recommendations cover topics such as Compartmentalization and Access (stair cores, front doors, lifts) Physical Security (doors, windows, post boxes, external intercoms, access control systems, fire exit overrides, CCTV); Landscaping (planting, street furniture including lighting and fencing, level changes); Visitor Accesses, and Basements (allocated parking, gates/shutter, fob in/fob out, induction loops, intercom).

The applicant has submitted pre-assessment confirmation that the proposals for Plot 12 will achieve a minimum standard of Code Level 4 under the Code for Sustainable Homes. In order to achieve this standard the scheme will be required to comply with Section 2A of the Secured By Design Guidelines (2016). The applicant has stated that they will seek to achieve a Silver Secured by Design accreditation. Therefore, a condition to require Silver Secured by Design accreditation is recommended.

## **7. ENVIRONMENTAL IMPACT ASSESSMENT**

The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'Regulations'), EU Directive 85/337/EEC (as amended), as well as the National Planning Practice Guidance (2014).

Regulation 8 of the Regulations requires local planning authorities to consider



whether or not the environmental information already before them (i.e. the ES submitted with the 2013 hybrid application F/04687/13 and any additional environmental information) is adequate to assess the environmental effects of the development:

The Reserved Matters application varies from the outline approval under application F/04687/13 in that it incorporates gas fired boilers in the basement and an associated flue at roof level in keeping with the proposed short term energy strategy.

A sensitivity test has been carried out to demonstrate that the effects of the short term energy strategy are not significantly worse in carbon saving terms than those reported for the main assessment which considered potential to accommodate low carbon technologies (such as CHP).

The short-term energy strategy is further supported by an Environmental Statement of Compliance that supports all environmental aspects of the application including energy.

In addition the statement is supported by an Air Quality Assessment prepared by Arup with document reference 245526-19 dated 25 October 2017 which considers the implications of the flue and it's emissions given the proposed location in a residential part of the scheme. This document was reviewed by the Council's Environmental Health team. The inclusion of this infrastructure in this location was not considered to have any new significantly detrimental impacts.

Appended to this statement is a Screening Opinion Request which has been received by the Council under application reference (17/6852/ESR) coincident with the reserved matters application for Plot 12.

### EIA Screening Opinion

In accordance with Table 10, Section 6, RDSF (scope of Explanatory Reports for RMAs), RMA submissions are to confirm that a EIA Screening Opinion (where appropriate) has been issued (and that a further ES is not required) and to set out the scope of environmental information, if any, to be submitted.

The Explanatory Report submitted with this application comprises an Environmental Compliance Statement which confirms that a Request for an EIA Screening Opinion has been submitted to LBB in accordance with regulation 6(3) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 under application reference 17/6852/ESR. The Statement reports that the EIA Screening Opinion Request confirms that the proposals for Plot 12 are compliant with the Parameter Plans save for three small deviations, namely, the flue (Building 12N), the café on the south-eastern corner of Building 12S and the balcony on the north-eastern corner of Building 12N. Where there have been deviations from the s73 Permission, these have been assessed within the screening request which concludes that they are unlikely to give rise to any new or different significant environmental

effects from those reported in the Environmental Statement ('ES').

In response to revisions to the Reserved Matters submission received by the Council on 19 January 2018 a further statement of compliance dated 5 January 2018 was received by the Council to confirm these revisions do not affect the conclusions of the Screening Opinion Request and thereby those incorporated in the EIA Statement of Compliance at Appendix G of the Explanatory Report of this application.

The Council's response to the Screening Opinion request confirms that no EIA assessment, additional mitigation or further information is required.

## **8. EQUALITY AND DIVERSITY ISSUES**

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

29 of the flats will be wheelchair accessible and/or able to be modified to accommodate a wheelchair occupier. This provision equates to 10% of the units and therefore complies with the 10% of wheelchair units required under the S73 Permission. This provision also addresses the current needs of the Whitefield Estate units.

The development includes level, step-free pedestrian approaches to the main

entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

13 dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

## **9. CONCLUSION**

The proposal seeks approval for the first residential plot by the southern developer including 292 new residential units 110 of which will accommodate the relocation of Whitefield Estate Residents. Rehousing the Whitefield Estate residents as a result of this development will unlock the area of the existing estate for the wider Brent Cross regeneration Scheme.

The reserved matters have been considered against the parameters and controls captured within the S73 Permission. All details relating to Landscape, Access, Appearance, Layout, Scale, including land use have been demonstrated to comply with the S73 Permission.

The supporting technical details accompanying this application demonstrate compliance with the relevant standards and policy including daylight and sunlight, drainage, residential space standards and amenity, accessibility and sustainability. Where minor deviations have been identified these have been demonstrated to be acceptable and not to have significant impacts upon the conclusions reached in the Environmental Statement accompanying the S73 Permission.

Justification has been provided for the level of car parking proposed which accords to the requirements of the S73 Permission and to wider policy requirements for a site of PTAL 4-5 at the time of occupation.

The design of the buildings and environment proposed would provide a high quality residential development responding to the situation of existing residential properties, and the location of approved open spaces and roads already subject to reserved matters approval under the S73 Permission.

Overall, officers find the proposals acceptable and accordingly APPROVAL is recommended subject to conditions as set out in Appendix 1 of this report.

## LIST OF APPENDICES

APPENDIX 1 – CONDITIONS

APPENDIX 2 – APPROVED RMA's

APPENDIX 3 – PRE RMA CONDITIONS RELATING TO PLOT 12

APPENDIX 4 – DESIGN INFORMATION

APPENDIX 5 – SITE PLAN

## APPENDIX 1

### Draft Conditions

#### Conditions

The term 'development' in the conditions below means the development permitted by this consent.

<b>1</b>	<b>Approved plans</b>		
	The development hereby permitted shall be carried out in accordance with the following approved plans unless minor variations are agreed in writing after the date of this reserved matters consent with the Local Planning Authority:		
	Architectural Drawings		
	Title	Number	Rev
	Site Location Plan	MLUK 549 A L XX 0001	-
	Proposed Site Plan	MLUK 549 A L XX 1000	A
	Proposed Basement Level Plan	MLUK 549 A L XX 1149	A
	Proposed Ground Floor Plan	MLUK 549 A L XX 1150	A
	Proposed Level 01 Plan	MLUK 549 A L XX 1151	A
	Proposed Level 02 Plan	MLUK 549 A L XX 1152	A
	Proposed Level 03 Plan	MLUK 549 A L XX 1153	A
	Proposed Level 04 Plan	MLUK 549 A L XX 1154	A
	Proposed Level 05 Plan	MLUK 549 A L XX 1155	A
	Proposed Level 06 Plan	MLUK 549 A L XX 1156	A
	Proposed Level 07 Plan	MLUK 549 A L XX 1157	A
	Proposed Level 08 Plan	MLUK 549 A L XX 1158	A
	Proposed Level 09 Plan	MLUK 549 A L XX 1159	A
	Proposed Level 10 Plan	MLUK 549 A L XX 1160	A
	Proposed Level 11 Plan	MLUK 549 A L XX 1161	A
	Proposed Level 12 Plan	MLUK 549 A L XX 1162	A
	Proposed Roof Plan	MLUK 549 A L XX 1163	A
	Proposed Section A	MLUK 549 A L XX 2100	A
	Proposed Section B	MLUK 549 A L XX 2101	A
	Proposed Section C	MLUK 549 A L XX 2102	A
	Proposed Section D	MLUK 549 A L XX 2103	A
	Proposed North Elevation	MLUK 549 A L XX 3100	A
	Proposed East Elevation	MLUK 549 A L XX 3101	A
	Proposed South Elevation	MLUK 549 A L XX 3102	A
	Proposed West Elevation	MLUK 549 A L XX 3103	A
	Proposed 12S North Elevation	MLUK 549 A L XX 3104	A
	Proposed 12N South Elevation	MLUK 549 A L XX 3105	A
	Proposed Site Elevations	MLUK 549 A L XX 3150	A
	Basement Ramp Section	MLUK-549-A-L-XX-2104	A
	Landscape Drawings		

	Title	Number	Rev	
	Ground Floor Surface Finishes Plan	TOWN621(03)3001	R06	
	Podium Level Surface Finishes Plan	TOWN621(03)3002	R04	
	Section A-A' Pocket Park	TOWN621(03)7001	R03	
	Section B-B' Podium Courtyard	TOWN621(03)7002	R01	
	<p>Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.</p>			
<b>2</b>	<b>Terraced Balcony Separation</b>			
	<p>Prior to the commencement of the development hereby permitted details of the sub-division and separation of terraced amenity space provided on the set-back upper floors between units shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details as approved.</p> <p>Reason: To safeguard the amenities of the future occupiers of the proposed residential dwellings.</p>			
<b>3</b>	<b>Materials</b>			
	<p>Notwithstanding the submitted plans, before the development hereby permitted commences samples of the materials to be used for the external surfaces of the building and hard surfaced areas shall be submitted to and agreed in writing by the Local Planning Authority including, though not limited to:</p> <ul style="list-style-type: none"> <li>- Sample glazing with window/door frame(s)</li> <li>- Balustrade and edge detail.</li> <li>- Roofing materials, including roof parapets and overhangs to flats.</li> <li>- Typical rainwater goods (section of gutter, downpipe etc)</li> <li>- Sample areas of brickwork and mortar.</li> <li>- Areas of parking and paving</li> <li>- Hard Landscaping areas</li> </ul> <p>The development shall thereafter be implemented in accordance with the details as approved.</p> <p>Reason: To safeguard the visual amenities of the building and surrounding area.</p>			
<b>4</b>	<b>Architectural Details</b>			
	Notwithstanding the plans hereby approved, before the development			

	<p>hereby permitted is commenced the following construction details at 1:20 scale (except where otherwise indicated) shall be submitted to and agreed in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>(i) Balcony doors to flats</li> <li>(ii) Balcony balustrades</li> <li>(iii) Gates and Railings</li> <li>(iv) Main entranceways to flat cores and maisonettes</li> <li>(v) Roof parapets and overhangs to flats and houses</li> <li>(vi) Rainwater goods (gutters, down pipes etc) (1:100)</li> <li>(vii) All plant at roof level - including any Photovoltaics (1:50)</li> <li>(viii) Window setbacks</li> <li>(ix) Sub-station and Car Park Ventilation</li> <li>(x) Locations of all service intakes and meters (no meter boxes to be visible on front facades).</li> </ul> <p>The development shall thereafter be implemented in accordance with the details as approved.</p> <p>Reason: To ensure quality of design and to safeguard the visual amenities of the building and surrounding area.</p>
<b>5</b>	<b>Revised Energy Compliance</b>
	<p>Prior to superstructure works above basement level of the development hereby permitted details of the connections and other infrastructure necessary to enable plot 12 to be connected to and serviced by the future site-wide heat network in accordance with principles established within the Alternative Energy Strategy as approved under condition 35.6 of planning permission F/04687/13 shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with such details as approved.</p> <p>Reason: To ensure that the development is able to connect into the s-te-wide energy network and to secure the maximum practicable reduction in carbon emissions and optimal use of renewable energy.</p>
<b>6</b>	<b>Landscape - Species</b>
	<p>Prior to the commencement of the development hereby permitted details of the species and size of all plants, trees and shrubs shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To prevent unnecessary management issues from arising whilst ensuring a high level of biodiversity and appearance results from the development's soft landscaping.</p>
<b>7</b>	<b>Landscaping details</b>
	Prior to the commencement of development hereby permitted full details

	<p>and specifications of the: Play features, Seating, Ecological Enhancements and 'Water Gardens' in accordance with the principles within the Landscaping Design Report (Jan 2018) shall be submitted to and approved in writing by the local Planning Authority and shall thereafter be delivered in accordance with the approved details.</p> <p>Reason: To ensure a high quality landscaped environment, and appropriate and accessible play and seating provision in accordance with the principles in the submitted Landscaping Design Report (Jan 2018).</p>
<b>8</b>	<p><b>Transport – Car Parking Spaces to be Provided in Vicinity of Plot 12</b></p> <p>Prior to the occupation of any residential units within Plot 12 hereby permitted 20 (twenty) car parking spaces within the vicinity of the Whitefield Estate Replacement Units (Part 2) for use by residents of the Whitefield Estate Replacement Units (Part 2) shall have been practically completed and made available for use in accordance with details submitted to and approved in writing by the Local Planning Authority.</p> <p>Such details may include temporary provision for some or all of such additional car parking spaces provided that these are in a location within the vicinity of Plot 12 and subject to the inclusion of a committed period of time after which the permanent parking spaces shall be practically completed and made available for use by the Whitefield Estate Replacement Units (Part 2).</p> <p>Reason: To secure a satisfactory car parking ratio within the vicinity of the application site.</p>
<b>9</b>	<p><b>Transport – Residential Parking Management</b></p> <p>Prior to the occupation of the development hereby permitted details of a Parking Management Strategy which addresses the management and control of basement parking as shown on plan MLUK-549-A-L-XX-1149 R0A and the 20 additional car parking spaces details of which will be submitted under Condition 8 of this permission.</p> <p>The strategy shall address issues of parking space allocation, control of basement access, enforcement of parking spaces, Electric Vehicle Charging spaces (active and passive), disabled spaces and motorbike bays.</p> <p>Reason: To ensure the spaces are available to future residents of the development and that appropriate management processes are in place to make best use of available parking spaces.</p>
<b>10</b>	<p><b>Transport – Visitor and Loading Bays</b></p> <p>Prior to the occupation of the development hereby permitted a management plan shall be submitted to address the management of the</p>



	<p>loading and visitor parking bays at ground level, as shown on plan MLUK-549-A-L-XX-1150 R0A. The management plan shall set out the types of deliveries, times, dwell time, vehicle type, supplier information, bay location, visitor usage of parking bays, booking system or other method of management for these bays and shall set out the details of an annual survey of the use and management of these bays to enable a continued improvement of their management.</p> <p>Reason: To ensure the best management of visitor and delivery parking and in the interest of the safety of road users and the free flow of traffic.</p>
<b>11</b>	<b>Transport – Cycle Parking</b>
	<p>Prior to commencement of the development hereby approved details of cycle parking provision both within the basement of Plot 12 and at ground floor level shall be submitted to and approved in writing By the Local Planning Authority.</p> <p>Reason: To ensure that a range of cycle parking racks and facilities are provided for occupiers and visitors to the development and to provide appropriate accessibility.</p>
<b>12</b>	<b>Transport – Travel Plan</b>
	<p>Within three months of occupation of each use class on site completed individual travel plans for those use classes shall be submitted to the Local Planning Authority for written approval. Such details shall follow the aims, principles and method proposed in the October 2017 Individual Travel Plan.</p> <p>Reason: To support the inclusion and promotion of sustainable travel within the development.</p>
<b>13</b>	<b>Transport - Signage</b>
	<p>Prior to commencement of the development hereby permitted details of all signage proposed within the site including but not limited to loading/parking bays, speed limit, cyclist/pedestrian safety signs shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details approved.</p> <p>Reason: In the interest of the safety of Road users and the free flow of traffic on site.</p>
<b>14</b>	<b>Transport</b>
	<p>Prior to the commencement of the development hereby approved details of the traffic light or other system proposed to be used to manage the ingress and egress of vehicles from the vehicle car park and to and from the different levels of the car parking within the basement shall be</p>

	<p>submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be delivered in accordance with the details as approved.</p> <p>Reason: In the interest of the safety of users of the basement car park and pedestrians and to ensure the free flow of vehicles within the basement parking and on the approach to the car parking entrance.</p>
<b>15</b>	<b>Lighting</b>
	<p>Prior to the commencement of the development hereby permitted full details of the proposed Lighting Strategy for illumination including any lighting of building elevations, lighting to the tertiary streets, pocket park, podium amenity space and balconies including:</p> <ul style="list-style-type: none"> <li>- Locations</li> <li>- Lux levels</li> <li>- Operating hours</li> <li>- Associated lighting posts or other furniture</li> </ul> <p>shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.</p> <p>Reason: In the interest of security, ecology and Residential amenity.</p>
<b>16</b>	<b>Secure By Design</b>
	<p>The development shall achieve a minimum of 'Silver' Secured by Design accreditation in accordance with the principles within part 13.0 of the Design Statement. This accreditation shall thereafter be submitted to the Local Planning Authority Prior to occupation of the development hereby approved.</p> <p>Reason: In the interest of the security and safety of future residents and visitors to the site.</p>
<b>17</b>	<b>Thames Water – Drainage Strategy</b>
	<p>The development hereby permitted shall not commence 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.</p> <p>Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
<b>18</b>	<b>Thames Water - Piling</b>
	No 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 both 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.

**Reason:**

The proposed works will be in close proximity to underground sewerage and water utility infrastructure. Piling has the potential to impact on this local underground sewerage infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

## **Informatives**

<b>1</b>	The term 'development' in the conditions attached to this decision shall be taken to mean the development permitted by this consent.
<b>2</b>	In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan and the Approved S73 Consent.
<b>3</b>	In accordance with the transitional provisions set out in Regulation 76 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and having regard to Regulations 3 and 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, it is confirmed that the environmental information Submitted to the Local Planning Authority is adequate to assess the environmental effects of the development and has been taken into consideration in this decision.
<b>4</b>	The London Fire and Emergency Planning Authority (the Authority) strongly recommends that sprinklers are considered for new developments. Sprinkler systems installed in buildings can significantly reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save properties and protect the lives of the occupants. Please note that it is the Authority's policy to regularly advise their elected Members about how many cases there have been where they have recommended sprinklers and what the outcomes of those recommendations were. These Quarterly reports to our Members are public documents which are available on the Authority's Website.
<b>5</b>	<p>Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final</p>

manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

#### Water Comments

Impact studies of the existing water supply infrastructure, as required by Condition 33.1 of s73 application F/04687/13 should determine the magnitude of any new additional capacity required in the system and a suitable connection point to ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

The Developer should Note that within the drainage strategy provided it is stated that the sewer in Tilling Road is a combined sewer, this is not the case, it is a separate system.

Thames Water will require the points of connection to the public sewer system, for foul water, as well as the anticipated flow (including flow calculation method) into any proposed connection point. A detailed site wide drainage strategy would help assess the impact of this development. To discuss further any of the points raised please contact our Developer Services Department on 0800 009 3921.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall

	within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> to determine if a building over / near to agreement is required.
<b>6</b>	In accordance with condition 33.3 of the s73 Permission F/04687/13 before the erection of any telecommunications equipment on Plot 12 details of the design, appearance and location must be submitted to and approved in writing by the Local Planning Authority.

## APPENDIX 2

### Schedule of BXC Reserved Matters Applications Approved to date

<b>RESERVED MATTERS APPLICATIONS</b>			
<b>PHASE</b>	<b>SUBMISSION</b>	<b>LBB REFERENCE</b>	<b>STATUS</b>
1A (north)	Infrastructure	15/03312/RMA	Approved 22/01/2016
1A (north)	Central Brent Riverside Park	15/03315/RMA	Approved 22/01/2016
1A (north)	Clitterhouse Playing Fields & Claremont Park	15/00769/RMA	Approved 10/7/2015
1A (north)	Plots 53 & 54	15/00720/RMA	Approved 9/06/2015
1A (north)	Bridge Structure B1 (Replacement Templehof Bridge) (Alternative design)	15/06571/RMA	Approved 10/04/2017
1A (north)	Tilling Road West/Brent Terrace North Junction (Alternative design)	15/06572/RMA	Approved 29/02/2016
1A (north)	River Bridge 1 and Western & Central River Brent Alteration & Diversion Works (Alternative design)	15/06573/RMA	Approved 29/02/2016
1A (north)	Central Brent Riverside Park (Alternative design)	15/06574/RMA	Approved 29/02/2016
1A (south)	School Lane & Claremont Park Road (Part 1)	15/06518/RMA	Approved 05/02/2016
1B (north)	Retail led mixed use development which includes a replacement Brent Cross Bus Station, 52 residential units, new hotel, new energy centre, Eastern and Western Brent Riverside Park (including a Nature Park) and improvements to Sturgess Park.	17/2963/RMA	Approved 30/10/2017

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### APPENDIX 3

#### Pre-Reserved Matters Conditions relevant to Plot 12 RMA

PLANNING REFERENCE	DESCRIPTION	DATE REGISTERED	STATUS
17/6770/CON	Submission of details for Condition 1.13 ( <b>Affordable Housing Viability Testing Report</b> ) in relation to Phase 1 (South) of the Brent Cross Cricklewood Regeneration pursuant to planning permission F/04687/13 dated 23/07/14	24.10.2017	Approved 13.02.2018
17/6797/CON	Submission of details for condition 7.1 ( <b>Estate Management Framework</b> ) pursuant to Phase 1 (South) of planning permission F/04687/13 dated 23/07/14	25.10.2017	Under Consideration (ready to be approved)
17/6798/CON	Submission of details for condition 10.1 ( <b>Employment and Skills Action Plan</b> ) pursuant to Phase 1B (South) and Phase 1C of planning permission F/04687/13 dated 23/07/14	25.10.2017	Under Consideration
17/6802/CON	Submission of details for condition 33.3 ( <b>Telecommunications Statement</b> ) pursuant to Phase 1B (South) of planning permission F/04687/13 dated 23/07/14	25.10.2017	Approved 13.02.2018
17/6803/CON	Submission of details for condition 27.1 ( <b>Existing Landscape Mitigation Measures</b> ) pursuant to Phase 1B (South) planning permission F/04687/13 dated 23/07/14	25.10.2017	Under Consideration
17/6804/CON	Submission of details for conditions 1.22 ( <b>Servicing and Delivery Strategy</b> ), 2.8 ( <b>Pedestrian and Cycle Strategy</b> ) and 11.2 ( <b>Car Parking Standards and Strategy</b> ) pursuant to Phase 1B (South) planning permission F/04687/13 dated 23/07/14	25.10.2017	Under Consideration
17/6823/CON	Submission of details for condition 37.5 ( <b>Reserved Matters Transport Report</b> ) for Plot 12 of Phase 1BS pursuant to planning permission F/04687/13 dated 23/07/14	26.10.2017	Under Consideration (ready to be approved)

17/6825/CON	Submission of details for condition 1.17 <b>(Illustrative Reconciliation Plan)</b> pursuant to Phase 1B (South) of planning permission F/04687/13 dated 23/07/14	26.10.2017	Approved 13.02.2018
17/6824/CON	Submission of details for condition 29.1 <b>(Acoustics)</b> pursuant to Phase 1B (South) planning permission F/04687/13 dated 23/07/14	26.10.2017	Under Consideration
17/4872/CON	<b>Residential Relocation Strategy Addendum</b> pursuant to condition 1.10 of S73 Planning Application Reference : F/04687/13 approved 23/07/2014 for the comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area and Approved Condition Application Reference: 15/00659/CON approved 03/12/2015	27.07.2017	Under Consideration (ready to be approved)

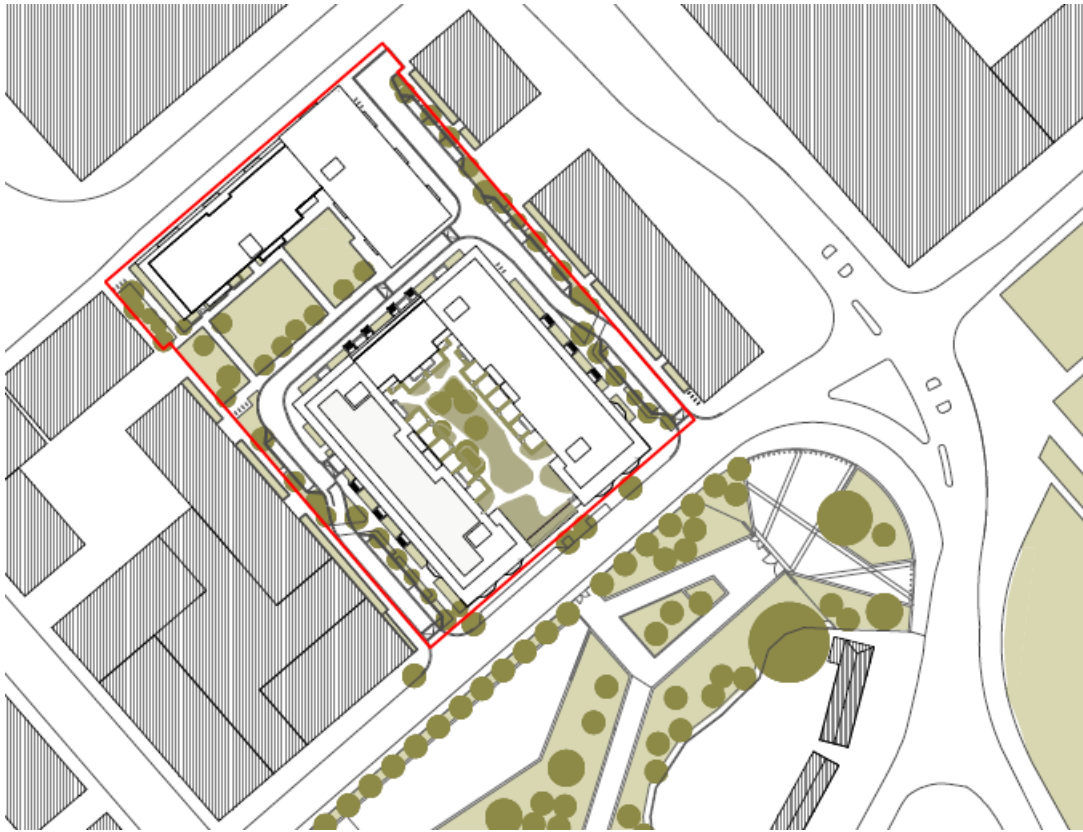
**APPENDIX 4**

**Proposed Plans and CGIs**

**IMAGE 1 - Aerial Photo of Site Boundary**



**IMAGE 2** - Proposed Layout Plan





**CGI 1** - Street level view of Plot 12N from the new High Street South



**CGI 2 - View of the south block from Claremont Park**



**CGI 3** - View along the tertiary street to the east of Plot 12





**CGI 4 - View across proposed Pocket Park looking east**



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**LOCATION:** Phases 9a & 9b, Millbrook Park, Frith Lane, London, NW7 1PX **AGENDA ITEM 8**

**REFERENCE:** 17/7662/RMA

**Received:** 4 December 2017

**Accepted:** 13 December 2017

**WARD(S):** Mill Hill

**Expiry:** 14 March 2018

**APPLICANT:** Barratt London

**PROPOSAL:** Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phases 9a and 9b of the Millbrook Park development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 355 units in the form of 145 x 1 bedroom flats, 191 x 2 bedroom flats, 9 x 3 bedroom flats, 6 x 3 bedroom houses and 4 x 4 bedroom houses, the provision of 400 sq.m of A1 retail space, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 49, 52, 69, 70, 76, 80, 81, 83 and 85.

#### **RECOMMENDATION 1**

The Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

#### **RECOMMENDATION 2: Approve Subject to Conditions**

1. This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

A-PL-9-(03)-001 - Existing Site Location plan

A-PL-9-(03)-002 - Existing Site plan

A-PL-9-(03)-099 - Site plan Level -1

A-PL-9-(03)-100 - Site plan Level 00

A-PL-9-(03)-101 - Site plan Level 01

A-PL-9-(03)-102 - Site plan Level 02

A-PL-9-(03)-103 - Site plan Level 03

A-PL-9-(03)-104 - Site plan Level 04

A-PL-9-(03)-105 - Site plan Level 05

A-PL-9-(03)-106 - Site plan Level 06

A-PL-9-(03)-107 - Site plan Level 07  
A-PL-9-(04)-101 - Site Sections  
A-PL-9-(04)-102 - Block Sections Sheet 01  
A-PL-9-(04)-103 - Block Sections Sheet 02  
A-PL-9-(04)-104 - Car Park Sections  
A-PL-9-(05)-001 - Proposed Street Elevations - Sheet 01  
A-PL-9-(05)-002 - Proposed Street Elevations - Sheet 02  
A-PL-9-(05)-003 - Proposed Street Elevations - Sheet 03  
A-PL-9-(03)-BA-100 - Apartment Block A - GF plan  
A-PL-9-(03)-BA-101 - Apartment Block A - First Floor plan  
A-PL-9-(03)-BA-102 - Apartment Block A - Second Floor plan  
A-PL-9-(03)-BA-103 - Apartment Block A - Third Floor plan  
A-PL-9-(03)-BA-104 - Apartment Block A - Fourth Floor plan  
A-PL-9-(03)-BA-110 - Apartment Block A - Roof plan  
A-PL-9-(05)-ABCD-001 - Proposed Blocks ABCD - Front Elevations  
A-PL-9-(05)-ABCD-002 - Proposed Blocks ABCD - Rear Elevations  
A-PL-9-(05)-ABCD-003 - Proposed Blocks AD - Side Elevations  
A-PL-9-(05)-ABCD-004 - Proposed Blocks ABC - Side Elevations  
A-PL-9-(05)-ABCD-005 - Proposed Blocks CD - Side Elevations  
A-PL-9-(03)-BB-100 - Apartment Block B - GF plan  
A-PL-9-(03)-BB-101 - Apartment Block B - First Floor plan  
A-PL-9-(03)-BB-102 - Apartment Block B - Second Floor plan  
A-PL-9-(03)-BB-103 - Apartment Block B - Third Floor plan  
A-PL-9-(03)-BB-104 - Apartment Block B - Fourth Floor plan  
A-PL-9-(03)-BB-110 - Apartment Block B - Roof plan  
A-PL-9-(03)-BC-100 - Apartment Block C - GF plan  
A-PL-9-(03)-BC-101 - Apartment Block C - First Floor plan  
A-PL-9-(03)-BC-102 - Apartment Block C - Second Floor plan  
A-PL-9-(03)-BC-103 - Apartment Block C - Third Floor plan  
A-PL-9-(03)-BC-104 - Apartment Block C - Fourth Floor plan  
A-PL-9-(03)-BC-110 - Apartment Block C - Roof plan  
A-PL-9-(03)-BD-100 - Apartment Block D - GF plan  
A-PL-9-(03)-BD-101 - Apartment Block D - First plan  
A-PL-9-(03)-BD-102 - Apartment Block D - Second plan  
A-PL-9-(03)-BD-103 - Apartment Block D - Third plan  
A-PL-9-(03)-BD-104 - Apartment Block D - Fourth plan  
A-PL-9-(03)-BD-105 - Apartment Block D - Fifth plan  
A-PL-9-(03)-BD-110 - Apartment Block D - Roof plan  
A-PL-9-(03)-BE-100 - Apartment Block E - GF plan  
A-PL-9-(03)-BE-101 - Apartment Block E - First Floor plan  
A-PL-9-(03)-BE-102 - Apartment Block E - Second Floor plan  
A-PL-9-(03)-BE-103 - Apartment Block E - Third Floor plan  
A-PL-9-(03)-BE-104 - Apartment Block E - Fourth Floor plan  
A-PL-9-(03)-BE-110 - Apartment Block E - Roof plan  
A-PL-9-(05)-E-001 - Proposed Block E - Front and Rear Elevations  
A-PL-9-(05)-E-002 - Proposed Block E - Side Elevations  
A-PL-9-(03)-BG-100 - Apartment Block G - GF plan  
A-PL-9-(03)-BG-101 - Apartment Block G - First plan  
A-PL-9-(03)-BG-102 - Apartment Block G - Second plan  
A-PL-9-(03)-BG-103 - Apartment Block G - Third plan  
A-PL-9-(03)-BG-110 - Apartment Block G - Roof plan

A-PL-9-(05)-G-001 - Proposed Block G - Elevations  
A-PL-9-(03)-BJ-099 - Apartment Block J - Lower GF plan  
A-PL-9-(03)-BJ-100 - Apartment Block J - GF plan  
A-PL-9-(03)-BJ-101 - Apartment Block J - First Floor plan  
A-PL-9-(03)-BJ-102 - Apartment Block J - Second Floor plan  
A-PL-9-(03)-BJ-103 - Apartment Block J - Third Floor plan  
A-PL-9-(03)-BJ-110 - Apartment Block J - Roof plan  
A-PL-9-(05)-J-001 - Proposed Block J - Elevations  
A-PL-9-(03)-BK-100 - Apartment Block K - GF plan  
A-PL-9-(03)-BK-101 - Apartment Block K - First Floor plan  
A-PL-9-(03)-BK-102 - Apartment Block K - Second Floor plan  
A-PL-9-(03)-BK-103 - Apartment Block K - Third Floor plan  
A-PL-9-(03)-BK-104 - Apartment Block K - Fourth Floor plan  
A-PL-9-(03)-BK-105 - Apartment Block K - Fifth Floor plan  
A-PL-9-(03)-BK-106 - Apartment Block K - Sixth Floor plan  
A-PL-9-(03)-BK-110 - Apartment Block K - Roof plan  
A-PL-9-(05)-K-001 - Proposed Block K - Front and Side Elevations  
A-PL-9-(05)-K-002 - Proposed Block K - Rear and Side Elevations  
A-PL-9-(03)-BL-100 - Apartment Block L - GF plan  
A-PL-9-(03)-BL-101 - Apartment Block L - First Floor plan  
A-PL-9-(03)-BL-102 - Apartment Block L - Second Floor plan  
A-PL-9-(03)-BL-103 - Apartment Block L - Third Floor plan  
A-PL-9-(03)-BL-104 - Apartment Block L - Fourth Floor plan  
A-PL-9-(03)-BL-105 - Apartment Block L - Fifth Floor plan  
A-PL-9-(03)-BL-110 - Apartment Block L - Roof plan  
A-PL-9-(05)-L-001 - Proposed Block L - Front and Side Elevations  
A-PL-9-(05)-L-002 - Proposed Block L - Rear and Side Elevations  
A-PL-9-(03)-BM-099 - Apartment Block M - Lower GF plan  
A-PL-9-(03)-BM-100 - Apartment Block M - GF plan  
A-PL-9-(03)-BM-101 - Apartment Block M - First Floor plan  
A-PL-9-(03)-BM-102 - Apartment Block M - Second Floor plan  
A-PL-9-(03)-BM-103 - Apartment Block M - Third Floor plan  
A-PL-9-(03)-BM-104 - Apartment Block M - Fourth Floor plan  
A-PL-9-(03)-BM-110 - Apartment Block M - Roof plan  
A-PL-9-(05)-M-001 - Proposed Block M - Front and Rear Elevations  
A-PL-9-(05)-M-002 - Proposed Block M - Side Elevations  
A-PL-9-(03)-BP-100 - Apartment Block P - GF plan  
A-PL-9-(03)-BP-101 - Apartment Block P - First Floor plan  
A-PL-9-(03)-BP-102 - Apartment Block P - Second Floor plan  
A-PL-9-(03)-BP-103 - Apartment Block P - Third Floor plan  
A-PL-9-(03)-BP-110 - Apartment Block P - Roof plan  
A-PL-9-(05)-P-001 - Proposed Block P - Elevations  
A-PL-9-(03)-HF-100 - Terrace F - Ground and First Floor plans  
A-PL-9-(03)-HF-101 - Terrace F - Second Floor and Roof plan  
A-PL-9-(05)-F-001 - Proposed Terrace F - Elevations  
A-PL-9-(03)-HH-100 - Terrace H - Ground and First Floor plans  
A-PL-9-(03)-HH-101 - Terrace H - Second Floor and Roof plan  
A-PL-9-(05)-F-001 - Proposed Terrace H - Elevations  
A-PL-9-(05)-GP-001 - Proposed Garden Pavilions – Elevations  
C0066 L101 Rev P01 – General Arrangement  
C0066 L200 Rev P01 – Hardworks Plan

C0066 L300 Rev P01 – Softworks Plan  
 C0066 L500 Rev P01 – Landscape Sections - Key Plan  
 C0066 L501 Rev P01 – Entrance Profile Sections Sheet 1 of 2  
 C0066 L502 Rev P01 – Entrance Profile Sections Sheet 2 of 2  
 C0066 L503 Rev P01 – Landscape Sections through Podium  
 C0066 L504 Rev P01 – Typical Perimeter Sections  
 C0066 L600 Rev P01 – Landscape Levels  
 C0066 L901 Rev P01 – Concept Lighting Plan  
 C0066 L902 Rev P01 – Tree Retention and Removal Plan  
 A-PL-9-(03)-120 - Tenure Diagram  
 A-PL-9-(03)-121 - Refuse Collection Strategy  
 A-PL-9-(03)-122 - Cycle Store Strategy  
 A-PL-9-(03)-123 - Fire Access Strategy  
 A-PL-9-(03)-124 - Proposed car parking strategy - Level -01  
 A-PL-9-(03)-125 - Proposed car parking strategy - Level 00  
 A-PL-9-(03)-126 - Proposed car parking strategy - Level 01  
 A-PL-9-(03)-127 - Ecology Plan

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

3. Before the relevant plot of the development hereby permitted is occupied the associated car parking space(s) 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.

*Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.*

4. Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the approved parking spaces to be provided with electric vehicle charging facilities and 20% for future use. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

5. 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.



Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

6. No above ground construction shall be undertaken until details of materials to be used for the external surfaces of the buildings and hard surfaced areas, including samples of these materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason: To safeguard the visual amenities of the locality in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

7. All hard and soft landscaping shall be carried out in accordance with the landscaping scheme as hereby approved and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which, within a period of 5 years from the completion of the development, dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased, shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to, any variation.

Reason: To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

8. The development shall accord with the provisions contained within the submitted Construction Environmental Management Plan, dated November 2017, except as otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan 2016.

9. 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.

Reason: To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

#### **INFORMATIVE(S):**

1. The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 for the Mill Hill East Development dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.  
  
The costs of any associated works to public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
- 2.

### **1. BACKGROUND TO THE CURRENT APPLICATION**

#### **1.1 The Mill Hill East Area Action Plan**

Mill Hill East is designated as an Area of Intensification in the London Plan (2011) and as a key growth area in the Barnet Core Strategy (2012). The area covered by this designation includes the former Inglis Barracks; Mill Hill East station; International Bible Students Association (IBSA House); the Council Depot and recycling centre; Bittacy Court; the Scout Camp and former Mill Hill Gas Works (the area now centred around Lidbury Square).

The area was first highlighted as an area which could be redeveloped in the London Plan in 2004. This is primarily as a result of Project MoDEL (Ministry of Defence Estates London) which involves the consolidation and sale of surplus MoD properties around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008 thereby providing an opportunity for redevelopment. The Council recognised that Mill Hill East was an area where more detailed policies were required to guide future development and in 2009 adopted an Area Action Plan (AAP) which covered an area of 48 hectares focused primarily on the former Inglis Barracks site. The aim of the AAP is to seek to ensure that development takes place in a balanced and coordinated manner by setting out a comprehensive framework to guide the delivery of housing, employment, leisure and associated community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

A partnership comprising of a number of the key landowners and developers (the Inglis Consortium) prepared and submitted the outline application in 2009 for the comprehensive redevelopment of most of the area covered by the AAP.

#### **1.2 The outline planning permission**

In September 2011 outline planning permission was granted for the redevelopment of Mill Hill East regeneration site (now also known as Millbrook Park). This site covers an area of approximately 33.6 hectares (83 acres) and is located within the Mill Hill ward. The site is bounded to the east by Frith Lane, to the north by Partingdale Lane and to the west by Bittacy Hill (B552). Bittacy Business Park is immediately to the south of the site and Mill Hill East Underground station (Northern Line) lies to the south west.

The site is divided into a number of Development Land Parcels (DLP) or otherwise known as phases. Following approval of the site wide pre-commencement requirements, reserved matters applications will be brought forward for all detailed elements of the development, which would deal with all matters not fully addressed within the outline consent – the ‘reserved matters’ (layout, design, appearance and landscaping). This is controlled by Condition 5 of the outline permission (ref H/04017/09, dated 22<sup>nd</sup> September 2011).

The current application concerns the development by Barratt London of plots 9a & 9b of the outline consent, located on the southern edge of the wider Millbrook Park Site within the southern hub character area fronting Bittacy Hill to the South, the consented phase 4b site being built out by Prime Place and future phases to the east including the future Public Square.

In addition to the plan drawings submitted, the following information was also submitted in support of the application and forms the supporting information:

- Plot/Development Schedule;
- Affordable Housing Scheme (Appendix C of this Statement);
- Drainage Strategy;
- Construction Management Plan;
- Arboricultural Method Statement;
- Site Waste Management Plan;
- Sustainability Statement and Code for Sustainable Homes Pre-assessment; and
- Design and Access Statement (incl. Landscape Details and Implementation Plan).

## **2. MATERIAL CONSIDERATIONS**

### **2.1 Key Relevant Planning Policy**

National Planning Policy Guidance / Statements: The National Planning Policy Framework (NPPF)

On March 27<sup>th</sup>, 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government’s planning policies for England and how these are expected to be applied. The NPPF replaces 44 planning documents, primarily Planning Policy Statements (PPS’s) and Planning Policy Guidance (PPG’s), which previously formed Government policy towards planning.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a ‘presumption in favour of sustainable development’. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

### The Mayor's London Plan: March 2016

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking Standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies most relevant to the determination of this application are as follows:

2.13 (Opportunity Areas and Intensification Areas), 3.3 (Increasing Housing Supply), 3.4 (Optimising housing potential), 3.5 (Quality and design of housing developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.7 (Large Residential Development), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities), 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.11 (Green roofs and development site environs), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

### Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

### Core Strategy (Adoption version) 2012

#### Development Management Policies (Adoption version) 2012

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources), CS14 (Dealing with Waste).

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Relevant Development Management DPD Policies: DM01 (Protecting Barnet's Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet's Heritage and Conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing Need), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

#### Mill Hill East Area Action Plan (AAP) 2009

The Mill Hill East Area Action Plan (AAP) was adopted by the Council in 2009 and forms part of Barnet's Local Plan containing policies relevant to the determination of planning applications in the area. The AAP forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE2 (Housing), MHE6, MHE10 (Making the Right Connections), MHE12 (Sustainable Transport), MHE13 (Parking), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE17 (Conserving Built Heritage), MHE18 (Delivering the AAP).

#### Approved Design Code

The approved Design Code pursuant to Condition 4 of the outline consent (ref H/04565/11, 21<sup>st</sup> Dec 2011) also sets out the guidelines for how the site, its neighbourhoods, open spaces and key amenities could be designed and built. It informs the formulation of individual reserved matter applications related to specific phases of development. Site-wide or phase related reserved matters must be in compliance with the agreed Design Code unless satisfactorily justified and this will be assessed in detail below.

## 2.2 Relevant Planning History

Application Reference:	H/04017/09
Case Officer:	Jo Dowling
Proposal:	Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.
Stat Start Date	30/10/2009
Application Type	Outline Application
Decision	Granted
Decision Date	22/09/2011

Application Reference:	H/04655/11
Case Officer:	Colin Leadbeatter
Proposal:	Demolition of existing buildings within the curtilage of the Millbrook Park development (formerly Inglis Barracks) as approved under outline application reference H/04017/09 (Approved September 2011)
Stat Start Date	12/11/2011
Application Type	Prior Notification (Demolition)
Decision	Granted
Decision Date	20/12/2011

Application Reference:	H/00480/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 1A of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated: 22/9/2011
Stat Start Date	07/02/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	19/04/2012

Application Reference:	H/00642/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance

	infrastructure works in relation to Phase 2 of Millbrook Park (Mill Hill East), pursuant to outline planning permission H/04017/09 dated 22/09/2011
Stat Start Date	20/02/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	20/04/2012

Application Reference:	H/03057/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for landscaping works to Officers' Mess Gardens (including associated infrastructure works) for Phase 2 (public open space OSI) of Mill Hill East development, pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space)
Stat Start Date	13/08/2012
Application Type	Reserved Matters
Decision	APC
Decision Date	23/10/2012

Application Reference:	H/03548/12
Case Officer:	Thomas Wyld
Proposal:	Reserved matters application seeking approval of Appearance, Landscaping, Layout and Scale in relation to Phase 1a for the erection of 58 houses comprising 39 x 3 bed houses and 19 x 4 bed houses at 'Millbrook Park' (Inglis Barracks) submitted to meet the requirements of Condition 5 of outline planning application H/04017/09 dated 22 September 2011.
Stat Start Date	17/09/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	31/01/2013

Application Reference:	H/03904/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 2 of Mill Hill East development pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 103 dwellings comprising 3 x one bed flats, 20 x two bed flats, 45 x 3 bed houses, 25 x four bed houses and 10 x five bed houses. Approval of layout and landscaping works to Phase 2 public

	open space (OS2), together with details to discharge the requirements of: Conditions 12 (relating to Plot L only); 57 (relating to plots within Phase 2 only); and 8,26, 27, 29, 48, 52, 70, 80, 83, 85 and 91 all in relation to Phase 2 only.
Stat Start Date	08/10/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	28/03/2013

Application Reference:	H/04080/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 1 of Mill Hill East development (Millbrook Park) pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 133 residential dwellings comprising 31 x one bed flats, 61 x two bed flats, 14 x three bed houses and 27 x four bed houses, including associated infrastructure, access roads, car parking, landscaping and approval of layout and landscaping works to Phase 1 public open space OS5, together with details to discharge the requirements of conditions 8, 13, 26, 27, 29, 32, 48, 52, 70, 80 and 85.
Stat Start Date	29/10/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	29/04/2013

Application Reference:	H/04386/12
Case Officer:	Kevin Waters
Proposal:	Construction of a three-storey primary school (3 forms of entry) with nursery, community facilities and associated works and landscaping, including staff parking, hard play and sports games area, retaining walls, drainage attenuation measures and provision of a temporary drop off car park
Stat Start Date	10/12/2012
Application Type	Full Planning Application
Decision	Granted
Decision Date	22/04/2013

Application Reference:	H/00668/13
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for



	construction of associated advanced infrastructure works and landscaping associated with Phase 3 (public open space OS4) of Mill Hill East development to create 'Panoramic Park' and advance infrastructure works in relation to Phases 3, 4a, 4b and 5, pursuant to Conditions 5 and 5b of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space). Ground re-profiling works to Phases 10, 11 and part of Phase 7.
Stat Start Date	12/02/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	22/04/2013

Application Reference:	H/03441/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval for Phase 3a (Central Community Park) and advanced infrastructure works in relation to phases 3a, 8, 9, 10 and 11 of Millbrook Park (Mill Hill East) pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirement of condition 5 (Reserved matter details), 25 (East-West and North-South links), 26 (Pedestrian and vehicular access points), 48 (Design of open spaces) and 52 (Children's play spaces).
Stat Start Date	06/08/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	13/02/2014

Application Reference:	H/03860/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3 of Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 138 units 7 x 5 bedroom houses, 41 x 4 bedroom houses, 47 x 3 bedroom houses, 26 x 2 bedroom apartments and 17 x 1 bedroom apartments together with details to discharge the requirements of:  Conditions 5 (Reserved matter details), 8 (Affordable housing), 12 (Noise Survey along Boundary with IBSA House), 26(Access points), 27 (Details of Estate Roads), 29(Internal access roads), 35 (Petrol/oil interceptors), 48(Open space), 52 (Children's playing space), 57 (Boundary treatment/buffer), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling),85 (Green/brown

	roofs).
Stat Start Date	28/08/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	12/11/2013

Application Reference:	H/00065/14
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3a of Mill Hill East development involving the erection of 92 dwellings comprising 27 x 1 bed flats, 42 x 2 bed flats, 13 x 3 bed houses and 10 x 4 bed houses to meet the requirements of Condition 5 of outline planning application H/04017/09 dated 22 September 2011.
Stat Start Date	23/01/2014
Application Type	Reserved Matters
Decision	Granted
Decision Date	20/03/2014

Application Reference:	15/01546/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4a of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 114 units 6 x 5 bedroom houses, 37 x 4 bedroom houses, 12 x 3 bedroom houses, 50 x 2 bedroom apartments and 9 x 1 bedroom apartments together with details to discharge the requirements of:  Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).
Stat Start Date	20/03/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	25/06/2015

Application Reference:	15/06898/RMA
Case Officer:	Andrew Dillon

Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4c of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 89 units consisting of 12 x 1 bedroom apartments, 24 x 2 bedroom apartments, 16 x 3 bedroom houses, 24 x 4 bedroom houses, 13 x 5 bedroom houses together with details to discharge the requirements of: Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Homes standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).
Stat Start Date	11/11/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	10/03/2016

Application Reference:	15/06417/OUT
Case Officer:	Andrew Dillon
Proposal:	Outline planning application for up to 66 residential units, 700 sqm of B1 floorspace, 630 sqm energy centre (CHP) and associated car parking and landscaping.
Stat Start Date	19/10/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	13/05/2016

Application Reference:	16/2719/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 4b of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated 22/9/2011.
Stat Start Date	25/04/2016
Application Type	Reserved Matters
Decision	Granted
Decision Date	04/07/2016

Application Reference:	16/3111/RMA
Case Officer:	Andrew Dillon

Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4b of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 188 units in the form of 80 x 1 bedroom flats, 89 x 2 bedroom flats, 12 x 3 bedroom flats, 3 x 3 bedroom houses and 4 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58,63, 69, 70, 80, 83 and 85
Stat Start Date	3/05/2016
Application Type	Reserved Matters
Decision	Granted
Decision Date	03/08/2016

Application Reference:	17/2815/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 5 of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated 22/9/11.
Stat Start Date	4/05/2017
Application Type	Reserved Matters
Decision	Granted
Decision Date	27/06/2017

Application Reference:	17/3304/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 5 of the Millbrook Park development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 144 units in the form of 38 x 1 bedroom flats, 17 x 3 bedroom flats, x 17 x 3 bedroom houses and 16 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58, 63, 69, 70, 80, 83 and 85.
Stat Start Date	25/05/2017
Application Type	Reserved Matters
Decision	Granted
Decision Date	25/09/2017

## **2.3 Consultations and Views Expressed**

### Public Consultation

Neighbours Consulted: 242  
Neighbours Wishing to Speak 0

Replies: 1

Correspondence has been received from 1 neighbouring resident objecting to the proposal for the following reasons:

*'I wish to object to this application in the strongest possible terms. This proposed block of flats directly opposite mine will utterly compromise the privacy of my front and back garden - as well as that of my neighbours. In particular the size of the building will mean that my front garden is overlooked in an oppressive and intrusive manner. My enjoyment of my gardens will be utterly compromised.*

*The scale of the building is of great concern. Not only are they extremely large but also very high, it would also be situated on a hill at the highest point above [my road], which will make it appear even higher and more overbearing than it already is.*

*Finally, works of the scale proposed in this application will horribly disrupt the peace and tranquillity of my home and gardens (as well as that of my neighbours) for a considerable time. I urge you to turn down this application.'*

#### Officer Comment

All comments have been taken into account in the determination of the planning application and are addressed in the officer report below. The application accords with the approved parameters and is located over 21m from properties located on the southern side of Bittacy Hill.

#### Elected Representatives.

No Comments Received.

#### Residents Associations and Amenity Groups.

1 Letter received from the Mill Hill Preservation Society making the following comments:

*'The Committee of the MHPS met representatives of Barratt London, Tate Hindle architects, and GVA planning consultants to discuss the preliminary proposals for Phase 9 of the Millbrook Park project. This scheme was seen as the 'front door' of the development and would be very prominent to people travelling on Bittacy Hill.*

*The Committee liked the pedestrian route through the development, and generally liked the mews courtyard. A negative was that there was to be no tree planting along the Inglis Way frontage. However, the retention of trees down Bittacy Hill was seen as a plus, and the Committee suggested that this planting should be reinforced, and as much as possible of the hedge line retained. We were displeased to realise that no visitor parking was proposed for this phase. The development as a whole is already showing signs of 'parking stress' and the fear is that visitor and occupier parking will migrate to adjoining residential roads.*

*At the meeting, we commented on the poor articulation of the elevation facing Millbrook Plaza and how inelegantly the building turned the corner to Bittacy Hill. We see from the*

*submission that the architect has addressed this point and in our opinion the scheme at this location is now much more acceptable.*

*We would draw attention to the fact that the retail/commercial units are planned to be serviced from the front, there being no rear loading access, and this along with refuse/recycling could become unsightly unless some creative solution is applied. As a new scheme, this problem (that exists elsewhere in the Borough - see The Broadway) needs to be resolved from the outset.*

*The Committee commented that the design of the houses was not sufficiently different from the apartments, especially with their flat roofs and they looked like smaller versions of the main blocks. It was thought that the gardens of the mews houses were too large as they were significantly overlooked from adjoining flats. The question of green roofs to these overlooked dwellings was suggested. In the mews court itself there was the potential to have some quality hard landscaping details with landscaping to give a sense of place.*

**Conclusion:**

*This concludes the points we wish to make. The balance of the site proposals seem reasonable subject to appropriate landscaping and materials being selected - which we presume will be subject to a further planning application. If anything is unclear please be in touch and of course we can be contacted to discuss the proposals further if needed.'*

**Internal /external and Other Consultations:**

**Highways**

The Council's Highway Officer has confirmed no objection to the proposal subject to the attachment of the appropriate conditions:

**Environmental Health**

The Council's Environmental Health Team have confirmed no objection to the proposal.

**English Heritage (Archaeology)**

No Objections raised.

**3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**

**3.1 Site Description and Surroundings**

Site in relation to the outline consent:

This application site submitted for assessment falls within Phases 9a & 9b of the outline consent, measuring 2.17 hectares in site area, located in the southern portion of the wider Millbrook Park development fronting Bittacy Hill to the South, , the consented phase 4b site being built out by Prime Place and future phases to the east including the future Public Square.

The site falls within the Southern Hub character zone. The Design Code advises that with the Southern Hub Zone housing should be of a higher density housing with heights ranging from 3 to 6 storeys.

### **3.2 Description of Proposal**

The proposal is to seek approval of matters reserved under outline planning consent ref H/04017/09 (layout, scale, appearance and landscaping) to redevelop the site predominately for residential purposes with 400 sq.m of commercial space.

#### Housing:

The proposals would be for a mix of 1, 2, 3 and 4 bedroom units) providing a total of 355 dwellings as follows:

145 x one bed flats  
191 x two bed flats  
9 x three bed flats  
6 x three bed houses  
4 x four bed houses

The proposed properties are set around a perimeter block layout with the proposed houses located on the central portion of the development fronting the pedestrian route through the middle of the site with apartment buildings along the northern, southern, eastern and western portion of the plot. The heights of the development range from 2 & 3 storeys on the proposed houses and ranging between 4-6 storeys on the proposed apartment blocks, with the highest 6 storey blocks being located on the eastern edge of the site fronting the public square in Phase 6 to the East.

#### Commercial

The proposals comprise of a singular 400sqm Commercial Unit within Phase 9b (Plot EE), fronting the proposed public square to the east, with the intention that this will be used as a retail store. Condition 75 of the Outline Application which limited the maximum size of retail units to 300 sq.m was varied under non material amendment application reference 17/7516/NMA approved on the 11<sup>th</sup> December 2017 and as such the premises can be occupied by a single retail operator.

#### Discharging of conditions:

This application also involves the partial discharging of a number of planning conditions attached to the outline consent that require information to be submitted for each phase of the development. Those conditions that are to be approved in relation to Phases 9a and 9b are as follows:

- 5 – Reserved Matters Details

Sets out the submission requirements for submission accompanying each reserved matter application.

- 8 – Housing Mix and Location of Affordable Housing Units

This requires prior to commencement of the development details of the proposed amount and mix of relevant residential development within that Phase and the proposed Affordable Housing Scheme to be submitted and approved.

- Condition 26 – Pedestrian and Vehicular Access Points

This requires details of access points, estate roads and footways to be submitted and approved.

- Condition 27 – Details of Estate Roads

This requires details of lighting, pedestrian facilities, crossing points, cycle facilities, signing, bus stops/shelters, bus standing/layover facility, bus driver facilities, highway improvements and estate road layout and gradient.

- Condition 29 – Internal Access Roads

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 32 – Shared Footways/ Cycleways

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 35 – Petrol/ oil interceptors

This requires details of petrol/ oil interceptors or justification concerning why this is not required.

- Condition 48 – Design of Open Space

This requires details on the construction of any communal open space and should be in accordance with the principles and parameters contained within Parameter Plan 2, Landscape (A6157/2.1/04) and the Revised Public Realm and Open Space Strategy (MHE/OPA/5.1).

- Condition 52 – Children’s Play Space

This requires details of children’s play areas to be submitted and approved and shall be provided within 12 months of the first occupation of any dwelling located within that phase.

- Condition 70 – Design to Lifetime Homes Standards & Wheelchair Standards

This condition requires all residential units to be built in accordance with Lifetime Homes Standards. Furthermore 10% of the units shall be designed to be fully wheelchair accessible.

- Condition 80 – Code for Sustainable Homes

A statement to be submitted to demonstrate measures incorporated to achieve a minimum standard of Code for Sustainable Homes Level 4 (with a minimum level of Code Level 6) by 2016.

- Condition 83 – Greywater/Rainwater Recycling Provision

This requires details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings to be submitted and approved.



- Condition 85 – Green/Brown Roofs Provision

This requires details to demonstrate the provision of Green or Brown roofs into each of the buildings to be submitted. Details shall also include a reconciliation plan or table showing how the proposed provision complies with the 10% target fixed by condition 84.

#### **4. PLANNING CONSIDERATIONS**

##### **4.1 The Principle of Development**

The principle of constructing 355 residential dwellings and provision of 400 sq.m of commercial space is established by the outline planning consent. Condition 5 (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The reserved matters currently under consideration are:

**Scale** – the height, width and length of each building proposed in relation to its surroundings.

**Layout** – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

**Appearance** – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

**Landscaping** – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

**Access** – The internal road layout was established at outline stage. This current application shows roads in the same location in compliance with the outline parameters for access, although the road through the middle of phases 9a & 9b has been altered to a pedestrian route only and will not be accessible to motor vehicles.

The outline planning permission consists of a series of parameter plans which establish a series of parameters and principles to create a clear framework of planning control and fix the quantum of development, land uses, levels and access arrangements.

The key parameter plans of relevance to the consideration of this application are:

- Parameter Plan 1: Access and Movement  
Establishes the main vehicular and pedestrian access points and vehicular movement hierarchy.
- Parameter Plan 2: Landscape  
Establishes the location and extent of areas of public open space.
- Parameter Plan 3: Land use  
Establishes the location and distribution of land uses and open spaces.
- Parameter Plan 4: Scale

Establishes the maximum height permissible across the whole Millbrook Park site.

- Parameter Plan 5: Character Areas  
Establishes the extent and disposition of the strategic character areas.
- Parameter Plan 6: Levels Strategy  
Establishes the proposed spot levels at street junctions and maximum permissible gradients along each of the streets.

In order to support the detail contained within the parameter plans the outline consent has a number of additional documents that form a 'strategic development framework' in accordance with the requirements of Policy MHE18 of the AAP. The 'framework' establishes a series of development principles that will be used to guide detailed elements and the preparation of reserved matter applications. Of relevance to the consideration of this application are the following documents:

- Design Principles Document;
- Phasing and Delivery Strategy
- Technical/Infrastructure Strategy
- Revised Public Realm and Open Space Strategy
- Technical and Infrastructure Strategy
- Revised Phasing and Delivery Strategy

#### Design Code

In addition to the above a site wide design code has been approved in the clearance of condition 4 of the outline application and forms the guide to the assessment of reserved matters applications. This reserved matters application for phases 9a & 9b is therefore considered within the framework of established broad development principles, Parameter Plans, and a detailed design code.

The applicant has submitted a statement of compliance with this application to describe the proposed development and demonstrates general compliance with the outline planning permission. There are some areas where the application does not conform and the applicant has provided justification for any deviations. These are explained in the sections below.

## **4.2 Amount of Development**

### Housing

The amount and mix of development for 355 dwellings in Phases 9a & 9b is in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. 58 units are to be affordable dwellings consisting of 26 properties for social rent (12 x 1 bed flats, 4 x 2 bed flats, 9 x 3 bed flats and 1 x 3 bed house) and 32 intermediate properties (20 x 1 bed, 10 x 2 bed flats and 2 x 3 bed houses) with the rest of the development to be private sale properties.

The proposal accords with the baseline tenure mix required under the S106 and accords with the latest agreed site wide phasing plan. Condition 8 (Housing Mix and Location of Affordable Housing Units) of the outline consent requires the submission of details of

affordable housing, and the proposed submission is considered to accord with this requirement.

There are no planning controls requiring a specific location for affordable units within a phase. However as the proposal involves 2 plots 9a and 9b there is a minor distribution of units between the two plots as shown on the below tables.

As currently approved

	Phase 9a		Phase 9b		Total	
	Intermediate	Affordable Rent	Intermediate	Affordable Rent	Intermediate	Affordable Rent
1 bed flat (1BF)	8	4	12	8	20	12
2 bed flat (2BF)	4	2	4	2	10	4
3 bed flat (3BF)	0	0	0	9	0	9
3 bed house (3BH)	2	1	0	0	2	1
4 bed house (4BH)	0	0	0	0	0	0
Total	14	7	18	19	32	26

As proposed under current application

	Phase 9a		Phase 9b		Total	
	Intermediate	Affordable Rent	Intermediate	Affordable Rent	Intermediate	Affordable Rent
1 bed flat (1BF)	0	0	20	12	20	12
2 bed flat (2BF)	0	0	10	4	10	4
3 bed flat (3BF)	0	0	0	9	0	9
3 bed house (3BH)	0	0	2	1	2	1
4 bed house (4BH)	0	0	0	0	0	0
Total	0	0	32	26	32	26

The above redistribution is considered minor in nature and does not alter the quantity of affordable housing proposed or raise any other land use issue.

The application also proposes a minor distribution of general housing between the individual plots. This was the subject of a separate non-material amendment application (17/7668/NMA) which was approved in January 2018. Similar redistributions have occurred in the majority of other phases and are not considered to raise any significant issues. The details of this change is as follows:

#### Commercial

The proposals comprise of a singular 400sqm Commercial Unit within Phase 9b (Plot EE), fronting the proposed public square to the east, with the intention that this will be used as a retail store.

As previously mentioned condition 75 of the Outline Application which limited the maximum size of retail units to 300 sq.m was varied under non-material amendment application reference 17/7516/NMA approved on the 11<sup>th</sup> December 2017 and as such the premises can be occupied by a single retail operator.

Plot		1BF	2BF	3BF	3BH	4BH	Total
9a (DD)	Approved	58	62	0	6	4	130
	Proposed	60	96	0	3	2	161
9b (EE)	Approved	87	129	9	0	0	225
	Proposed	85	95	9	3	2	194
Total	Approved	145	191	9	6	4	355
	Proposed	145	191	9	6	4	355

### 4.3 Scale

Parameter Plan 4 (Scale) sets out the maximum permissible dimensional height and maximum level of storeys throughout the wider Millbrook Park Development. In relation to Phases 9a & 9b the approved storey heights range between 3 and 6 storeys.

**Table 6.6 - Approved Scale Parameters**

Plot	Approved Building Dimensions (Minimum-Maximum)			Approved Maximum Building Height (storeys)
	Width	Length	Height (to ridge)	
Phase 9a (DD)	6-15m	20-80m	9-19m	4 storeys, with 3 storeys on south west corner
Phase 9b (EE)	6-15m	70-110m	9-20m	6 storeys on eastern boundary, 5 storeys on the northern boundary and 4 storeys elsewhere

The scale of the proposed buildings within these phases accords with the approved building dimensions in relation to width, length and height; however, in three locations the maximum number of storeys has been exceeded. These are as follows:

- On the Western Edge of Phase 9, along Inglis Way, the proposals are for four floors with a set-back fifth storey of accommodation which represents a (part) additional storey to the Parameter Plans.
- The landmark building on Bittacy Hill West is described within the parameter plans as a three-storey building, surrounded by four storey accommodations. However, an increase in

height is proposed to provide a more appropriate response to this key gateway when viewed from Bittacy Hill and leading to the Phase 4b scheme to the north; and

- Along Bittacy Hill, to the East, the development begins to increase in scale, increasing in size to six storeys fronting onto Millbrook Plaza. However, the blocks perpendicular to these only allow for four storeys within the parameter plan.

It is noted that no heights exceed the maximum six storeys identified by the Parameter Plans for this phase and also that whilst the storey height has been increased above the approved, the building remains within the maximum height to ridge in every instance.

The approved design code allows departures from the approved parameters where such departures are justified in planning terms and will result in the delivery of a better-quality scheme. The Local Planning Authority is therefore able to use its discretion to approve minor breaches to approved parameter plans, where justified. The proposed departures are considered acceptable for various reasons which are discussed below under the design section of this report.

#### Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established with the development providing 355 dwellings at a density of 435 habitable rooms per hectare.

#### **4.4 Layout**

Policies CS5 and DM01 require development to be of a high-quality design and should ensure attractive, safe and vibrant streets which provide visual interest. Proposal should also create safe and secure environments, reduce opportunities for crime and minimise fear of crime.

The approved Parameter Plans define 'development zones' within which new buildings can be built, which in turn frame 'corridors' within which new access roads can be laid out and 'spaces' for public open space provided.

The proposed layout accords with these parameters in terms of the general positioning and spatial extent of streets, development zones, access points and areas of open space. There is a minor deviation from the parameters where the secondary street between Phases 9a and 9b has been altered to provide vehicular access to the houses from the north only, with public pedestrian access through, connecting Bittacy Hill and the estate road north of Phases 9a & 9b.

This detailed layout follows extensive design discussions with the LPA and is considered to provide a legible layout in broad accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan with the exception of the afore mentioned changes.

#### Parking

The application proposes the provision of 366 car parking spaces within this phase. Spaces will be allocated at the ratio of 1 space for each 1 and 2 bed unit, 1.5 spaces per 3 bed flats and 2 spaces for the proposed houses. 10% of parking will be for disabled persons, 20% of

parking spaces are to be provided with electric charging points and a further 20% for future provision and is in accordance with the London Plan.

The majority of the spaces are provided in the form of a secure basement car park built on three levels in the centre of the development accessed from the south-eastern boundary of the site from Royal Engineers Way Parking to the houses will be provided with forecourt car parking spaces and integral garages accessed at ground floor level from the centre of the site. Three visitor spaces are also proposed on street.

Cycle Parking is also proposed within plot for the houses and within communal cycle stores for the apartments at the rate of 1 space for 1 bed units, 2 spaces for 2 and 3 bed units and 4 spaces for 4 bedrooms and above. In total provision for 573 spaces is included in the development.

### Access

The Design Code has been approved to enable the delivery of a permeable and legible new neighbourhood. In relation to the development the primary access routes that run along the northern, western and eastern boundaries of Phases 9a and 9b which have already been granted consent under previous Advanced Infrastructure Works applications. The submitted plans also show a pedestrian route running through the middle of the site providing access from south to north through the plot.

### Open space

The approved 'Revised Public Realm and Open Space Strategy' and the Design Code establishes the design principles for the landscape works.

Due to the nature of this plot, no public open space is included within this phase. The proposed adjoins the consented Public Square within Phase 6 to the West and is located a short distance from the completed central park to the north.

### Crime

The proposed layout follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages, including the central pathway leading through the site. Secure access will also be provided to the proposed underground car park. Nevertheless, it is considered that a condition should be attached requiring the development to achieve Secured by Design accreditation.

### Levels

Parameter Plan 6 (Levels Strategy) approved under the outline consent sets out the existing contours of the site and proposed spot levels at street junctions as well as the maximum permissible gradients.

In relation to Phases 9a and 9b, the existing site slopes from between 7 and 8m from south east to North West. approximately 4m from west to east and approximately 4m north to south. While the proposals involve some levelling of the site, the proposals are designed to take advantage of the levels with the entrance to the car parking being located on the east

elevation of the apartment blocks facing Royal Engineers Way, allowing for podium deck gardens to be constructed on top.

The proposed finished site levels are in accordance with the approved levels strategy as set out in Parameter Plan 6 approved as part of the Outline Planning Approval and the approved Design Code.

#### **4.5 Appearance**

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The National Planning Policy Framework (published 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors; securing high quality design goes beyond aesthetic considerations.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment. Architectural design criteria are set out at Policy 7.6.

Policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high-quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments.

The approved design code for Millbrook Park also proposed detailed design guidance for development within this development. The approved design code breaks down the site into three separate character areas, 'Green Belt Edge', 'Central Slopes' and the 'Southern Hub'. Phases 9a and 9b are located entirely within the Southern Hub character zone which is expected to be of the highest density (in relation to levels across the wider Millbrook Park site) and envisages designs of an 'Urban Court' layout, with apartment buildings ranging between 4-6 storeys set around a landscaped courtyard.

In terms of the scale and design of the buildings, the proposal follows the general design principles envisaged under the design code, with apartment buildings of between 4 and 6 storeys being located around the periphery of the site, with smaller 2 and 3 storey houses located in the centre. In relation to the design of the proposal, the proposed apartments and houses are contemporary in appearance with roof top gardens, and a mixture of recessed and projecting metal post balconies. The proposed buildings will be predominately finished in buff brick with some use of reconstituted stone at upper level along with decorative metalwork around entrances and the proposed houses.

#### Conclusion for External Appearance

Overall, the proposal successfully incorporates various architectural elements within a coherent design and is considered acceptable in principle resulting in a high-quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

#### **4.6 Landscaping**

The 'Revised Public Realm and Open Space Strategy' approved at outline stage sets out the principles for a landscape and open space strategy for Millbrook Park and provides detailed design guidance for reserved matters applications. The approved Design Code adds another layer of detail and requires a number of landscaping features in Phases 9a/9b.

The current site contains 14 trees along the frontage of the site with Bittacy Hill. These trees have been identified in the previous notification of development approval (Ref: H/04655/11) as 'to be removed – subject to reserved matters'. As such approval in principle has already been granted for their removal.

Notwithstanding this, the application has reconsidered this, in particularly the landscape benefits which the existing trees and associated hedgerow provide to the visual amenities of the area, and the current reserved matters application proposes the retention of all 14 trees and the majority of the hedgerow, where possible. This is welcomed and is considered a benefit of the scheme.

In relation to the proposed landscaping, the proposals incorporate the formation of two landscaped courtyards serving the proposed apartments. Planting in these areas would include wildflowers, shrubbery and smaller and medium sized tree specimens including edible specimens. Tree planting is also proposed separating the rear gardens of the proposed houses and the communal courtyard areas in order to provide appropriate separation and privacy. Larger tree specimens are proposed along the northern street frontage and also along the southern edge of the site on Bittacy Hill. Ecological enhancement measures such as bat, bird and bug boxes are also proposed.



### Hard areas

The application proposes a high-quality palette of materials, taking reference from the Design Code. The palette includes Tegula Block paving, conservation textured slab paving and resin bonded gravel.

### Play space

Policy 3.6 of the London Plan states that housing development proposals should make a provision for play and informal recreation for children and young people. According to Housing SPG standard 1.2.2, the development is required to make appropriate play provisions in accordance with a GLA formula and calculation tool, whereby 10 m<sup>2</sup> of play space should be provided per child, with under-5 child play space provided on-site as a minimum, in accordance with the London Plan 'Shaping Neighbourhoods: Play & Informal Recreation SPG and 'Providing for Children and Young People's Play and Informal Recreation' SPG'.

The play space provision in this proposal is one that relies on the landscape in order to promote informal natural play for kids below the age of 5. The total provision of playable space is 2219 m<sup>2</sup> which is in excess of Policy requirements.

### Street Lighting

Street lighting locations on the eastern, western, northern and southern sides of the development have already been agreed under previous advanced infrastructure work application consents. Additional lighting is illustrated in the submitted Design and Access Statement.

### Conclusion for Landscaping

The landscaping approach is considered to be in accordance with design principles set in the Design Code and parameter plans. It will help to introduce a human scale to the frontages of the proposed buildings and will frame and complement the architectural approach whilst increasing the overall biodiversity of the site's environment. It complies with Policies CS5 and DM16.

## **4.7 Amenities of Future Occupants**

### Dwelling outlook and daylighting

Development plan policy requires that new dwellings are provided with adequate outlook. The layout proposed for Phases 9a and 9b maximize the outlook of occupiers of the new dwellings, with all houses being located on an east west axis. Where possible apartment units are designed to be dual aspect where possible, however in certain circumstances this is not possible due to the size of the layout of the apartment blocks and the agreed unit configuration. In order to ensure that these units receive sufficient light the development incorporates large floor to ceiling windows to maximise the amount of light entering rooms.

### Privacy

The layout of the development has been designed to ensure the protection of residential privacy and the avoidance of overlooking between units, through staggered window placement and utilising level changes and landscaping to maximise privacy. The use of a mixture of recessed and projecting balconies further increases the privacy of the units both in relation to adjacent units and external views without the need to use additional privacy screens between residential units.

#### Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The Mayor's Housing SPG November 2012 includes a wider ranging Minimum Floorspace Table based upon the same standards.

All of the units proposed would have a gross internal floor area which would exceed the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

#### Amenity space

The Council's adopted Supplementary Planning Document entitled Residential Design Guidance as well as the Millbrook Park Design Code requires the provision of 5 sq.m of amenity space for each habitable room for flats, and between 40 and 85 sq.m for houses depending on the number of habitable rooms.

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens and in relation to the apartment buildings all units are provided with individual balconies and also have access to the shared external amenity areas. All of the proposed units meet or exceed the minimum standards outlined in the as stated and the proposal is acceptable on grounds of private and communal amenity space provision.

### **4.8 Impacts on amenities of neighbouring and surrounding occupiers and users**

The periphery of the site is delineated by Bittacy Hill to the South, the east west primary link road to the west and internal estate roads to the north and east. The separation distances between the proposed development and existing houses to the south and west are more than 30m which is in excess than the 21 metres required by Policy. In relation to the new build properties being constructed to the north in Phase 4b, some parts of the new development are located 20m away from properties within Phase 4b. However given that the position of the properties comply with the parameters of the outline consent and given that the public interface between the units across a public road it is not considered that the proposal would result in any significant material impact on the amenities of these properties in terms of daylight, sunlight or privacy.

### **4.9 Transport, parking and highways matters:**

#### Access

The access points have already been established under the Outline Consent and the surrounding roads to the north, east and west have been authorised and constructed under earlier reserved matters approvals. In relation to tertiary roads through the site, the outline parameter drawings envisaged a though vehicular route between phases 9a & 9b, albeit

with no access to Bittacy Hill. This has been altered to a through pedestrian tertiary road to be built through the middle of the site and also facing the Panoramic Park. The route in the middle has been altered to a pedestrian/ cycle route only and the road fronting the Panoramic Park has been altered to an access only road with car parking and significant areas of Landscaping in order to create a more sympathetic and pedestrian friendly interface with the park. These proposed changes are considered acceptable, enhancing the overall environment of the scheme without significant affecting movements through the wider Millbrook Park Site. Access to the basement car park is via a single access located on Royal Engineers Way.

### Pedestrian Facilities

Access and movements for pedestrians were established as part of the outline application, with access available to all sides of the phase. In addition to the vehicular access from the north, a pedestrian path has been created through the middle of the site providing access from the north of the site through to Bittacy Hill. The creation of this pathway is welcomed in creating an additional safe pedestrian route and would help to integrate the proposal into the wider area. Overall it is considered that the proposal would provide a satisfactory pedestrian environment in accordance with the aims of the design code.

### Parking

Parking Standards set out in the Local Plan Policy DM17 is as follows:  
Maximum Standards will be:

- (i) 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms)
- (ii) 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms) and
- (iii) 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)

Condition 23 of the outline consent limits the number of residential parking spaces to 2,522 (plus limited visitor parking) across the whole site.

The table below shows the typical parking requirement as set out in the Design Code and that set out in the outline planning permission for the proposed development.

No. of units	Parking Ratio Permission	Parking Ratio Design Code	Parking Req.
145	1	1.1	145
191	1	1.1	191
15	1.2	1.5/2	18-30
4	2	2.0	8
			<b>362-374</b>

There is some flexibility in the provision but the total development should not exceed 2522 spaces so that individual phases may contain a higher number of spaces providing that the total number of spaces does not exceed the maximum number.

The application proposes the provision of 366 car parking spaces within this phase which accords with the above standards. Spaces will be allocated at the ratio of 1 space for each 1 and 2 bed unit, 1.5 spaces per 3 beds flat and 2 spaces for the proposed houses. 10% of parking will be for disabled persons, 20% of parking spaces are to be provided with electric charging points and a further 20% for future provision and is in accordance with the London Plan.

The majority of the spaces are provided in the form of a secure basement car park built on three levels in the centre of the development accessed from the south-eastern boundary of the site from Royal Engineers Way Parking to the houses will be provided with forecourt car parking spaces and integral garages accessed at ground floor level from the centre of the site. Three visitor spaces are also proposed on street.

The scheme therefore provides adequate car parking and would not result in significant overspill to neighbouring roads.

A Parking Management Strategy has also been submitted as part of the supporting documents the content of which has been considered by the Council's Highway Team and considered acceptable.

#### Accessibility and Inclusivity

Thirty Six apartments units within Phases 9a/9b are wheelchair accessible, which equates to 10% in compliance with Condition 70 (Design to Lifetime Homes Standards and Wheelchair Standards) of the outline consent. The allocated car parking spaces have level access to the wheelchair accessible properties are as far as responsibly possible located in close proximity to their entrance points.

All of the proposed dwellings are designed to comply with the design criteria necessary to meet Lifetime Homes standards and it is considered satisfactory to meet Condition 70. The scheme has followed principles of inclusivity and accessibility.

#### Cycle Parking

Cycle Parking is also proposed within plot for the houses and within communal cycle stores for the apartments at the rate of 1 space for 1 bed units, 2 spaces for 2 and 3 bed units and 4 spaces for 4 bedrooms and above. In total provision for 574 spaces is included in the development. This is considered satisfactory.

#### Waste Management

The application supporting documents propose that in relation to the proposed dwelling houses, all waste and recycling facilities will be located within each residential curtilage. In relation to the apartment blocks communal refuse storage is proposed. The positioning of communal refuse stores has been designed so that the majority of stores are located within 10 metres of the street for collection. When this cannot be achieved the bin, stores are

managed and taken to level collection points 10 metres from the street. This accords with Barnet standards.

#### Conclusion for Transport, Parking and Highways

In summary, the application provides for adequate parking without harming the local highway network and promotes sustainable modes of travel and complies with Policies CS9 and DM17. The proposed parking levels are in accordance with the parameters of the Outline Consent and as such have already been agreed in principle by earlier approvals.

### **4.10 Environmental issues**

#### Construction management

A Construction Management Plan for the whole of Millbrook Park was approved pursuant to Condition 17 of the outline consent (ref H/04183/11). The document incorporates the view that succinct method statements will be required for each reserved matter application. A Construction Management Plan has also been submitted with the current application which accords with the site wide policy and is considered acceptable.

#### Contamination

A contamination strategy for the whole site has been dealt with under Condition 63 of the outline consent (ref H/00643/12, approved April 2012). This condition is split into 4 parts and parts i) and ii) which includes desk top studies and site investigation have been approved. Parts iii) of the condition requires the approval of a remediation strategy and part iv) requires a verification to be submitted for each phase.

The Council's Scientific Services Team have confirmed that the requirements of this condition has been satisfactorily discharged in relation to this Phase.

### **4.11 Energy, climate change, biodiversity and sustainable construction matters:**

#### Sustainable design and construction

An overarching energy strategy for the whole of Millbrook Park was submitted to and approved pursuant to Condition 79 of the outline consent (ref H/00560/12). The approved strategy outlines how a centralised energy supply to the south of the site will be delivered, and a decentralised supply to the north. The south of the site will be served by a District Heating Network provided by a single Energy Centre while the north of the site is expected to adhere to the Mayor's Energy Hierarchy by utilising an energy efficient building fabric and where applicable photovoltaic panels (PV).

The Mayor's Energy Hierarchy sets out three methods for achieving reductions in carbon emissions:

- 1 Be lean: use less energy (fabric efficiency standards)
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

The application is accompanied by an Energy Strategy and Code for Sustainable Homes Pre-Assessment which demonstrates that the proposal would reach the equivalent of Code for Sustainable Homes Level 4 as well as achieving a 49.6% reduction in CO2 emissions as is required by Conditions 79 and 80 of the outline consent. This is through implementing high building fabric specifications and energy efficient measures and partly by the proposed connection to the proposed District Heat Network to the east of the site.

#### Water resources, Drainage and SUDs Infrastructure

The Drainage plan submitted with the application provides details of surface water and foul water drainage.

The applicant has submitted a drainage strategy in support of the application. The drainage strategy incorporates various measures including podium deck landscape storage, storage tanks of water for irrigation of communal gardens, attenuation tanks and a hydrobrake flow control to ensure that runoff does not exceed 49.6 l/s to the Thames Water surface water outlet in Bittacy Hill as required by the approved site wide drainage strategy. Discharges of foul water drainage will discharge to the existing Thames Water sewer also located in Bittacy Hill. Overall the proposed drainage strategy is considered acceptable and consistent with the site-wide drainage strategy approved under discharged Conditions 43, 44 and 46 (permission ref: H/04340/12) attached to the OPP.

#### Biodiversity and Ecology

The AAP encourages the planting of native species to encourage biodiversity. The Environmental Statement at outline stage concluded that there are no overriding concerns with respect to ecology and nature conservation preventing redevelopment taking place.

A site wide Ecological Mitigation and Management Plan (EMMP) was submitted and approved (H/04184/11, November 2011) pursuant to Condition 60 of the outline consent. It was considered that the document as approved demonstrated a comprehensive overall management plan for ecological assets on the wider Millbrook Park application site.

The current application also contains ecological enhancement measures such as the provision of bat, bird and bug boxes along with the provision of wildlife friendly landscaping and planting schemes.

#### Green/ Brown Roofs

Condition 84 (Green/Brown Roofs Target) of the outline consent requires a minimum of 10% of green or brown roofs across the whole of Millbrook Park site. Condition 85 (Green/Brown Roofs Provision) requires details to be submitted and approved demonstrating this provision across the whole site including a reconciliation plan or table showing how it meets the 10% target fixed by Condition 84.

The scheme meets this requirement through the use of podium deck gardens and the roof areas on the residential dwellings in the centre of the site. The inclusion of podium decks has been previously included in brown/ green roof calculations and the development would in itself comply with the requirements of Condition 84 and contribute to the overall provision within the Millbrook Park Development.

## **5. EQUALITIES AND DIVERSITY ISSUES**

Section 149 of the Equality Act 2010, which came into force on 5<sup>th</sup> April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council’s statutory duty under the above legislation.

## **6. CONCLUSION**

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It largely accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code. In those cases where the application departs from the approved Parameter Plans namely in relation to the changes in the approved height parameters these changes are justified by design benefits and are considered acceptable.

The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality housing, including affordable housing, that would have a good standard of accommodation including outlook, privacy and access to daylight.

The design of the development is appropriate for the Southern Hub Character area, which also provides for variety and legibility. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.

The application also satisfies the requirements of Conditions 5, 8, 26, 27, 29, 32, 35, 48, 49, 52, 69, 70, 76, 80, 81, 83 and 85 of the outline consent.

It is recommended that the application be **approved** subject to the attached conditions.



**SITE LOCATION PLAN: Phase 9a & 9b, Millbrook Park (former Inglis Barracks),  
Mill Hill East, London, NW7 1PX**

**REFERENCE: 17/7662/RMA**



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