

MEETING

PLANNING COMMITTEE

DATE AND TIME

MONDAY 8TH APRIL, 2019

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

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

Claire Farrier
Eva Greenspan
Brian Gordon

Kathy Levine
Tim Roberts
Shimon Ryde

Mark Shooter
Stephen Sowerby
Laurie Williams

Substitute Members

Val Duschinsky
Reema Patel
Gill Sargeant

John Marshall
Helene Richman
Elliot Simberg

Arjun Mittra
Gabriel Rozenberg

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

Governance Service contact: mainplanning.committee@barnet.gov.uk

Media Relations contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

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ORDER OF BUSINESS

| Item No | Title of Report | Pages |
|---------|--|-----------|
| 1. | Minutes of the last meeting | 5 - 10 |
| 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. | Referral from the Hendon Area Planning Committee - 6 Neeld Crescent London NW4 3RR - 18/6354/FUL | 11 - 38 |
| 7. | Brent Cross Cricklewood Regeneration Area - 18/6409/RMA | 39 - 132 |
| 8. | Colindale Gardens (formerly Peel Centre) - 19/0444/RMA | 133 - 162 |
| 9. | Whitefield School Claremont Road - 18/7370/FUL | 163 - 174 |
| 10. | 5-12 Bookbinders Cottages Bawtry Road - 18/7241/FUL | 175 - 206 |
| 11. | Pentavia Retail Park, Watford Way 17/8102/FUL | 207 - 210 |
| 12. | Any item(s) that the Chairman decides are urgent | |

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Decisions of the Planning Committee

4 March 2019

Members Present:-

AGENDA ITEM 1

Councillor Melvin Cohen (Chairman)

Councillor Claire Farrier
Councillor Eva Greenspan
Councillor Brian Gordon
Councillor Kathy Levine
Councillor Tim Roberts

Councillor Shimon Ryde
Councillor Mark Shooter
Councillor Stephen Sowerby
Councillor Laurie Williams
Councillor Helena Richman (sub
for Councillor Prentice)

Apologies for Absence

Councillor Wendy Prentice

1. CHAIRMAN'S INTRODUCTION

Councillor Cohen, Vice-Chairman of Planning Committee, explained that he would be chairing the meeting, as Councillor Prentice was unable to attend. He welcomed everyone to the meeting and explained that the running order had changed.

2. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 11 December 2018, be agreed as a correct record.

3. ABSENCE OF MEMBERS

An apology had been received from Councillor Prentice with Councillor Richman substituting for her.

4. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

| Councillor | Interest |
|--------------------|--|
| Councillor Ryde | Declared an interest in agenda item 6 relating to 1069 Finchley Road, as he knew the applicant. Councillor Ryde declared that he would leave the room during consideration of this item. |
| Councillor Roberts | Declared a non-pecuniary interest in |

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| | agenda item 9 relating to Dollis Valley, as he was a Board Member of the Dollis Valley Partnership Board. |
| Councillor Cohen | Declared an interest in agenda item 6 relating to 1069 Finchley Road, as his Offices were opposite the site. Councillor Cohen confirmed that he would vacate the Chair for this item and leave the room. |

5. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

6. ADDENDUM (IF APPLICABLE)

Items contained within the agenda would be considered under individual agenda items.

7. REFERRAL FROM THE FINCHLEY AND GOLDERS GREEN AREA PLANNING COMMITTEE: 1069 FINCHLEY ROAD (GARDEN SUBURB)

Councillor Cohen and Councillor Ryde both left the room while this item was heard.

Councillor Greenspan was elected as Chairman for this item.

The Committee received the report and the addendum to the report.

Representations were heard from Ms Edozie and Mr Banerjee and the applicant's agent.

RESOLVED that the application be approved, subject to s106, the conditions detailed in the report, the addendum AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in the 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).

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| For | 6 |
| Against | 3 |
| Abstained | 0 |

8. REFERRAL FROM FINCHLEY & GOLDERS GREEN AREA PLANNING COMMITTEE: LAND WEST OF BEECHWOOD AVE (FINCHLEY CHURCH END)

The Committee received the report.

Representations were heard from Simon Shaer and the applicant's agent.

RESOLVED that the application be approved, subject to s106, the conditions detailed in the report AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in the 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).

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| For | 11 |
| Against | 0 |
| Abstained | 0 |

9. DOLLIS VALLEY ESTATE (PHASE 3) BARNET EN5 2TS (UNDERHILL)

Councillor Sowerby, Councillor Shooter and Councillor Richman were unable to partake in this item as it was deferred from December 2018 and none of them were present at that meeting. Councillor Sowerby and Shooter left the room. Councillor Richman remained, but did not partake or vote.

The Committee received the report and addendum.

A representation was heard from Councillor Brayne.

RESOLVED that

- 1. The Committee grants delegated authority to the Service Director Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in the 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);**
- 2. The application be approved, subject to the conditions detailed in the report and subject to the addendum.**

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| For | 8 |
| Against | 0 |
| Abstained | 0 |

10. PHASE 6, MILLBROOK PARK (FORMER INGLIS BARRACKS) NW7 1PX (MILL HILL)

The Committee received the report.

Representations were heard from Clive Hailey and the applicant's agent.

RESOLVED that

- 1. The Committee grants delegated authority to the Service Director Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out**

in the report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his/her absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee);

2. The application be approved, subject to the conditions detailed in the report.

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| For | 7 |
| Against | 2 |
| Abstained | 2 |

11. BRENT CROSS CRICKLEWOOD REGENERATION AREA

The Committee received the report which was considered in tandem with the next item – Land in the Vicinity of Claremont Way. Each application was voted on separately. Both reports were subject to the addendum.

RESOLVED that

The application be approved, subject to the conditions detailed in Appendix 1 of the report, the addendum AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions and associated reasons as set out in the report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

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| For | 11 |
| Against | 0 |
| Abstained | 0 |

12. LAND IN THE VICINITY OF CLAREMONT WAY, BRENT CROSS CRICKLEWOOD REGENERATION AREA NORTH WEST LONDON

This report had already been considered in tandem with the Brent Cross Cricklewood Regeneration item.

RESOLVED that the application be approved, subject to the conditions detailed in report, the addendum AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in Appendix 1 to the report and any addendum provided this authority shall be exercised after consultation with the Chairman (or in her absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

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| For | 11 |
| Against | 0 |
| Abstained | 0 |

13. 3RD DEED OF VARIATION - WEST HENDON ESTATE, LONDON (WEST HENDON)

The Committee received the report.

RESOLVED that it be agreed to vary the wording of the section 106 agreement dated 19 November 2013 by agreement between London Borough of Barnet and Barratt Metropolitan Limited Liability Partnership as detailed in the report; the original section 106 agreement having being made pursuant to the planning permission which was granted for:

Hybrid planning application for the demolition and redevelopment of the West Hendon Estate to accommodate up to 2000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure comprising:, Outline submission for the demolition of existing buildings and the construction of up to 1642 new residential units (Class C3); up to 3,870m² (GEA) of D1 Class floorspace comprising nursery and primary school and community centre uses and up to 1,635m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 stories, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp., Full planning submission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) for the construction of 358 new residential units (Class C3), and 131m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 stories, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works, Submission of Environmental Statement.

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| For | 11 |
| Against | 0 |
| Abstained | 0 |

14. DEED OF VARIATION - NATIONAL INSTITUTE FOR MEDICAL RESEARCH (COLINDALE)

The Committee received the report.

RESOLVED that it be agreed to vary the wording of the section 106 agreement dated 19 October 2015 by agreement between the Mayor of London and Barratt London with the London Borough of Barnet being a signatory as detailed in the report; the original section 106 agreement having being made pursuant to the planning permission which was granted for:

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

of new publicly accessible outdoor amenity space. New associated refuse and recycling arrangements.

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| For | 11 |
| Against | 0 |
| Abstained | 0 |

15. LAND FORMERLY KNOWN AS HOMEBASE, ROOKERY WAY, LONDON, NW9 6SS (COLINDALE)

The Committee received the report.

RESOLVED that it be agreed to vary the wording of the section 106 agreement dated 19 October 2015 by agreement between London Borough of Barnet and L and Q New Homes Limited as detailed in the report; the original section 106 agreement having been made pursuant to the planning permission which was granted for:

Demolition of the existing buildings, and the erection of eight blocks of apartments of 6-8 storeys with a building of 14 storeys adjacent to The Hyde (the A5, Edgware Road) and three terraced blocks comprising housing and duplex apartments, providing 386 residential units (Class C3), 936sqm of Class B1 (Business Hub), 97sqm of Class A3 use (Cafe), 295sqm of Class D1 use and 96sqm of Class D2 use. Associated car and cycle parking, storage and plant space located at basement level with private and shared residential external amenity space and landscaping.

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| For | 10 |
| Against | 0 |
| Abstained | 1 |

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

None.

The meeting finished at 8.50pm

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|---|---|
|  | AGENDA ITEM 6 Planning Committee 8 April 2019 |
| | Title Referral from the Hendon Area Planning Committee: 6 Neeld Crescent London NW4 3RR. |
| Report of | Head of Governance |
| Wards | West Hendon |
| Status | Public |
| Enclosures | Appendix A – Report considered by Hendon Area Planning Committee: 6 Neeld Crescent London NW4 3RR. Appendix B – Addendum to Hendon Area Planning Committee on 27 March 2019. |
| Officer Contact Details | Faith Mwende, Governance Officer Faith.mwende@barnet.gov.uk 020 8359 4917 |

| Summary |
|--|
| Agenda Item 10 (6 Neeld Crescent London NW4 3RR - 18/6354/FUL) of Hendon Area Planning Committee on 27 March 2019 was referred up to Planning Committee, by the Chairman in accordance with the Council’s constitution. The Planning Committee is therefore requested to consider the recommendations and take a decision on them. |

| Recommendations |
|--|
| 1. That the Planning Committee consider and determine the application as set out in the report previously considered by the Hendon Area Planning Committee. |

1. WHY THIS REPORT IS NEEDED

- 1.1 The Constitution allows the Chairman of an Area Planning Committee to refer, prior to a vote being taken, any item that that he/she feels should be determined by the main Planning Committee. The Chairman must also give reasons for referring the item.

- 1.2 The attached report was considered by the Hendon Area Planning Committee on 27 March 2019.

2. REASON FOR REFFERAL

- 2.1 The Chairman referred the matter to main Planning Committee on the following grounds:

At the meeting, 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 the conditions in the report and addendum.

Votes were recorded as follows:

| | |
|-----------|---|
| For - | 1 |
| Against - | 5 |
| Abstain - | 1 |

As a consequence of the votes the committee moved a new motion to approve the application. Before the vote the Chairman informed the Committee, that he had decided to refer the planning application at 6 Neeld Crescent London NW4 3RR to the main Planning Committee by virtue of paragraph 2.3 (e) of the Council's constitution. The reasons being that the Committee could not agree on reasons for refusal, as such Councillor Gordon considered that the application would be more appropriately determined by the main Planning Committee.

It was also noted that the speakers' rights would also be automatically transferred to the main Planning Committee.

3. REASONS FOR RECOMMENDATIONS

- 3.1 As set out in the substantive report.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 4.1 As set out in the substantive report.

5. POST DECISION IMPLEMENTATION

- 5.1 As set out in the substantive report.

6. IMPLICATIONS OF DECISION

- 6.1 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 6.2 As set out in the substantive report.

6.3 Legal and Constitutional References

- 6.3.1 The Council's constitution, permits a Chairman of an Area Planning Committee,

to refer an application to the main Planning Committee, provided that it is referred before the vote is taken. The Chairman must give reasons for referring the application.

6.4 **Risk Management**

6.5 As set out in the substantive report.

6.6 **Equalities and Diversity**

6.7 As set out in the substantive report.

6.8 **Consultation and Engagement**

6.9 As set out in the substantive report.

7. **BACKGROUND PAPERS**

7.1 None.

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Location **6 Neeld Crescent London NW4 3RR**

Reference: **18/6354/FUL** Received: 23rd October 2018

Accepted: 25th October 2018

Ward: West Hendon Expiry 20th December 2018

Applicant: Mr Shimon Simon

Proposal: Demolition of existing building. Erection of a two-storey building with rooms in the roofspace to provide 4no self-contained flats. Provision of amenity space, 3no off-street parking spaces and refuse and recycling storage

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal 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)

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Plan, Drawing No.SV00;
- Existing Ground and First Floor Elevation, Drawing No.SV01;
- Existing Second Floor Plan, Drawing No.SV02;
- Existing Front Elevation, Drawing No.SV03;
- Existing Rear Elevation, Drawing No.SV04;
- Existing Side Elevation, Drawing No.SV05;
- Existing Side Elevation, Drawing No.SV06;
- Location Plan, Drawing No.L00;
- Proposed Ground and First Floor Plans, Drawing No.GA01;
- Proposed Second Floor and Roof Plans, Drawing No.GA02;
- Proposed Front Elevation, Drawing No.GA03;
- Proposed Rear Elevation, Drawing No.GA04;
- Proposed Side Elevation, Drawing No.GA05;
- Proposed Side Elevation, Drawing No.GA06;
- Proposed Section A-A, Drawing No.GA07;

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 CS NPPF and CS1 of the Local Plan Core

Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 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.

- 3 The roof of the ground floor rear projection hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 4 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 5 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 6 Before the development hereby permitted is occupied the car parking spaces and the access to the parking area as shown on Drawing No.SV00, 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.

7 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and 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.

8 Notwithstanding the information submitted a Demolition and Construction Management and Logistics Plan shall be submitted and no site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractor's compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development;
- xi. Provision of a competent banksman;
- xii. Means of temporary enclosure or security hoarding.

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.

- 9
- a) A scheme of hard and soft landscaping, including details of the size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced, except for demolition works.
 - b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
 - c) Any trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development 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), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 10
- a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.
 - b) 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 first 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.
 - c) Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 11
- Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 12 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 13 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00 pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 14 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 15 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 16 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

Informative(s):

- 1 In accordance with paragraphs 38-57 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. 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.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 5 The proposal should demonstrate compliance with Part B5 of Building Regulations.

Officer's Assessment

1. Site Description

The application site contains a detached dwellinghouse on the western side of Neeld Crescent within the West Hendon ward. Neeld Crescent has a mixed character with a range of architectural forms and residential uses. Two-storey semi-detached single-family dwellings are the predominant form of development along Neeld Crescent, but there are examples of purpose-built flats and flat conversions. The surrounding area is predominately residential in character, although the site is located close to Watford Way and Hendon Central Tube Station where there are a range of commercial uses.

There are no protected trees on the site, however there is a street tree located on the pavement. The application site is not a locally/statutorily listed building nor is it located within a conservation area.

2. Site History

Reference: H/02574/08

Address: 6 Neeld Crescent, London, NW4 3RR

Decision: Approved subject to conditions

Decision Date: 15 December 2008

Description: Demolition of existing houses and erection of a two-storey building comprising of 9 self-contained flats with rooms in the roof space and basement car-parking.

Reference: W12942C/07

Address: 6 Neeld Crescent, London, NW4 3RR

Decision: Approved subject to conditions

Decision Date: 26 July 2007

Description: Loft conversion incorporating a dormer window to rear.

3. Proposal

The proposed development includes:

Demolition of existing building. Erection of a two-storey building with rooms in the roof space to provide 4no self-contained flats. Provision of amenity space, 3no off-street parking spaces and refuse and recycling storage;

- o GF 1x 3 bed over 1-storey 132m² (Min. 95m²);

- o FF 2x 1 bed over 1-storey flats 55.6m² (Min. 50m²);

- o LF 1x 2 bed over 1-storey 80m² (Min 70m²).

- 3.no car parking spaces to the front of the property on the existing driveway;

- Communal rear amenity space for Flats 2,3 and 4 of approx.136m² accessed to the left side of the property;

- GF Flat (Flat 1 Garden) 70m²;

4. Public Consultation

Consultation letters were sent to 166 neighbouring properties.

22 responses were received in objection to the development on the basis of;

- Lack of parking provision and resulting congestion

- Considerable dust and pollution from building works

- Overdevelopment of site due to extensions resulting in added pressure of existing infrastructure, subsequent noise and anti-social behaviour and loss of amenity on adjoining neighbouring properties.

- Increased storage of refuse on the front forecourt and pavement of detriment to the safety and convenience of pedestrians.

- The scheme results in the loss of a family sized dwelling house.
- There is no soft landscaping within the front curtilage.
- There would be an uplift in occupancy from 7 people to a maximum of 14 people.
- The fact that 20% of properties in the street are converted or flatted is not a justification for further flatted development.
- Car parking is not sufficient and has not been justified by a parking survey.
- No preparation has been made to ensure that the future building would be clean for future multiple occupiers.
- There would be increased overlooking.
- The garden would be more intensively used and would increase the likelihood of the garden being misused.
- The proposed development did not include a sustainability checklist or a SuDS report.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 24th July 2018. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The London Plan is currently under review. 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 adopted London Plan

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies document. Both were adopted in September 2012. The following policy documents were consulted:

Core Strategy Policies:

- National Planning Policy Framework (NPPF) (2012)
- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9 and CS14.
- Relevant Development Management Policies: DM01, DM02, DM08 and DM17.

Supplementary Planning Documents

Residential Design Guidance SPD (Adopted 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (Adopted 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- i The principle of flats in this location
- ii. The Impact on the appearance and character of the area
- iii. The impact on the amenities of neighbouring occupiers
- iv. Whether the proposal provides satisfactory living accommodation for future occupiers
- v. Parking and highways
- vi. Refuse and recycling storage

5.3 Assessment of proposals

The principle of flats in this location

The Borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

Neeld Crescent is characterised by a mix of typologies including flats, terraced, semi-detached and detached properties. Notable examples of nearby flatted development are Nos. 1, 3, 4, 9, 17, 19, 22, 23, 39, 47, 47 and Simon Court which is positioned to the rear of the property. The principle of flatted development has already been established at this location by the recently approved decision (ref: H/02574/08). While this planning permission was not implemented, it established that the conversion of No.5 to a flatted development is acceptable in principle and relevant policy is materially the same.

Given the internal area of bedrooms, the LPA consider that the proposal could accommodate a maximum occupancy level of 14 persons across the site. It is recognised that approximately 20% of properties have previously been converted to flats or are new build flatted development on Neeld Crescent. This alongside the accessibility to the public transport links therefore constitutes sufficient material consideration to render the principle of a flatted development in this location acceptable. Furthermore, the proposed development results in the creation of a three-bedroom family sized unit which would meet a different and evident housing need in the Borough. The proposal is not considered to directly conflict with the character of the area and the way in which it functions therefore, the use of the application site as self-contained flats would not be contrary to DM01 and is considered acceptable.

The Impact on the appearance and character of the area

Policy DM01 which serves to protect and where possible enhance the character and appearance of the Borough, states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. DM01 (c) specifically states that development proposal should ensure attractive, safe and vibrant streets.

Planning permission is sought for the demolition of the existing building and the construction of a two-storey building with roof level accommodation. The proposed development would reflect the character and appearance of other residential properties in the area with hipped roofs, front facing gables and a domestic scale and appearance.

The ground floor rear projection is set away from the boundaries with both adjoining neighbours and extends at a depth which is consistent with the depth of the projection at No.8 Neeld Crescent.

A first floor level the rear projection does not extend beyond the first floor building line of the neighbouring property at No.8 Neeld Crescent, and due to the separation distance between

the proposal property and the flat block at No.4 Neeld Crescent, it is assessed that the proposed depth at first floor level will not detrimentally impact the occupiers of neighbouring properties.

The roof form is of a similar appearance to the neighbouring purpose built block of flats to the south of the proposal site, incorporating hipped roof and front facing gables. and is of a similar appearance from the streetscene of the existing dwelling.

The proposed development and its proposed footprint at all levels would meet all planning policy and design guidance as per the Council's Residential Design Guide (2016) in terms of depth and height respectively. Flats would be internally and separately accessible by way of a common side door and therefore the property would retain the appearance of a single-family dwelling on the wider street scene. The proposed development by way of its character and appearance would not be considered of detriment to the character and appearance of the area and therefore would be considered acceptable on appearance and character grounds.

Given the current character of the street, it is not considered that the lack of soft landscaping would be harmful or detrimental to the character of the streetscene and wider locality in Neeld Crescent

Given the limited space in the front forecourt, it is considered that the siting of refuse bins if not stored in allocated storage bins have the potential to clutter the front forecourt, inconvenience access to and from the property and potentially result in an overspill onto the pedestrian footpath. Therefore, details regarding the requirement for bin storage have been conditioned on this application.

The impact on the amenities of neighbouring occupiers

Section 2.7 of Policy DM01 states that: schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well-being of the boroughs residents. It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.

Officers are satisfied that the scheme would have an acceptable impact on neighbouring residential amenity by way of outlook, daylight/sunlight, privacy and overbearing. The proposed extensions would not give rise to any undue impact upon the residential amenity of adjoining nos 8 and 4 Neeld Crescent in terms of loss of light and outlook.

The original single-family dwelling currently serves 6 bedrooms accommodating approximately 5 people. In terms of an increase in site use, the development would support a significantly reduced occupancy level across the site. Therefore, it is not considered that the conversion of the existing single-family dwelling house into 4.no units would cause an intensification of use on the application site that would result in harm to neighbouring amenity. Consequently, the proposal is considered acceptable on neighbouring amenity grounds.

Whether the proposal provides a satisfactory living environment for future occupiers

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough.

All residential development is expected to meet the minimum internal space standards set out in the London Plan (2016) and Section 2.1 of Barnet's Sustainable Design and Guidance SPD (2016). For the purposes of this assessment, a single room is calculated between 7.5m² and 11.4m², and a double bedroom at 11.5m² and above. Following a review of the proposed internal floor plans, all units meet the required internal standard as demonstrated below:

Floor Area:

The London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) set out the minimum GIA requirements for residential units as follows:

- o GF 1x 3 bed over 1-storey 132m² (Min. 95m²);
- o FF 2x 1 bed over 1-storey flats 55.6m² (Min. 50m²);
- o LF 1x 2 bed over 1-storey 80m² (Min 70m²).

All four proposed flats would exceed above the minimum unit size requirements set out in the Technical Housing Standards 2015, London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) and therefore would provide an acceptable level of accommodation for the intended occupancy levels.

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

All rooms would meet these standards.

The Technical Housing Standards 2015 recommend a minimum head room of 2.3m for at least 75% of the floor area per unit. Sections demonstrate internal head room of approx. 2.6m at ground level, approx. 2.5 at first floor and approx. 80% of the internal area at loft level would have adhere to the above minimum requirement and therefore would meet this standard.

Built-in storage has been identified on submitted plans. The minimum floor area of 2.5m² for the ground floor/first floor flat is required and 1.0m² for the purposes of the first-floor flat. Given that both the ground floor, first floor and loft floor flats would meet and exceed the minimum unit size requirement for the intended capacity, the capacity for storage is assessed to not unduly compromise the minimum internal floor area.

Barnet's Sustainable Design and Construction SPD (2016) requires that for flats, 5m² of external usable amenity space is provided per habitable room. Officers are satisfied that the proposed development can provide sufficient external amenity space to the rear of the development.

Room stacking:

The Residential Design Guidance SPD (October 2016) requires that the vertical stacking of rooms between flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and

vertically to neighbouring residential units. This requirement has been conditioned on the decision of the application.

Light/Outlook:

Barnet's Sustainable Design SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and that bedrooms and living rooms / kitchens should have a reasonable outlook with clear glazed windows. Section 7.9 of the Residential Design Guidance SPD (2016) states that new development should be sited and designed to maximise daylight and sunlight as far as possible. North facing single aspect units are normally considered unacceptable. It should be noted that no north facing single aspect habitable rooms are proposed in this instance. All habitable rooms would ensure adequate levels of glazing and therefore provide appropriate levels of light, ventilation and outlook whilst maintaining privacy.

Amenity Space:

Section 2.3 of the Sustainable Design and Construction SPD (2016) states that for flats there should be a minimum of 5m² of outdoor amenity space per habitable room.

Plans illustrate the subdivision of the resulting rear garden to provide separate rear amenity space for the occupiers of the ground floor flat and communal space for the other three flats. The Sustainability Design and Construction SPD 2016 stipulates the minimum requirement of 5m of outdoor amenity space per habitable room per unit, the scheme would provide over the required minimum area of outdoor garden amenity for all units.

Parking and Highways

The proposals is to reconfigure the existing 6 bedroom single dwelling into 1 X 3 bed; 1 X 2 bed and 2 X 1 bed flats over the 3 floors. 3 off street parking spaces are to be provided. LBB DM17 policy states that for 1 bed properties 1 to less than 1 spaces should be provided, for 2 and 3 bed properties 1 to 1.5 spaces. The development would therefore require in the range of 2 - 5 spaces and 3 spaces is within this range. One space should be allocated to each of the 2 and 3 bed properties and the third space should be shared between the two 1 bed properties.

Cycle parking is required in accordance with the current London Plan with 1 space required for 1 bed properties and 2 spaces for 2 bed and above. Details regarding this provision have been secured by condition.

Refuse and recycling storage

Submitted plans indicate 4 240ltr refuse bins in the front forecourt within 10m of the public highway. It is considered that given the limited space at the front, the storage of 4no. potential refuse bins would to some degree inconvenience access to and from the property and although the level of bins and cycle storage complies with the standards outlined in Barnet's Waste and Recycling Strategy (2017), this issue has been equally addressed in the character and appearance section of the report.

Other matters

Due to the size and scale and nature of the proposed development a Sustainability Checklist and a Sustainable Urban Drainage scheme is not necessary.

5.4 Response to Public Consultation

These are set out in the body of the report.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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Addendum

Hendon Area Planning Committee

27 March 2019

Reference: 18/6978/FUL

5 Neeld Crescent, London, NW4 3RP

1. It is brought to the attention of members that following the publication of the committee report, an appeal against the enforcement notice served in respect of the conversion and material change of use of the application site into 9 flats has been dismissed (ref: APP/N5090/C/18/3207134). As a consequence, the requirements of the enforcement notice remain extant. The date of compliance is now the 22nd September 2019.

2. A further public comment has been received since the publication of the committee report. For clarity, the following comments have been received from a member of the public that has already raised formal objection. The comments received are as follows:

- Principle of flattened development on Neeld Crescent.

Council Tax search shows there are 102 properties now instead of 49 dwellings – some in the form of flats or units in blocks of flats. This shows an increase of over 50 new dwellings and this is not a small increment on a street that is only 0.2 miles (0.3 km) long. Is it the council's intention to fill the entire road with flats just because it has a mixed residential character? And to use other flats as precedents until the road is saturated?

The statement that there are 10 flats between no 1 and no 49 Neeld crescent is misleading. Audley Park on the west side of Neeld Crescent has a total of 12 flats, Berkley Park has 6 and Simon Court has 9 flats. There are too many flats on Neeld Crescent and it is for this reason that new flats must not be approved. Let no 48 (January 2018) be the last conversion to be approved because the character of the road and area is being eroded by too many flat conversions and too many new builds of flats.

- Extensions to original building did not allow for new windows that are now present in the building. These windows are subject to an enforcement investigation ENF/1808/18. These windows now allow rooms to be habitable where before they may only be storage or utilities areas.
- Enforcement notice ENF/0701/18 issued on 20 June 2018 (Reason 4 part 4) has stated that “the conversion of the property with more than 4 bedrooms into 9 flats has resulted in the loss of priority housing stock, contrary to Policy DM08 of the Council's Adopted Development Management Policies DPD (2012), Policies CS1 and CS5 of the Council's Adopted Core Strategy

(2012)". This is in direct contradiction to the officer recommendation on Page 7 that "it is not considered that there is sufficient policy justification to refuse the principle of flatted development at the application site." Houses with 4 bedrooms are the highest priority for housing stock in Barnet. No 5 should be preserved for single family housing not flats.

- It is stated that there are no external changes to the property. However, the use of the property as 3 flats (as opposed to 9 unauthorised flats) is detrimental to the living conditions of the future occupiers due to the poor design of the internal layout.

The floor plan of Flat 1 has so much storage space and yet it has only a short wall of cabinetry and cooking facilities for a 2-bedroom 4 person flat. There is also a large area of undesignated use between utility room 3 and bedroom 2, enclosed by more walls.

Flat 2 has a pantry now and the failure to remove more walls to extend the kitchen space seems particularly conducive to reinstating bathrooms or bedrooms into the flat.

The design of Flat 1 and 2 is limited to the structural build of the unlawful 9 flats. It is not a fluid design whereby good use is made of the area afforded by the extended 2 floors. The applicant seems reluctant to open the design and appears to keep as many of the existing walls as possible. This has given Flats 1 and 2 very cramped and disproportionate look. Only the loft level studio is proportionate.

There was a request to the planning officer on 25 February 2019 to confirm whether more than 50% of the curtilage of the ORIGINAL house has been used up with the extensions, garage and the unauthorised outbuilding in Plan number 097 F-051 02. No confirmation has been given and it appears that there has been no verification whether the area used has been exceeded or not.

The outbuilding is on higher ground to its neighbours at the rear and therefore appear obtrusive. It was not sufficiently screened through 2 winter seasons and has ruined the outlook of the neighbours by its presence.

The outbuilding also is in direct line of sight to the conservatory of 7 Neeld Crescent. Normal fencing does not afford total privacy as the gradient of the gardens as well as the level of the outbuilding and neighbouring conservatory allows overlooking. The residents of no 7 spend a lot of time in the conservatory and this will affect their residential amenity.

- The officer report does not stringently address the intensification of use concerns. Three separate households will generate a different intensity of use to a single household. It is not wholly a matter of counting how many occupants live on site. The neighbours have been subjected to years of 9 households operating on the site.

The proposed reduction to 3 households is not a bonus. We would like to see the property reinstated to single family use to relieve the pressure on the neighbouring residents of having

to battle for on-street parking when visitors and deliveries come, of having to deal with noise, congestion, pollution and disruption with more households per plot.

Reference: 18/6354/FUL

6 Neeld Crescent, London, NW4 3RR

1. It is brought to the attention of members that following the publication of the committee report, an additional representation has been received, setting out the following grounds of objection:

1. The report does not fully address the objections to **the loss of a large detached family home** to build 4 units nor the effect of another block of flats on the amenities of existing residents on Neeld Crescent. The loss of priority housing stock is contrary to Policy DM08 of the Council's Adopted Development Management Policies DPD (2012), Policies CS1 and CS5 of the Council's Adopted Core Strategy (2012).
2. There is also **no attempt to soft landscape the front curtilage** due to the car park spaces needed. This gives a hard urban outlook to the build. This new build proposal is stretched out to north and south boundaries and its bulk and mass occlude the spaces between buildings and adds to this concrete effect.
3. The number of units is planned for 14 occupants compared to a family home of 6 or 7 members. This **intensification of use** is already apparent in other houses along Neeld Crescent and this has ruined the character of this residential street. In principle flatted developments have been allowed BUT we are urging the committee members to stem the flood of multiple units with small bedrooms being built in Neeld crescent and other minor lateral roads off Station Road.
4. A more sympathetic approach to development in Neeld crescent is long overdue. Just because 20% of homes have been converted to flats does not make this proposal any more agreeable or right. The other way to look at it is that dwellings in Neeld crescent have doubled from 49 to 102 in the last few years! That is a **density that is horrifyingly excessive**. If carried out at this rate, very soon there will be no single-family dwellings in Neeld Crescent.
5. The issue of car ownership is also compounding the problems on Neeld Crescent. Many flat occupiers own cars despite the availability of public transport. Some only use their cars on weekends and the pressure for on-street parking has **not been ascertained by a parking survey** for a new build.
6. Barnet's response to Draft London Plan 2018 has acknowledged: the possible impact of overspill parking from new development must be considered. Continued car use in the lower density suburbs of Outer London remains a reality, irrespective of public transport service and reliability improvements.
7. The environmental officer has reported **poor air quality** on all sides of the property due to the proximity to major roads. No condition has been made to ensure that the building will be 'clean' for future multiple occupiers – to follow building regulations that require mechanical ventilation. Adding more dwellings and cars to the site increase pollution to the area. New housing should be focused on large regenerated areas rather than on a suburban street that is being strangled by excessive development.
8. A direct harm to neighbours is the **increased overlooking** from windows facing neighbours' rear habitable rooms.
9. The introduction of 4 units will lead to more instances of overlooking from more occupants into rear habitable rooms especially from the rear rooms at roof level of No 6 which are higher

than neighbours' rooms on ground and first floor levels. Neighbours affected are those in Station Road and Audley Road.

10. The rear garden will be subject to **more activity from 14 occupants and their visitors**.
11. Although not a planning issue, there has been misuse of the rear garden over the last few years and we cannot be sure that this proposal will stop further misuse. It was only last year that the rear garden was properly used as a rear garden and not as a builders' yard. There is presently a high level of use from a family with young children; the number of visitors is also high to this property. With 4 households, we can expect a quadrupling of use for the private and communal gardens.
12. Currently there is misuse with part of the garden used for parking at a separately fenced off southern area. ENF/1833/18 investigation since November 2018.
13. The approval for flats development in 2008 (H/02574/08) is for an entirely different scheme for 9 flats with basement car parking for 11 cars and a landscaped front garden in a land area double the size of this proposal (two house plots). This was also granted 10 years ago before other conversions and new builds have since been implemented. It cannot be compared as like for like. **No detailed analysis of the different schemes has been done for the report.**
14. This proposal will be more suited in a road that has smaller flats as its predominant form of residences.
15. As a new build it did not provide a **SuDS (Sustainable Urban Drainage system) report nor a sustainability checklist**.
16. Residents would like to see a reduction of multiple flats on a plot and occupants' cars reversing onto pavements in a road with both heavy vehicular and foot traffic.

Item 13: Urgent matters

Land at the Rectory 18/2839/FUL for 'Demolition of existing buildings and redevelopment to provide 52 residential homes (C3 Use Class) within two buildings of 4 storeys with a setback 5th storey interlinked by a single basement, together with associated car parking (basement and surface level), cycle parking, access, utilities, refuse / recyclables storage and landscaping works'

Permission was granted at the Hendon Area Planning Committee on the 16th October 2018 subject to completion of a s106 agreement.

Since that meeting, negotiations on the precise detail of the Section 106 have been ongoing - particularly in terms of the affordable housing provisions. The discussions have now reached a conclusion where the applicant and planning officers have agreed to terms for the affordable housing sections and are ready to proceed with finalising the S106 and issuing permission.

The heads of terms agreed by the Committee for affordable housing include a commuted payment of £338,541 to contribute to the provision of providing affordable housing within the London Borough of Barnet and review mechanism on potential additional affordable housing contributions (up to an equivalent of 40%) to be implemented either within two years from the commencement of the build, or after 80% of the units have been sold.

In reviewing the draft section 106, officers have sought that the affordable housing review mechanism should more closely reflect the framework set out in the GLA: Affordable Housing & Viability SPG (2017). This has been agreed by both parties.

The initial affordable contribution remains at £338,541. There is no change in this regard.

There remain two triggers proposed for the affordable housing reviews.

The early review will continue to occur if the permission is not substantially implemented within two years.

However, the late review will now occur on the sale or occupation of 39 units (75% of the 52 consented units).

This is an amendment to the trigger stated in the heads of terms presented at committee.

Officers are of the opinion that this variation to when the late stage review is triggered does not represent a substantive change and as such, it is recommended that it be approved by the Committee.

The provisions for affordable housing and change to the review mechanism is compliant with the National Planning Policy Framework, London Plan, Mayors SPG and the Local Plan.

The previous committee report is available for reference:

<https://barnet.moderngov.co.uk/documents/g9567/Public%20reports%20pack%2016th-Oct-2018%2019.00%20Hendon%20Area%20Planning%20Committee.pdf?T=10>

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LOCATION: Brent Cross Cricklewood Regeneration Area
North West London

AGENDA ITEM 7

REFERENCE: 18/6409/RMA **Received:** 25.10.2018

Accepted: 26.10.2018

WARD: Golders Green **Expiry:** 25.01.2019

APPLICANT: BXS Limited Partnership

PROPOSAL: Reserved Matters Application in respect of Plot 11 of Phase 1C pursuant to Conditions 1.3(i), 2.1 and 1.7 of planning permission F/04687/13 (dated 23rd July 2014) for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Area. The application seeks approval of details relating to layout, scale, appearance, access and landscaping for a residential-led mixed use development of Plot 11, comprising 352 residential units, flexible retail (Use Classes A1/A3), provision for a ground floor Neighbourhood Police Unit (Sui Generis), basement and undercroft car parking, cycle parking, refuse storage and plant to be provided within two buildings with heights ranging from 8 to 13 storeys arranged around a private courtyard, together with an east-west publicly accessible route between the two buildings. Application is accompanied by an Environmental Statement of Compliance.

1. RECOMMENDATION

This application is recommended for **APPROVAL** subject to conditions attached in Appendix 1 of this report.

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions and associated reasons as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

2. APPLICATION SUMMARY

The proposal is a reserved matters application for housing-led development on Plot 11 within Phase 1C of the Brent Cross Cricklewood Regeneration Scheme.

The application proposes 352 residential units comprising of 347 upper level flats and 5 duplex units split between the ground floor and first floor on the south-western edge of Plot 11. All residential units are proposed as private market sale units.

The proposals for Plot 11 comprise two residential buildings: a northern building 'Plot 11 North' comprising 101 residential units, and a southern building 'Plot 11 South' comprising 251 units. Plot 11 North proposes a principal façade onto the High Street South (East Works) with retail uses at ground level. Building Plot 11 South faces Claremont Park Road with predominantly retail uses at the ground level except for 5 duplex unit at the southwestern corner.

The submission provides details of Layout, Scale, Appearance, Access and Landscaping for the proposed buildings on Plot 11. 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) and 6 (4) of the Town and Country Planning EIA Regulations 2017 under application reference 18/6430/ESR regarding the need for an EIA to accompany the submission of Plot 11 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 on the 27/03/2019 confirming that a further Environmental Statement to accompany the RMA was not necessary.

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.”*

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.

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.

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, a Neighbourhood Police Unit (Market Quarter), and a Community Facility (Market Quarter) if not provided as part of Phase 1B South.

Phase 1 South comprises Phase 1A South, Phase 1B South and Phase 1C.

3.3 Associated Applications Relating to Phase 1 South

This application forms part of a suite of applications which have been submitted in relation to development within Phase 1 South (defined as comprising Phase 1A (South) 1B (South) and 1C), of the BXC regeneration. These form a comprehensive set of proposals for Phase 1 (South). These are as follows:

- **Plot 11 RMA (18/6409/RMA)** - residential led mixed use scheme for Plot 11 comprising 352 residential units with retail uses on the ground floor. This is subject to its own EIA screening opinion request. (The subject of this committee report);
- **Plot 13 RMA (18/6337/RMA)** - residential led mixed use scheme for Plot 13 comprising 348 residential units with retail, community and leisure uses on the ground floor. (Application approved at the 4th March Planning Committee);
- **Drop-in planning application for Highways and Public Realm (18/6645/FUL)** – detailed designs for the new road network and public realm surrounding Plots 11, 12 and 13 to reflect the retention of Claremont Road. This represents an update to the roads previously approved in this part of the development and encompasses parts of Phase 1A South, parts of Phase 1B (South) and Phase 1C, along with elements of Phase 1A (North) that have been re-phased to Phase 1 South. (Application approved at the 4th March Planning Committee);
- **Minor Amendments to extant RMA consent for Plot 12 (18/6482/BXE)** – submitted pursuant to Condition 1 of RMA consent 17/6662/RMA to make minor amendments to the consented landscaping for Plot 12 to reflect and tie into the reserved matters details now submitted for Plots 11 and 13 and the Highways and Public Realm drop-in application;
- **Three Non-Material Applications to the s.73 permission (18/6469/NMA & 18/6447/NMA)** – Two relating to non-material minor amendments to the S73 Permission for the retention Claremont Road and the redistribution of floorspace and land uses between building zones respectively. One relating to changes to remove reference to the revoked Code for Sustainable Homes and Lifetime Homes standards, and to refer instead to the appropriate standards within Buildings Regulations. These applications are subject to their own EIA screening opinion request; and
- **Relevant pre-RMA condition discharge applications** to support the two RMA submissions for Plot 11 and 13 and the highways and public realm drop in submission. These are pursuant to Conditions 1.22 (Servicing and Delivery strategy), 2.8 (Pedestrian and Cycle Strategy), 11.2 (Car Parking Standards Strategy), 27.1 (Landscaping Mitigation strategy), 33.3 (Telecommunications Strategy), 37.5 (Reserved Matters Transport Report), 1.17 (Illustrative Reconciliation Plan) and 29.1 (Acoustic Design reports for plots 11 and 13).

The above applications have been submitted concurrently in order to provide the LPA with details of a comprehensive approach to developing Phase 1 South (defined as comprising Phase 1A (South) 1B (South) and 1C), with elements of Phase 1A (North) also falling within its remit.

This approach was necessary to enable the changes to the parameter plans in relation to the retention of Claremont Road and floorspace distribution proposed by Argent Related through NMA applications to be assessed by the LPA in the context of detailed designs for Plot 11, Plot 13 and associated Highways and public realm as listed above.

The layout changes relate primarily to Parameter Plan 002 (Highways Infrastructure) involving the retention of Claremont Park Road, and concurrent downgrading of Claremont Avenue from its original primary vehicular route designation to a pedestrian approach to the living bridge with managed vehicular access only.

The floorspace and land use changes involve the transfer of office floorspace from the Station Quarter Development Zone to the Market Quarter, with the concurrent transfer of residential floorspace within the Market Quarter Building Zone from MQ2 to MQ1 to align with the greater residential quantum now proposed in this initial phase.

In layout terms, the highways 'drop in' proposals respond to the need to provide an updated highways and public realm context, that is consolidated against the updated highways Parameter Plan, and within which the RMA's are situated. The 'drop in' also performs the function of addressing the areas of overlap with consented highways infrastructure under Phase 1A (North) and 1A (South). Specifically, it provides an updated layout that is consistent with the current RMA proposals and parameter changes, in doing so superseding those areas of extant Phase 1A (North) and Phase 1A (South) approvals that would be inconsistent. This is set out in detail in the committee report for 'drop in' application reference 18/6645/FUL. These changes could not be pursued through the submission of updated RMA's for Phase 1A (North) and 1A (South) given the time frame for submission of RMA's against these phases has expired (Condition 1.2.1 of the S73 Permission).

The proposed plot developments for Plot 11 and 13 are dependent on the transfer of floorspace proposed under 18/6447/NMA. This is explained in more detail under Parameter Plan 'Development Quantum' section below. Equally the acceptability of transferring floorspace into the MQ1 building zone as proposed under the NMA application is dependent on an acceptable design being demonstrated for the associated Plots. As such the applications have been submitted concurrently given their interdependence and need to maintain a deliverable and comprehensive development package that aligns with the s.73 outline permission.

The submitted Plot 11 RMA application has assumed a positive determination of Claremont Road retention NMA application. The Floor Area and Land Use

NMA application, the new Highways and Public Realm drop-in application, and the Lifetime Homes NMA have all been positively determined during the determination of this application.

Appraisal and discussions relating to Claremont Road retention NMA application, have been taking place in parallel with the progress of this reserved matters application for Plot 11. This application will be determined prior to consideration of this application by Committee.

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. Reserved Matters applications are required to accord with commitments and strategies approved under these conditions where relevant.

All of the relevant pre-RMA conditions applications for Plot 11 have been submitted concurrently with the Plot 11 RMA submission. However, there remain a number of pre-reserved matters applications which are yet to be approved. 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 1 (South) and Phase 1C which have relevance to this application for Plot 11 but have yet to be formally determined at the time of writing this report. In most instances agreement has been reached on the content of the submission but the application was unable to be formally discharged prior to the publication of the Committee agenda papers. In some cases there remain issues subject to discussion between the Developer and the LPA which are being resolved. In all of these circumstances those sections relevant to the reserved matters application for Plot 11 have been confirmed in discussions between the LPA and the Developer to be acceptable.

Condition 1.31 allows for the determination of relevant reserved matters applications in circumstances where conditions have yet to be approved:

“Where in these conditions any document strategy plan or other document or information is required to be submitted prior to any Reserved Matters Application or Other Matters Application required under this Permission, the grant of the relevant Reserved Matters Approval(s) or Other Matters Approval(s) shall be subject to the LPAs prior or simultaneous approval or confirmation (as the case may require) of the relevant document strategy plan or other document or information.

Reason: To ensure that an accurate and consistent interpretation is applied in the application and enforcement of these Conditions and the corresponding provisions in the S106 Agreement.”

As the relevant aspects of these conditions are acceptable to the LPA in the development of the Plots, the Planning Committee is in position to make a decision prior to the formal approval of these outstanding conditions.

An update will be reported in the Addendum to the Planning Committee in relation to those Pre-RMA applications that have been discharged since the publication of this report.

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 11 Site

The site area for Plot 11 measures approximately 0.68 hectares and is spread over part of the existing Claremont Way, the eastern half of the Rosa Freedman Centre, and the northern end of the parade of shops and flats on Claremont Way.

To the north of the application site Clarefield Park run up to the east of the Holiday Inn Hotel and Tilling Road beyond.

To the South the site bounds the parade of shops and flats on Claremont Way, Claremont Open Space and Claremont Way leading to Clitterhouse Playing Fields beyond.

The East of the site bounds part of the eastern end of Clarefield Park and the back gardens of the residences on Whitefield Avenue and the Whitefield Estate.

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 11 comprising of 352 residential units accommodated across two buildings with heights ranging from 8 to 13 storeys and including 6 retail units at the ground floor.

All residential units are proposed as Market Sale units, and the proposed unit mix is as follows:

| Unit size | Number of units |
|---------------|-----------------|
| 1 Bed Studios | 23 |
| 1 Bed Flats | 103 |
| 2 Bed Flats | 192 |
| 3 Bed Flats | 28 |
| 3 Bed Duplex | 5 |
| 4 Bed Flat | 1 |
| Total | 352 |

Plot 11 is proposed as two largely residential buildings split by a publicly accessible route, referred to as the 'Court', running east-west which connects to Claremont Avenue in the east and to the consented North-South Tertiary Street between Plots 11 and 12 to the west.

Plot 11 North is the northern building on the plot and includes a total of 101 residential units comprising 2 studios, 22 one bedroom units and 77 two bedroom units. It is a rectangular-shaped building comprising three building blocks (Blocks A, B and C). These blocks front onto the new High Street South to the north, the North-South Tertiary Street to the west, the 'Court' to the south and Claremont Avenue to the east. Block A is located on the corner of High Street South and the North-South Tertiary Street and rises by 10 storeys in height. The massing of this building gradually rises eastwards to 11 storeys at Block B and 13 storeys at Block C.

The non-residential floorspace on Plot 11 North will be located at ground floor level where two retail units are proposed along the length of the High Street wrapping around to front North-South Tertiary Street and Claremont Avenue, and part of the Court. (A Neighbourhood Police Unit is also proposed on the southern frontage onto the Court.

Plot 11 South is the southern building on the plot and includes 251 residential units comprising 23 studios, 103 one bedroom units, 192 two bedroom units, 35 three bedroom units (including 5 duplexes at ground level), and 1 four bedroom unit.

This building is U-shaped enclosing a private garden courtyard which is open on the southern edge facing towards Claremont Park. Each elevation of the building comprises three building blocks with varying heights. Along the northern elevation blocks D, E and F step down in height moving eastwards from 10, 9 and 8 storeys respectively. On the western elevation Blocks G, H and I rise by 9 storeys in height, with Block I being part 8/9 storeys. Along the eastern elevation blocks J, K and L rise by 9 storeys in height with Block L rising to 10 storeys.

The non-residential floorspace on Plot 11 South is located at ground floor level. Two retail units are located on the north-western and north-eastern corner of

the northern elevation wrapping around the western and eastern facades. Two further retail units are located along the eastern elevation with one of them located on the south-eastern corner wrapping around the southern façade.

The North-South Tertiary Street to the west of Plot 11 is a two-way street between Claremont Park Road to the south and the vehicle access to the car park, and a one-way street between the car park and the High Street South to the north allowing egress movement only. Pedestrian and cyclists can access the length of this tertiary street from both Claremont Park Road and High Street South. These are proposed under the management of the Estate.

A shared basement car park spans the whole footprint of the site and is accessed via a ramp accessed at ground level of the west façade of the southern building providing 156 spaces including 35 wheelchair accessible bays. Rooms for plant, water storage, residential storage, and security are also proposed at basement.

A total of 156 car parking spaces are proposed for the 352 residential units equating to a ratio of 0.44 spaces per residential unit. The parking spaces are proposed over two levels, at ground floor and basement. The ground floor level will provide 46 spaces including 7 wheelchair accessible, and the basement will provide 110 spaces including 28 wheelchair accessible spaces. A total of 20% of the car parking spaces are proposed to have active electric vehicle charging points and at least a further 20% passive provision.

Secured long-stay cycle parking spaces for a total of 630 bicycles is proposed in the Basement Level for residents. A total of 9 short-stay cycle parking spaces are also proposed in the public realm surrounding the plot.

The new High Street will run east to west to the north of the Plot with Claremont Avenue running north-south to the east of the Plot and Claremont Park Road running east-west to the south of the plot. All of these streets have been recently approved under the Highways and Public Realm drop-in application 18/6645/FUL. An application to make minor adjustments to the landscaping and layout of the tertiary street between Plot 11 and 12 was also submitted coincident with this application and has been reviewed in parallel to consideration of Plot 11 Reserved Matters.

Claremont Avenue to the east of Plot 11 is a 'Managed Vehicular Route'. This means it is primarily for pedestrians and cycles, with vehicular access restricted to refuse vehicle and emergency vehicles.

To the west of Plot 11 the residential street is classed as a 'No through Minor Street' and will allow pedestrian flow and will be used for refuse and delivery vehicles, access to the basement car parking on the western elevation of Plot 11 and to visitor parking and loading bays.

Space has been made for planting and street furniture to support a domestic scale and character with street trees, planting beds and SUDS 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 terraces and balcony spaces, a large communal podium garden and communal rooftop terraces.

Communal amenity space is proposed in the form of a raised podium courtyard in of Plot 11 South, and two roof terraces (Level 11 of Plot 11 South and Level 10 of Plot 11 North) for use of residents of both buildings, and a publicly accessible 'Court at the ground level between Plot 11 North and Plot 11 South for resident and public use.

The proposal includes a scheme of landscaping for the proposed Court between Plot 11 North and Plot 11 South, the Podium Courtyard Garden within Plot 11 South, and the roof terraces and green roofs.

At street level the building has a series of entrances around the perimeter. including the cores leading to the flats upper floors. The duplex units facing the park to the south and the north-south tertiary street to the west also have entrances at the ground level approached at street level. Ancillary uses such as refuse and recycling stores are proposed at the ground level for both Plot 11 North and Plot 11 South.

Floor areas proposed per land use are:

| Land uses: | Gross Internal Area m2 |
|--|------------------------|
| Residential Floorspace (C3) | 31,093 |
| Flexible Retail (A1/A3) | 1,240 |
| Neighbourhood Police Unit (Sui Generis) | 86 |
| Ancillary areas (waste storage, car parking, cycle parking, plant and energy infrastructure) | 6,302 |
| Total built form | 38,721 |

Residential Units

| | |
|-------------------------------|-----|
| No. of units in Plot 11 North | 101 |
| No. of units in Plot 11 South | 251 |
| Total no. of units | 352 |

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 Pre-Application Consultation

The Applicant has undertaken pre-application consultation with residents and other stakeholders as part of the preparation of proposals for Phase 1C.

This consultation has been undertaken in accordance with the spirit of the advice laid out in the National Planning Policy Framework (NPPF), and section 4.1.2 of the Council's Statement of Pre-Application Consultation (2015) which states:

'The aim of pre-application consultation is to encourage discussion before a formal application is made, enabling communities to have an influence on a planning proposal before it is finalised. The process can help to identify improvements and overcome objections at a later stage. Such pre-application consultations can take the form of exhibitions, presentations, workshops or simply a letter or mail shot.'

The submitted 'Statement of Community Involvement' dated October 2018 prepared by Soundings accompanied this application. The statement confirms one community liaison group meeting and two public exhibition days were held in July 2018. It reports that local residents responded positively, and some residents stated that they could not give an informed opinion without seeing more detailed proposals. Early issues raised included concerns about the parting ration, the lack of affordable housing offering, the level of cycling provision being provided for both residents and visitors, and the level of input the community can have in the ground floor uses of the new buildings. All

points raised were addressed by an appropriate member of the team. No residents 'disliked' or 'really disliked' the aesthetics uses or facilities of the buildings in Plot 11.

5.3 Public Consultations and Views Expressed

Adjoining occupiers

Following registration of the application **489** neighbouring local addresses were consulted by letter for 28 days with the consultation period expiring on 30/11/2017. The application was advertised in the local press on 9th November 2017 and 4 site notices were put up on site also on 9th November.

No objections were received to the proposals for Plot 11.

Consultation Responses from Statutory Consultees and Other Bodies

Environment Agency:

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

Historic England (Archaeology):

The Greater London Archaeological Advisory Service have confirmed that, having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. This part of the Brent Cross Regeneration Area is not of archaeological interest. No further assessment or conditions are therefore necessary.

London Fire Brigade:

Following additional information provided by applicant on 11/02/2019 and resolution of comments in relation to access and facilities for fire fighters, the Fire Brigade have confirmed that they are satisfied with the proposals and raise no objection to the proposed development.

Highways Agency:

No objection has been raised by the Highways Agency.

Transport for London:

Transport for London raise no objection to the development proposed. TfL have also been consulted separately on the Phase 1 South Transport Report (application for the discharge of condition 37.5) relating to Plot 11 of Phase 1C. Through this consultation TfL have confirmed that they have no other comments on the RMA.

Thames Water:

Thames Water raised no objection to the proposal but have requested

conditions relating to confirmation prior to occupation of the development that surface water network upgrades and waste water network upgrades required to accommodate the additional flows from the development have been completed or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

In relation to waste they have suggested that the surface water drainage strategy for this development should follow policy 5.13 of the London Plan. Typically greenfield run off rates of 5l/s/ha should be aimed for using the drainage hierarchy. The hierarchy lists the preference for surface water disposal as follows: Store Rainwater for later use > Use infiltration techniques, such as porous surfaces in non-clay areas > Attenuate rainwater in ponds or open water features for gradual release > Discharge rainwater direct to a watercourse > Discharge rainwater direct to a surface water sewer/drain > Discharge rainwater to the combined sewer.

Officer comment:

A Drainage Statement covering Plot 11, 13 and the highways works has been submitted with the application. This includes a detailed drainage statement for Plot 13. Furthermore, water usage and drainage are covered by the following conditions attached to the S73 Permission:

33.1 – impact statement for existing water supply infrastructure;

33.2 – statement of compliance with water use principles of the RDSF;

1.27 and 44.5 – Sustainable Urban Drainage Systems to ensure surface water run-off rates;

44.7 – strategy for monitoring water levels;

44.9 – no infiltration of surface water drainage into the ground from development without express written consent of the LPA;

Officers are therefore satisfied that water and drainage have been adequately addressed for the proposed development.

Metropolitan Police, Designing Out Crime Officer (DOCO):

The DOCO contact for Barnet has raised no objection to the development but recommended the inclusion of a condition that requires the scheme to provide details of Secured by Design accreditation. A condition has been incorporated accordingly.

Metropolitan Police – Neighbourhood Police Unit:

The Met Police raised no objection and provided the following comments in relation to the proposed Neighbourhood Police Unit:

“At this stage, I cannot comment on what any exact requirement for the future might be, should we require anything, beyond the information given below. We are in the very early stages of identifying any additional space beyond our own estate that might be required to locate our Ward teams.

The Mets criteria for a District Ward Office (DWO) is as follows:

Circa 20 sqm of floorspace, provided communal welfare facilities are available or 50 sqm where they are not.

*No requirement for street frontage or windows.
No more than 4 or 5 lockers per team within a secure area.
Ideally, access to communal welfare facilities (showers, toilets, cooking facilities) and access to wi-fi and charging facilities.”*

LB Brent:

The London Borough of Brent confirmed that they have no objection to the application. They conclude that given the siting and distance to the borough boundary, the consideration and assessment of elements such as the design, siting and landscaping would not cause significant harm to the residents of Brent.

Internal Consultation responses

LBB Urban Design Officer:

The Council's Urban Design Officer has been engaged in the pre-application design process for Plot 11 since May 2017 and has reviewed the application and confirmed it complies with the overarching principles established in the control documents of the Outline Permission and raised no objection.

LBB Environmental Health:

No concerns raised, following the review of the Acoustic Design Report for Plot 11 which has 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.

No objections were raised in relation to the Plot 11 RMA, however comments were raised in relation to potential for odour impact from cooking odours associated with the A1/A3 units. It should be noted that Condition 30.4 of the S73 Permission requires details of all extraction and ventilation equipment to be submitted to and approved in writing by the LPA prior to commencement of any building. Applicant confirmed this will comprise details of any flues including odour filtration systems for the A3 units to ensure that odour can be adequately controlled.

LBB Transport team:

The Transport Officer has reviewed the submitted RMA, the associated Reserved Matters Transport Report and other Pre-Reserved Matters details in relation to car parking strategy and servicing and delivery strategy. Following responses from the applicant and amended information, the Transport Officers have no objections to the approval of this RMA subject to the inclusion of appropriately worded conditions in respect of details of cycle parking details and cycle parking facilities for future staff of proposed retail uses. (A full appraisal is provided in the Transport section of this report).

LBB Travel Plan team:

The Travel Plan Coordinator reviewed the Individual Travel Plan proposed for Plot 11 and following clarification provided by applicant confirmed to have No Objection subject to agreement of the following:

Car Club

The developer must ensure that the Car Club operator is accredited through the CoMoUk (formerly Carplus) national accreditation scheme.

Post establishment of the site-wide Car Club, LBB will require a Car Club annual monitoring report to be submitted to monitor and evaluate developments in the Car Club and the analysis of data relating to the use made of the Car Club vehicles; and to provide information and feedback on the promotional work, public characteristics, and attitudes assisting the development of the Club.

Cycle Hire Club

Post establishment of the site-wide cycle hire club LBB, will require a Cycle Hire Club annual monitoring report to be submitted to monitor developments in the Cycle Hire Club and analysis of data relating to the use made of the Cycle Hire Club cycles; and to provide information and feedback on the promotional work, public characteristics, and attitudes assisting the development of the Club.

Welcome/Starter Packs

The Welcome/Starter Packs will need to be approved and signed off by LBB in advance and designed and printed to a professional standard.

The Welcome/Starter Packs must display in an engaging form a summary of the Travel Plan together with details of the Travel Plan Incentives for residents and employees and how to apply for these, the Car Club, Cycle Hire Club and information about all existing travel opportunities to, from and within the Development for all modes of travel.

Following revisions of the Individual Travel Plan to incorporate the above comments the Travel Plan Officer confirmed the updated ITP was considered acceptable.

LBB Trees and Landscape:

The Arboricultural Officer has been engaged in discussions with the Developer throughout the pre-application and submission stage of the process. Comments and have been addressed in the submitted information. No objections raised in relation to Plot 11 RMA subject to a standard landscape condition requiring full details of tree and shrub species to be submitted prior to commencement, and subject to a LEMP which is already secured through condition 27.9 of the S73 Permission.

LBB Green Spaces

No comments received.

LBB Lead Local Flood Authority

The Council's Sustainable Drainage Officer reviewed proposals and confirmed to have no objection and provided no further comments.

Waste and Recycling Team

Following submission of clarifications by the applicant have raised No Objection to the application.

6. PLANNING APPRAISAL

The RMA has been submitted pursuant to the following conditions of the S73 Permission:

- 1.3(i) relating to timescales for the submission of RMA's in Phase 1C;
- Part discharge of 1.7 relating to the first part of the condition which requires the attainment of all RMA approvals of Critical Infrastructure (Non Pre-Phase) prior to the commencement of Critical Infrastructure (Non Pre-Phase) in that phase within any Phase or Sub-Phase; and
- 2.1: relating to the relevant material considerations and relevant documents all RMA's must be accompanied by.

Pursuant to condition 1.3(i), this RMA was received and registered by the LPA on 26 October 2018. The terms of Condition 1.3 (i) require the applicant to submit RMA applications for Plots in Phase 1C no later than 'eight years from 28 October 2010'. Plot 11 of Phase 1C was received and registered by the LPA on 26 October 2018. As such, the applicant has complied with the terms of Condition 1.3 (i) of the S73 Permission.

Pursuant to Condition 1.7, the proposals incorporate a Neighbourhood Police Unit within the Ground Floor of Plot 11 and seek RMA approval of this unit under this application. Item (c) of the current definition of 'Phase 1C' relates to the delivery of a Neighbourhood Police Unit in the Market Quarter. This is an item of Critical Infrastructure ((Non Pre-Phase (South) as defined in both the s73 Glossary to Conditions and Schedule 1 (Defined Terms) of the Section 106 Agreement under Critical Infrastructure ((Non Pre-Phase (South), and paragraph 8.3.4 of Schedule 2 to the S106 Agreement. As such, the application accords with these requirements whereby the applicant is seeking the relevant RMA approval for such Critical Infrastructure Non-Pre-Phase prior to its commencement.

Pursuant to condition 2.1, section 1.26 of the submitted Explanatory Report sets out the structure of the submission, providing details of the documents submitted under the relevant material consideration headings. The application is accompanied by the relevant documentation and therefore provides the LPA with appropriate details for considering the RMA proposals pursuant to Condition 2.1.

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 11.

It is considered that the proposed development relating to Plots 11 conforms with all of the relevant Parameter Plans and this is explained in the appraisal below.

6.2 Principle of Development

The principle of the proposed residential led mixed-use development for Plot 11 is established by the S73 Permission. 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 11 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. The supporting text of this Plan identifies the primary use of MQ2 as residential. Plot 11 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 facing out onto 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 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 and Access Statement (RDAS), Revised Design Framework (RDSF), Revised Design Guidelines (RDG). Those relevant to the proposed development are summarised below and followed by an appraisal of Plot 11 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 11 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 11 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 11 RMA and separately

under planning application reference 18/6438/CON for the discharge of Condition 1.17.

The submitted IRP takes the IRP for Phase 1B North (17/3196/CON) as the latest approval, and updates it to reflect the changes by the consented Plot 12 RMA (pursuant to condition 1.17 under 17/6825/CON) and the changes proposed by Claremont Road NMA and proposed RMAs for Plots 11 and 13. (For clarity, the IRP approved with Plot 12 RMA is not taken as the latest because this was submitted in October 2017, therefore did not incorporate the IRP pursuant to 1B North that was approved in November 2017).

A application pursuant to Section 96A to make non-material minor amendments to the S73 Permission was submitted as part of the suite of applications for Phase 1C. This application varied the S73 Permission to retain Claremont Road and re-classify Claremont Avenue from a vehicular route to a managed vehicular route. This creates an updated masterplan context for Brent Cross South and Plot 11 specifically. The NMA also updated the indicative layout plan for the BXC development (Parameter Plan 015) as well as that for the Market Quarter Development Zone (Parameter Plan 020).

In summary, these updated plans show indicatively the retention of the full length of the existing Claremont Road from its junction with Claremont Way, north to its junction with Tilling Road. In retaining Claremont Road as the main vehicular north-south primary route, Claremont Avenue is able to be re-classified as a tertiary route for pedestrians and cyclists, although with some managed servicing access. Claremont Avenue will connect with the Living Bridge, run through Market Square and south towards Clitterhouse Playing Fields, and providing a more pleasant environment for pedestrians and cyclists travelling north-south through the centre of BXS. A pedestrian crossing will be provided at its junction with the High Street South and Claremont Road (accessing into Clitterhouse Playing Fields).

The submission of the IRP pursuant to Plot 11 reflect the updated Parameter Plans 015 and 020 which form part of the Claremont Road NMA submission.

The indicative layout shown in Parameter Plans 015 and 20 for the Claremont Road NMA submission also show the layout of High Street South (East Works), Claremont Avenue, Claremont Park Road (Part 1), and Claremont Road Junction North which have been recently approved under drop-in application 18/6645/FUL.

The purpose of Condition 1.17 is to ensure that the LPA has clarity on the layout of key structural component within any phase (or part of) or zone, prior to considering reserved matters applications for detailed design of plots. The information provided demonstrates that detailed proposals for Plot 11 are consistent with and do not prejudice the delivery of the key structural components of the BXC scheme.

Furthermore, the Plot 11 RMA (and Plot 13 RMA and Highways Drop-in application) is supported with a document titled 'Brent Cross South: Layout

Update; Plot 11 RMA, Plot 13 RMA, and Phase 1 South Highways and Public Realm Application' prepared by Allies and Morrison. The document is for illustrative purposes only to show the likely wider context within which the proposed development plots will be brought forward as the context develops through detailed submissions in due course. It describes the evolution of the layout for BXC and, in particular Brent Cross South (BXS).

In terms of the layout of the three plots (Plots 11,12 and 13) within the Market Quarter Development Zone in Phase 1, the document confirms this was considered during the detailed design of Plot 12 when it was considered necessary to deliver more regular blocks to meet the north and southern roads more consistently. Therefore, it the realignment of the three plots within the Building Zone was needed, reducing the size of the blocks and increasing the north-south permeability. This move reduced the lengths of the frontages to both the High Street and the park to be more familiar in scale. This meant moving the alignment of the High Street South (East Works) slightly further north (within permissible limits of deviation), increasing the size of Building Zone MQ2 and reducing MQ1 to the north of the High Street. It also allowed for more east-west permeability within the blocks.

In terms of the Claremont Road retention NMA, the document confirms that the removal of the majority of vehicular traffic from Claremont Avenue allows this route to become a pedestrian and cycle link creating a linear public space between the proposed Living Bridge and Clitterhouse Playing Fields. This allows for the rationalisation of Claremont Road Junction North (the junction between Claremont Road and Claremont Park Road) which in turn means Claremont Park is able to extend eastwards. Claremont Avenue has also been moved slightly east (within limits of deviation allowed for in the parameter plans) to allow for a more regular footprint for Plot 11, and allowing the creation of a linear public space with the Living Bridge to the north.

Market Square and Claremont Avenue which are now proposed to be a pedestrianised route which runs from the Living Bridge to Clitterhouse Playing Fields and Claremont Park. This space is divided into three main parts: Living Bridge Approach, Market Square and Market Square South. The Market Square is envisioned at the junction of High Street and Claremont Avenue, and located at the crossroads it will extend both north and south. This route is envisioned to be a more shopping and leisure focused node, transitioning from the large shopping centre to more neighbourhood scale shops, amenities and community leisure.

Market Square South, to the east of proposed Plot 11, is envisioned to continue a boulevard-like nature, increasing in soft and green character to broaden out to form the transition node between the town centre and the neighbouring parks. An emphasis on play and soft natural surfaces at its southern end is envisioned, as it benefits from daytime sun and is close to community leisure facilities and neighbourhood cafes and shops.

As such, the supporting BXS Layout Update sets out the evolving context in which Plot 11 has been designed, and it is considered that the proposals for Plot 11 respond appropriately to such wider masterplan.

Layout – Plot

The layout of Plot 11 acknowledges the interface with the Market Square to the north and east which is identified as a 'Main Square' on Parameter Plan 003, to the north of Plot 11. The proposed layout of Plot 11 has been developed to ensure a successful relationship between the buildings of Plot 11 and Market Square through the use of a more prominent element on the eastern corner of Plot 11 North (Block C). This will assist in wayfinding when navigating through the BXS town centre and as a point of arrival when approaching from the north and south.

Plot 11 South conforms to the residential courtyard typology stipulated in both the RDSF and RDAS, with the blocks centred around a central podium Courtyard Garden for residents use. The u-shaped nature of Plot 11 South created a private central courtyard for play and leisure which is overlooked by the surrounding residential units. The 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 within the Plot.

Details of the north-south tertiary street to the west of Plot 11 has been approved as part of Plot 12 RMA. The building-to-building line between Plots 11 and 12 is proposed to be 19.8m, this is compliant with the maximum and minimum distances for tertiary routes as shown on Parameter Plans 002 and 003.

6.4 Land Use and Development Quantum

Land use

Plot 11 falls within the 'Market Square' Development Zone as identified in the consented Parameter Plan 001 (Development Zones), and is specifically located within Building Zone MQ2 as identified in Parameter Plan 014 (Floorspace Thresholds).

The narrative to Parameter Plan 001 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 narrative to Parameter Plan 14 (Floor Space Thresholds) identifies the 'primary' uses and the anticipated floorspace in that use for each Building Zone. In the case of Market Quarter 2 (MQ2) it identifies 100,266 m² for residential use and 1,595m² for any other use.

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 11 it identifies an anticipated primary uses to be 'residential and retail'.

In conjunction, Parameter Plan 04 (Ground Level Uses to Frontages) and Parameter Plan 05 (Upper Level Uses to Frontages) of the S73 Permission establish land use for the plots at the ground floor and upper levels.

In the case of Plot 11, Parameter Plan 04 show that this Plot is subject to a predominantly 'retail/leisure/hotel' at the ground level on the northern frontage (fronting the high street) and 'residential development on all other ground level frontages to the east, south and west. A summary of the proposal assessed against these is provided below.

Proposed Ground Floor uses:

The proposals for Plot 11 show the ground floor frontage of Plot 11 North onto High Street South proposed as primarily for retail uses. The proposal on this frontage is therefore in compliance with Parameter Plan 04.

The eastern frontage onto Claremont Avenue is proposed for retail with ancillary residential entrances at the ground level. The southern frontage onto Claremont Park Road at the ground level is proposed to accommodate an element of retail floorspace on its southern-eastern corner, with the rest of this frontage being landscaped steps and residential frontage or entrances. The provision of elements of retail on the eastern and southern frontages at ground level therefore represent a deviation from Parameter Plan 004 which specifies that the ground floor frontages on the eastern and southern edges of MQ2 be primarily residential uses.

However, it is also noted that the proposals respond to the approved Claremont Road Retention NMA which establishes Claremont Avenue as an enhanced linear piece of public realm between the Living Bridge and Clitterhouse Playing Fields.

As such, the route is anticipated to attract significant footfall, so the introduction of active uses such as retail on the ground floor frontage of Claremont Avenue is considered to enliven this route and complement the residential uses on the upper levels. This would also be in keeping with the description of the residential-led mixed-use character of the Market Quarter Development as provided for within the RDSF.

It is therefore considered that the proposed retail uses on the eastern and southern frontages of Plot 11, whilst deviating from Parameter Plan 004, these will contribute to an active frontage which will in turn contribute to establishing a successful north-south pedestrian/cycle route connecting Claremont Avenue and the Market Square to the Living Bridge to the north, with Clitterhouse Playing Fields to the south, as well as with Claremont Park Road and High Street South to the west of Claremont Avenue.

The RDSF specifies that in the event that the proposals have no significant adverse environmental impacts, deviations may be acceptable. An Environmental Screening Opinion Request was submitted concurrent with this application and an Environmental Statement of Compliance (Appendix 4 of the Explanatory Report), which confirm there are no likely significant adverse environmental impacts as a result of the proposed ground floor land uses.

Proposed Upper Level land uses:

Parameter Plan 05 shows that Plot 11 in MQ2 is subject to 'residential' uses on all upper level frontages to the north, east, and south. The proposals for Plot 11 demonstrate that all upper level uses are residential to the north, east, south and west frontages. As such, the proposals are in compliance with Parameter Plan 05.

The proposals for Plot 11 are for a residential-led mixed-use scheme that complies with all of the parameters and principles outlined above, with a minor deviation to Parameter Plan 004 (Ground Level Uses to Frontages) which are considered permissible as they have been confirmed to have no significant adverse environmental impacts, while also contributing positively to establishing pedestrian/cycle routes at key intersections in the Masterplan.

Floorspace

The principal floorspace control of the S73 Permission is Condition 36.1 which requires compliance with the Zonal Floorspace Schedule (Appendix 5, RDSF), and general accord with the Indicative Plot Schedule (Table 8a of Parameter Plan 029 Indicative Phasing Plan) and the Floorspace Thresholds for Building Zones Schedule (Table 6 of Parameter Plan 014 Floorspace Thresholds).

Zonal Floorspace Schedule:

The revised Zonal Floorspace Schedule (as updated by application 18/6447/NMA) sets out the floorspace maxima for each land use within each Development Zone. In the case of the Market Quarter Development Zone (comprising of MQ1, MQ2 and MQ3) the relevant maxima floorspace are 170,752m² of residential use (C3), 6,735m² of retail use (A1-A5) for the south, 1,1075m² for Community Facilities (D1), and 4,961m² for Leisure use (D2).

When assessing the consented proposals for Plot 12 and Plot 13, in combination with Plot 11 against the maxima for the Market Quarter Development Zone with the Zonal Floorspace Schedule, other than a negligible amount of 26m² of Community (D1) floor area, there is a residual floorspace of 70,486m² for Residential (C3), 3,783 for Retail (A1-A5), and 3,887 for Leisure (D2). Therefore, it is considered that sufficient residual floor area remains for future development proposal in relation to the other Market Quarter Plots in MQ3 and MQ1.

Floorspace Thresholds for Building Zones Schedule:

The revised Floorspace Thresholds for Building Zones Schedule sets out the anticipated development quantum for each Building Zone (primary use and remaining use). It also sets out that it will be permissible to increase the floorspace allocated to each Building Zone by 15% above the amount stated, subject to the limit of the overall floorspace within that Development Zone as set out in the Zonal Floorspace Schedule.

Plot 11 is located within Building Zone MQ2 within the Market Quarter Development Zone.

For MQ2 the Floorspace Thresholds for Building Zones Schedule identifies 'residential use' as the primary use in this building zone and an anticipated quantum of 100,266m² for this use. It also identifies an anticipated quantum of 1,595m² of 'remaining floorspace' for other uses that are in keeping with the character of its Development Zone.

In terms of 'residential use', the Plot 11 proposals equate to a Gross External Area of 33,647m² of residential floorspace as the primary use across the two buildings proposed. Previously consented Plot 12 RMA (17/662/RMA) is also located in MQ2 and amounts to a total GEA of 31,250 of residential floorspace as primary use. Submitted concurrently with this application and consented at the time of writing this report is Plot 13 RMA (18/6337/RMA) which is also located in MQ2 with a total GEA of 35,369m² of residential floorspace as primary use.

Together, the consented residential floorspace for Plot 12 and 13 with the proposed residential floorspace for Plot 11 amounts to 100,266m² as the primary use of these developments. This is accords with the identified primary use and anticipated quantum for this use for Building Zone MQ2 which allocates 100,266m² for residential use as the primary use.

As such, the proposed 33,647m² (GEA) of residential floorspace for Plot 11 is considered to comply with consented parameters and in the event of approval Plot 11 would provide the final contribution towards the maximum anticipated residential floorspace of 100,266m² GEA permitted within Building Zone MQ2.

The total 'remaining floorspace' of consented Plot 12 and Plot 13 and proposed Plots 11 amounts to 5,127m². This exceeds the maxima of 1,595m² of 'remaining floorspace' allocated to MQ2 by 3,532m². This equates to a 3.5% increase above the total permitted floorspace for MQ2 (101,861m²).

The 'Floor Area and Land Use Statement' dated (Oct 2018) prepared by DP9 appended to the Explanatory Report of this application confirms that the accompanying text to Parameter Plan 014 (Floorspace Thresholds) allows for an increase of up to 15% in floorspace within a Building Zone subject to the overall total for the relevant Development Zone not changing. This is also subject to the restriction in other parameter plans being met as well as other relevant principles and parameters of the RDAS. Therefore, an increase in one

Building Zone would result in an equivalent decrease in another within the same Development Zone.

The statement explains that applicant intends to use the 15% 'flex' stated in the RDSF to cover for the breach of 3,532m² of 'remaining floorspace' which equates to a 3.5% increase above the total permitted floorspace for MQ2 (101,861m²). The document further confirms that applicant intends to utilise the 15% 'flex' and in doing so transfer 3,532m² of 'remaining floorspace' from the other Building Zones in Market Quarter, M1 and M3, to MQ2.

The revised Floorspace Thresholds for Building Zones Schedule identifies 'remaining floorspace' of 28,574m² for MQ1 and 1,138m² for MQ3. Therefore, if the transfer is taken away from MQ3 this would leave MQ3 as a purely residential Building Zone which would not be in keeping with the parameter plans and principles which support a mixed-use ground floor level. In contrast, when considering MQ1 the 'remaining floorspace' relates to 28,574m² and therefore would appear to have more room to allow the transfer to be taken from. The LPA has therefore requested applicant to confirm the Building Zone from which the floorspace is being transferred. The applicant confirmed on 26/03/2019 that for the purposes of future consideration of floorspace threshold parameters the transfer of 3,535m²(GEA) would be drawn entirely from MQ1 'Remaining Floorspace' (Table 6. Parameter Plan 14). As such, this is considered acceptable and, in the event of approval, an informative to remind applicant is attached.

Indicative Plot Schedule:

The Indicative Plot Schedule accompanying the Indicative Phasing Plan identifies the anticipated primary use of each plot based on the Indicative Layout Parameter Plan. The use of each building which will form part of future RMA is controlled by Parameter Plans 004, 005 and 014, therefore provided RMAs comply with these parameters it will not be a requirement to demonstrate compliance with the indicative schedule of plots.

The Indicative Plot Schedule identifies the anticipated primary use for Plot 11 as 'Residential & Retail'. As referred above, the proposals include a total of 33,647m² (GEA) residential floor space, 1,355m² of flexible retail space, and a neighbourhood police unite of 94m². As such, the proposals for Plot 11 are also considered to be in accordance with the Indicative Plot Schedule.

Market Quarter Zone Section 106 Obligations

Neighbourhood Police Unit:

The provision of a Neighbourhood Police Unit within the Market Quarter Zone, with a minimum floor area of 93m², is a requirement of the S73 controls, namely identified as an item of Critical Infrastructure (Non Pre-Phase (South) under Phase IC. The S73 Permission provides the following definition in the Glossary to Conditions:

“Neighbourhood Police Unit (Market Quarter Zone)” means the police unit of up to 93 sq m to be provided within the Market Quarter Zone to be provided in accordance with paragraphs 2.35 – 2.36 of the DSF (or up to 186 sq m if a single unit is provided for the Development within the Market Quarter Zone) in accordance with Paragraphs 8.1.2 and/or 8.3.5 of Schedule 2 to the S106 Agreement;

The proposed scheme incorporates a Neighbourhood Police Unit with a floor area of 94m² at the centre of the Plot 11 North facing the Court. This is shown on the proposed Ground Floor Plan 2116-A-L-100 Rev P01. A further 94m² (GEA) is also provided in the expanded Brent Cross Shopping Centre within the approved designs for Phase 1B North, therefore the requirement to provide a larger single unit of 186m² within Market Quarter Zone is no longer required, and a proposal of 94m² within Plot 11 of the Market Quarter Zone is in keeping with the requirements of the section 106.

Notwithstanding the requirements of the s106, the Met Police Authority have been consulted to confirm that such unit is still required and to incorporate any comments the Authority would have relating to the proposed unit. Met Police Authority is still in the very early stages of identifying any additional space beyond their own estate that may be required to locate their Ward teams, and at this stage could not comment on what any exact requirement for the future might be beyond the following criteria: *“The Mets criteria for a District Ward Office (DWO) is as follows:*

- *Circa 20 sqm of floorspace, provided communal welfare facilities are available or 50 sqm where they are not.*
- *No requirement for street frontage or windows.*
- *No more than 4 or 5 lockers per team within a secure area.*
- *Ideally, access to communal welfare facilities (showers, toilets, cooking facilities) and access to wi-fi and charging facilities.’*

The proposed Police Unit of 94m² (GEA) within Plot 11 exceeds the current Met Police maximum criteria of 50m² (GEA) by 44m².

Density

The RDSF provides illustrative residential densities in Table 3b, which for Market Quarter is 386 units per ha. This is an average illustrative density for the Market Quarter Zone as a whole. Paragraph 2.28a notes that the density levels within the RDSF should not be used as an assessment tool in isolation as actual densities will be calculated at RMA stage as derivative of various other controls including sunlight/daylight, private open space, building height as well as scale thresholds.

The site area of Plot 11 measures 0.68ha and 352 units are proposed. This equates to a residential density of 518 units per hectare and therefore exceeds the outlined density of 386 units per hectare. However, as noted above the actual residential densities are to be determined through the RMA process

which incorporate various other controls and standards to ensure high quality is provided.

In terms of location, the submitted Design Statement for Plot 11 demonstrates the density of Plot 11 would be appropriate to its location given its central position within BXS which is at prominent intersections of High Street South (East Works) and Claremont Park Road with a key pedestrian and cycle route connecting the Living Bridge and Clitterhouse Playing Fields. In urban design terms, these intersecting locations are considered appropriate for taller elements to be provided as they help punctuate views from these streets and provide legibility.

In terms of technical standards the proposals meet or exceed the minimum Technical Housing Standards, provide good levels of daylight and sunlight, provide large amounts of communal outdoor space, in close proximity to Claremont Park and Clitterhouse Playing Fields, and extensive ancillary communal amenity facilities for the enjoyment of residents. Therefore, it is considered that Plot 11 represents a high quality residential development which will offer good standards of accommodation and amenity to future residents, and as such the proposed density is considered acceptable.

Tenure

The S73 Permission sets a baseline requirement to provide 15% of all residential floorspace as Affordable Housing with a target of up to 30%.

For Phase 1 (South), within which Plots 11, 12 and 13 are situated, the Section 106 Agreement contains specific Affordable Housing requirements reflecting the need to provide replacement homes for the Whitefield Estate. In relation to Phase 1 (South) these are defined in the Section 106 Agreement as 'Whitefield Estate Replacement Units (Part 2)'

The inclusion of the Whitefield Estate Replacement Units towards the minimum provision of affordable housing in these early sub phases of the development 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%.

The Affordable Housing Viability Testing Report (AHVTR) for Phase 1 South pursuant to condition 1.13 was approved by the Council in February 2018. The viability appraisal which was independently reviewed by the District Valuation Service (DVS) of the Valuation Office Agency, concluded that based on the predicted provision of 997 units within Phase 1 (south) as a whole, the provision of further Affordable Housing could not be viably delivered within Phase 1 (South). The conclusions reached on viability grounds were found to be acceptable, based largely on the first phase having the highest infrastructure

costs, including the re-provision of social housing for the Whitefield Estate (Part 2).

The Whitefield Estate Replacement Units are being delivered on Plots 53 and 54 and on Plot 12. Therefore, no additional affordable housing is required to be provided on Plot 11.

A total of 352 market sale residential units are proposed on Plot 11.

Residential Unit mix

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 for Plot 11 are indicated below:

| Unit size | Target mix (site-wide) required in section 2.23 RDSF (%) | Proposed mix Plot 11 (units) | Proposed mix Plot 11 (%) |
|---------------------|--|------------------------------|--------------------------|
| 1 Bed Flat / Studio | 35% | 126 | 3% |
| 2 Bed Flat | 47% | 192 | 54% |
| 3 /4 Bed Flat | 18% | 34 | 10% |
| TOTAL | 100% | 352 | 100% |

The above figures incorporate revisions made by applicant during the determination of this application in response to meeting internal space standards, as well as private amenity standards. These are discussed in more detail under such topics within the report.

The proposed mix is broadly in accordance with the site wide target mix set out in the RDSF. It should be noted that as a site wide target this does not need to be specifically applied on a plot by plot basis.

The proposed mix has been informed by market demand analysis conducted by Savills. This early phase of the development provides a greater proportion of studio, one-bedroom and two-bedroom units as the first plots to be delivered are expected appeal to single people and small households during the early construction activity as the new development starts to establish itself. In respect of the residential unit mix, the proposed development is in accordance with the parameters and principles described in the s73 Permission and is considered acceptable.

6.5 Scale

Scale controls for maximum and minimum height, width, and length are established within 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 11 is located) are summarised below followed by Plot 11 proposals assessed against these.

Height

North and South flanks

Building heights across the BXC site are established by Parameter Plan 007 (Maximum Building and Frontage Heights). Building Zone MQ2 has 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) is 33m, with a minimum frontage height of 16m. The eastern frontage onto Claremont Avenue closest to the High Street shows a maximum frontage height of 33m and minimum of 16m, and closest to Claremont Park Road a maximum of 27m and minimum of 12m.

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 behind this 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 beyond the 45 degree maximum set back parameter for up to 30% of the length of any frontage, and as long as they do not exceed the maximum building height.

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.

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 11:

Height:

The proposed massing for each of the two buildings comprising Plot 11 is as follows:

Northern Façade – Plot 11 North

Block A (10 storeys): 27.6m frontage height, 34.7m set back height
Block B (11 storeys): 30.75m frontage height, 37.85 set back height
Block C (13 storeys): 44.15m frontage height (with no set back)

The northern frontage of Plot 11 North fronts onto High Street South which is subject to a maximum key frontage height of 33m, allowing for a limit of deviation of +/- two meters, and a minimum key frontage height of 16m.

The submitted drawings and Design for Plot 11 North demonstrate that the northern frontage of Plot 11 North sits within the maximum and minimum frontage height parameters with the exception of Block C which shows a frontage height of 44.15m and therefore is above the maximum frontage height of 33m beyond the 45 degree maximum set back parameter, but below the maximum building height of 45m. This exceedance occurs along 16.83m (30.6%) of the total length of this frontage. Section A2.4.3 of RDAS allows for buildings to exceed the maximum frontage height beyond the 45 degree maximum set back parameter for up to 30% of the length of any frontage, and as long as they do not exceed the maximum building height. The proposal exceeds the 30% rule by 33cm which is considered to be a negligible deviation.

All blocks in Plot 11 North sit within the maximum permitted building height of 45m, with maximum proposed heights of 34.7m, 37.85m and 44.15m.

Eastern Façade – Plot 11 North and Plot 11 South

Plot 11 North:

Block C (13 storeys): 44.15m frontage height (with no set back)

Plot 11 South:

Block F (8 storeys): 23.75m frontage height, 27m set back height

Block J (9 storeys): 26.1m frontage height, 30.5m set back height

Block K (9 storeys): 26.1m frontage height, 30.5m set back height

Block L (10 storeys): 33m

The eastern frontage of Plot 11 fronts Claremont Avenue and is subject to two different maximum and minimum frontage height parameters. The eastern frontage of Plot 11 North is subject to a 33m maximum frontage height, allowing for a limit of deviation of +/- 2 metres, and 16m minimum frontage height. The eastern frontage of Plot 11 South is subject to a 27m maximum frontage height, allowing for a limit of deviation of +/- two metres, and a minimum frontage height of 12m.

The submitted drawings and Design Statement demonstrate that the majority of the Blocks that comprise this frontage sit within the maximum and minimum key frontage height which they are subject to with the exception of Block C of Plot 11 North and Block L or Plot 11 South.

Block C shows a frontage height of 44.15m and therefore is above the maximum frontage height of 33m, beyond the 45 degree maximum set back parameter, but below the maximum building height of 45m. This exceedance for Block C occurs along approximately 17m (16%) of the total length of this frontage. Block L shows a frontage height of 33m and therefore is above the maximum frontage height of 27m, beyond the 45 degree maximum set back parameter, and meets the maximum building height at 33m. This exceedance for Block L occurs along approximately 18m (17%) of the total length of this frontage. Together, the exceedance of Block L and Block C amount to 33% of the total length of this frontage.

The exceedance of Block L and Block C of 33% of the total length of this frontage exceeds the parameters by 3% which equates to approximately 3.25m. Having regard to the evolved masterplan context as illustrated in the submitted IRP, and taking into account the fact that the building along this frontage relate to the public space of Claremont Avenue, the proposed building heights are considered to be appropriate and this small deviation is considered to be acceptable.

The maximum building height for the eastern frontage of Plot 11 North is 45m, and for the eastern frontage of Plot 11 South is 33m. All Blocks are within these maximum building heights.

The southern frontage of Plot 11 South faces Claremont Park Road which is subject to a maximum key frontage height of 27m, allowing for a limit of deviation of +/- two meters, and a minimum key frontage height of 12m.

The submitted drawings and Design Statement demonstrate that all Blocks that comprise this frontage sit within the maximum and minimum key frontage height with the exception of Block L of Plot 11 South.

Block L shows a frontage height of 33m and therefore is above the maximum frontage height of 27m, beyond the 45 degree maximum set back parameter, and meets the maximum building height at 33m. This exceedance for Block L occurs along approximately 17m (31%) of the total length of this frontage.

The exceedance of Block L of 31% of the total length of this frontage exceeds the parameters by 1% which equates to approximately 55cm, and therefore represents a small deviation.

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 submitted Design statement explain that the proposed heights help distinguish the taller elements of the scheme and maintain the proportions and variety of the different blocks. The two blocks this exceed the RDAS 30% principle sit at the north and south ends of the eastern frontage. These define important public spaces within the masterplan. The taller element of Plot 11 North siting within a prominent area of the overall BXS masterplan, located at one of its main intersections. The tall element responds to this major axis between High Street South and Claremont Avenue, creating a strong marker from the Living Bridge to the North, from the Park to the South, and onto Market Square. It is also considered that this higher element will aid wayfinding across the masterplan.

The taller element of Plot 11 South on the eastern frontage overlooking the park, also marks an important north-south route, as seen from Claremont Park. It demarcates the continuous stretch of residential buildings along Claremont Park Road bringing this frontage to a convincing end.

The taller elements which marginally deviate from the parameters mark important public spaces which are further emphasised through a combination of different brick tones and vertical articulation. The marginal exceedance of the RDAS 30% principle has allowed to preserve the design intent, allowing all key areas of the Plot to form a strong and uncompromised conceptual and visual framework.

The proposed exceedances noted above have been taken into account and assessed as part of an EIA screening request submitted in relation to this RMA for Plot 11. The screening request confirms that the Plot 11 proposal including the minor exceedances noted above do not give rise to new or different significant environmental effects than those already assessed with the outline permission.

Courtyard Dimensions:

Massing principles set out in Appendix 10 of the RDSF set out maximum and minimum height, width and length for residential courtyards in MQ2. The specification is as follows:

Height: Max 45m, Min 12m
Width: Max 100m, Min 50 m
Length: Max 73m, Min 46m

The proposals for Plot 11 South (Courtyard Garden) are as follows:

Height: 23.5-29m
Width: 17.8m
Length: 46.9m

As such, the massing dimensions are in compliance with the massing parameters set out in Appendix 10 of the RDSF.

Balconies:

Balconies on key frontages may overhang by a maximum horizontal depth of 6m and for a maximum length of 50% of a façade on any level, as per the narrative to Parameter Plan 002 (Transport Infrastructure). Overhangs should not be less than 6m from the finished ground level, except for canopies.

Balconies on secondary and tertiary frontages may overhang by a maximum horizontal depth of 3m, and no overhangs should be less than 4m from the finished ground level (except for canopies), as per the narrative accompanying Parameter Plan 008 (Minimum Frontage Heights).

A total of 98 projecting balconies are proposed of which all overhangs are above 6m on the key frontages and above 4m on the secondary and tertiary frontages from the finished ground level, therefore in compliance with the parameters of the S73.

Projecting balconies were omitted on the northern elevations, and western elevation due to proximity to Plot 13, to reduce the negative impact on the light quality on the balconies below.

A total of 6 inset balconies are proposed on the upper levels of Plot 11 north.

Approximately a total of 221 Juliette Balconies are proposed in instances where projecting balconies might compromise the quality of adjacent flats below or inset balconies would impact on the unit area.

As such, the balconies proposals are considered acceptable and in keeping with the principles and parameters of the S73.

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 11 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 11:

The application is accompanied by Architectural Drawings, Landscape Drawings, and Design and Access Statement dated October 2018.

Following submission of the application the applicant submitted minor revisions to the relevant drawings on 27/03/2019 which introduced further brick detailing around the windows of the internal courtyard elevations.

The appearance of the proposed buildings for Plot 11 is based on a classical vertical division, creating a base, middle section, and distinct top levels. The key façade concepts can be summarised as follows:

- Façade expressed strongly as vertical division, with a distinct urban articulation at street level and residential levels above;
- Differentiate each block through massing and material choice;
- Uniform external wall build-up and limited window types to help maintain harmony across the Plot with a balance between distinction and unity
- Balconies designed with a light character
- Use of durable, robust and timeless materials with single and good quality detailing

Consistent with the RDAS, the mansion block apartment typology has been used in the proposals as a reference point in designing the lower blocks, with a view to articulate facades vertically instead of horizontally.

Brick is the preferred façade material which has been influenced by the mansion block typology as specified in the RDAS. This is in line with the masterplan parameters which specify the implementation of a solid architecture. It is also reminiscent to residential buildings in London.

Brick tone variations are also proposed helping break down the massing on all elevations. The material palette for Plot 11 is based on bricks laid in various patterns with a warm, red to brown gradient and a natural variation to the mix.

Metal is proposed as cladding for some of the buildings' top levels that are proposed recessed, and also for Plot 11 North for the top four levels. The intention is to articulate the buildings and alleviate the presence of the building in elevation. Also in the case of Plot 11 North, the metal treatment allows the taller element of Plot 11 to become a marker and be easily distinguished from pedestrian routes such as the approach from the Living Bridge, Clittlerhouse Playing Fields and further west on the High Street.

Retail floorspace is proposed at ground floor level fronting Claremont Avenue and High Street South. The facades of these elevations articulate a base by featuring a taller ground floor storey to address the importance of these key frontages and to allow for a variety of uses.

A pre-cast concrete frame in a triangular pattern is proposed to articulate the ground floor of Plot 11 North fronting the High Street South. The proposed design seeks to reflect the prominent location of Plot 11 North on High Street South and the corner of Market Square.

The main entrance to Plot 11 South is located from the Court via its northern elevation and is designed to link with the Podium Courtyard. This entrance is articulated with a double height space and 3-bay glazing framed by a deep reveal all in dark brick that contrasts with the lighter brick (and of different tone) chosen for the residential levels above.

Section 5 of the submitted Design Statement provides indicative colour details of both brick and metal proposed. Conditions requiring submission and approval of architectural details and 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 principles of materiality submitted with this application are considered acceptable.

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 Plot 11 complies with the principles of appearance within the consented RDAS and RDG and represent high quality which is suitable and fitting with consented Plot 12 and Plot 13 and the wider 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 11 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 11 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.

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.

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. The most relevant extracts are listed below:

- 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 pallet 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.

Lastly, the S73 Permission itself includes conditions, principally Condition 2.1 (g) (Landscaping) that requires RMA's 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.

Plot 11 Proposals:

To comply with the above requirements the applicant has submitted drawing TOWN621.01(08)3101 R04 (Plot 11 Surface Finishes Plan), and a Landscape Design Report Plot 11 dated October 2018 comprising general arrangement and sections for the proposed landscape.

Plot 11 includes both landscaped areas of public realm and private communal space and are detailed within the Landscape Design Report dated October 2018 prepared by Andy Sturgeon Design. These have been designed to integrate with the surrounding public realm proposals approved through the Drop-in Highways and Public Realm application for Phase 1 (South) and the corresponding adjustments to the North-South tertiary street between Plot 11 and Plot 12.

The Landscape Design Report also includes a summary of existing trees landscape features in the site as per the requirements of Condition 2.1 item (g) relating to Landscape details. This section confirms that a site survey was

carried out on 1 August 2018 and the results confirm that all 22 existing individual trees and 3 mixed species groups of trees within the site boundary will be removed due to the construction of Plot 11 proposals. These trees are Category C and U (low quality), and are not located within a Conservation Area or subject of any Tree Preservation Orders. Such details were submitted separately under application 18/6348/CON pursuant to Condition 27.1 which has received approval on 15 March 2019.

Court

This is a publicly accessible space located between Plot 11 North and Plot 11 South. The space performs a number of functions including: a public pedestrian route through the development; providing the main access to residential lobbys for both Plot 11 buildings; and as spill out space for retail and restaurant/café seating areas. The original design intention for The Court was also as a space capable of accommodating markets and events.

The eastern and western edges comprise spill out space from adjoining retail units, as well as raised planters with shrubs and multi-stem trees to provide a sense of privacy between the buildings and the central part of the Court. The raised planters have integrated seating therefore offering informal gathering spaces at these ends.

The central part of the space adjoins the entrances to the lobbies within Plot 11 North and Plot 11 South, so the landscape design in this area is open to encourage movement between the plots with some seating provided at the centre. Overhead lighting suspended across the space is also proposed.

The space is primarily a hard-paved environment broken by tree planting at the eastern and western ends. Materials include clay pavers in mid brown tones, herringbone clay pavers in brown mid tones, and flush granite kerbs as paving bands. Street furniture includes cycle stands, stone benches, integrated timber seating, and large feature pots to lobbies. The principle of the materials proposed is appropriate for the type of use of the area and are considered acceptable subject to a condition requesting applicant full details.

In terms of proposed Planting for the Court indicative details have been submitted. Horse-Chestnut or similar is proposed as a paving and shade tolerant tree, and Hornbeam and Birch trees (or similar) are proposed for the raised planters which provide all year-round interest and are also shade tolerant. Section drawings of tree pit details in raised planters have also been submitted. The Council's Tree Officer has reviewed planting proposals and confirms these are in keeping with the principles of the PROSS and relevant S73 conditions, and has no objection subject to full details being submitted.

Following discussion with the applicant, the function of The Court is now intended to focus more on the potential use by residents of the surrounding buildings, rather than a main market environment which will be catered for in the Market Square and Claremont Avenue. Officers consider that the space should be as flexible as possible to allow it to be adapted to a range of uses.

The primarily hard paved environment provides a base for this to happen and for the soft landscaping to be evolved or for moveable planting to be provided. Therefore, the landscape drawings relating to the Court submitted with this application are being treated as being for information and a condition is recommended requiring the applicant to submit final landscape details for the Court prior to commencement.

Podium Courtyard Garden

The Courtyard Garden is proposed at the podium level within the centre of Plot 11 South. The total area is 1,225m² comprising 1,011m² of communal amenity space for residents, and 214m² of private podium gardens. The Courtyard can be accessed from five separate points: from the Court by steps from the north, from the podium level building entrances on the eastern and western wings of Plot 11 South, from the lift to the Courtyard and the stepped garden accessed from Claremont Park Road to the south.

The landscape design of the Courtyard has three main character areas. At the north end, a formal layout reminiscent of a 'square' with a series of raised planters and seating is proposed. In the centre a play area with a more natural feel and slightly mounded landscape including logs and stepping stones acting as natural play elements. To the south end, a Parkland with a more open feel, including a lawn and a step garden leading to Claremont park Road. On the step garden a 2.1m high fence and gate is proposed for entry and exit to the Courtyard Garden which will be partially hidden by planting to ensure the safety of the public using this area. Benches at the street level are also proposed to offer public seating opportunities.

A total of 13 private gardens are proposed at the podium at the perimeter of the Courtyard Garden directly accessed from residential units, and also from the Courtyard Garden. Each terrace has a minimum depth of 1.5m. These have been designed to visually integrate into the design of the Courtyard, and planting is also used to provide privacy to the private gardens from communal space. It is also noted that where communal areas are expected to have heavier use (like seating and play areas), the proposals have incorporated a greater depth of privacy buffer to maintain a privacy for the private terraces.

The paths through the garden are a minimum of 1.5m width to be wheelchair accessible with seating proposed throughout for resting and gathering. Seating is proposed in the form of timber seats, seats integrated to the planters and linear timber benches.

In term of materials for the Courtyard indicative details have been submitted. Surfacing proposed includes stone in gravel, boulders, compacted gravel, stone paving, tactile paving, porcelain tile paving, solid stone steps with timber seats. Furniture proposed includes raised steel planters with timber seating, timber seating cubes, logs and boulders, stone bench, timber and concrete dining tables, and metal fence and resident entrance gate. The principle of the materials proposed is appropriate for the type of use of the area where they are proposed. As such, these are considered acceptable subject to a condition

requesting applicant full details.

In terms of planting for the Courtyard Garden, indicative details have been submitted. Birch trees or similar with tall canopies are proposed around the play area to provide shelter and incidental play as well as biodiversity and visual interest. Multi-stemmed Maples (or similar) are proposed within the social paved areas, providing year round interest and biodiversity within the space. The stepped garden is proposed with Cherry (or similar) providing blossom and colourful foliage during autumn. Section drawings of tree pit typical details, lawn planting and planting typical details have also been submitted. The Council's Tree Officer has reviewed planting proposals and confirms these are in keeping with the principles of the PROSS and relevant S73 conditions, and has no objection subject to full details being submitted.

Communal Roof terraces

Two roof terraces are proposed, one for Plot 11 North (246m²) on the 11th floor, and one for Plot 11 South (326m²) on the 9th floor. The roof terraces are designed to be used as communal space for the residents of the blocks. They include various seating areas, BBQ areas and lawns for multi-functional use, which are defined by raised planters.

The proposed selection of surfacing materials for the roof terraces aims to allow social and sports activities, including compacted gravel, large and small unit porcelain tile paving, and composite decking. The principle of the materials proposed is appropriate for the type of use of the area where they are proposed. As such, these are considered acceptable subject to a condition to secure final details.

Trees are also proposed for the roof terraces. No indicative species have been submitted, however a commitment to these providing all year-round interest, durable and low maintenance, in keeping with micro-climate, and variety to maximise biodiversity. Section drawings of typical detail for plantings including trees in raised planters on roof have been submitted. The Council's Tree Officer has reviewed planting proposals and confirms these are in keeping with the principles of the PROSS and relevant S73 conditions, and has no objection subject to full details being submitted.

Green Roofs

Three green roof areas are proposed across Plot 11. Two on the 8th floor (222m² and 298m²) and one on the 9th floor (165m²), amounting to a total area of 685m² of green roof and thereby covering the target of 10% of available roof space. These are proposed to contribute to biodiversity and reduce run-off. The green roofs are proposed to be only be accessible for maintenance.

Indicative planting details have been submitted. Self-sustaining plants are proposed such as sedums or hardy wildflower mixtures to create habitat for native flora and fauna. Detail of the vegetated roof build-up has also been submitted showing a robust layer system including vegetated blanket, growing

media, filter layer, drainage layer, protection fabric, root barrier, insulation layer, waterproofing membrane and roof decking. The Council's Tree Officer has reviewed planting proposals and confirms these are in keeping with the principles of the PROSS and relevant S73 conditions, and has no objection subject to full details being submitted.

Communal Amenity Space

As referred to above a significant amount of communal amenity space is proposed for residents of Plot 11. The table below summarises the proposed provision.

| Communal amenity space | Area (m2) |
|-------------------------------|------------------|
| Courtyard Garden | 1,011m2 |
| Roof terrace Plot 11 North | 246m2 |
| Roof terrace Plot 11 South | 326m2 |
| Total | 1,583m2 |

As noted in the Private Amenity section of this report the proposals leave a requirement to provide a minimum of 1,095m2 of communal amenity space for the 219 one and two-bedroom units located on upper levels that have not been provided with any private amenity space. This requirement is more than accommodated within the total provision of 1,583m2.

However, as also noted in the Play Space section of this report, the proposals for Plot 11 leave a requirement of minimum 190m2 to be provided as play space for under 5. The proposals exceed this requirement and propose a total of 380m2 of play space which is designed incorporated into a multifunctional landscape. Even when the play space area is subtracted from the communal amenity space, the total communal amenity space provision would be 1,203m2 (instead of 1,583m2). This total would still be able to accommodate the requirement for 1,095m2 of communal amenity space.

Landscape Management and Maintenance

Section 9 of the submitted Landscape Design Report includes an indicative landscape management and maintenance programme for the proposals of Plot 11. The information confirms that a phase wide landscape and ecology management plan will be submitted prior to commencement in accordance with Condition 27.9 of the S73 Permission, and to supplement this a detailed 5-10 year landscape maintenance plan will be developed as part of the detailed design package of works for the proposals of Plot 11. Indicative details have been submitted with this application and are summarised below.

The overall requirements include year-round highly skilled maintenance of planting as well as additional seasonal provision of grass and hedge cutting. The site will require ongoing irrigation which will be through an automated system. The trees will require ongoing irrigation, annual inspection and

maintenance. There will also be a need for ongoing maintenance of paths lighting and water features as required. The ongoing maintenance of these areas will include litter picking autumn leaf litter removal and cleaning.

The Council's Tree Officer has reviewed the indicative Landscape and Management and Maintenance proposals and confirms these are in keeping with the principles of the PROSS and relevant S73 conditions, and has no objection subject to full details being submitted.

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.

Condition 27.9 of the S73 Permission requires the submission of a Landscape and Ecology Management Plan (LEMP) in relation to approved landscaping details 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.

Lighting

With the exception of indicative column and overhead lighting shown for the Court, no other indicative external lighting is shown. It is expected that there would be lighting for entrances into the buildings, external lighting to private terraces or other private amenity spaces, and communal amenity spaces such as the Courtyard Garden and the roof terraces have not been shown at this stage. A condition is therefore recommended requesting applicant to submit lighting details prior to the appropriate construction stage.

Condition 46.4 – Play Strategy

Condition 46.4 of the S73 Permission requires residential development to provide on-site play space comprising informal and formal play areas for under 5 years old in accordance with the RDAS, RDG, and GLA's SPG providing for children and young people's play and informal recreation. Plot 11 development yields 19 children under the age of 5 with a requirement to provide 190m² of play space (10m² per child).

A total of 380m² of doorstep play space is proposed within the Plot 11. Of this total, 250m² is proposed a natural play elements and mounded play areas for children under 5, and 130m² as open lawn space. Therefore in respect of play space provision, the proposed development meets the requirements of the S73 Permission and exceeds them by 190m². It is also noted that the 380m² of playable space is proposed as a multifunctional design to engage young people but also carers to sit and talk or others when not being used by young people.

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 11 is only required to provide 'doorstep' play space in accordance with the GLA benchmarks.

Claremont Park is located a short distance to the south of this plot (maximum distance of 270m from the furthest residential core of Plot 11). Claremont Park already has RMA consent (15/00769/RMA) and will provide a minimum play space area of: 500m² for 1-5 years, 1,000 m² for 5-12 years old, 500m² for Youth Activity Areas, and 1,000m² of Informal Wild Play Area. Clitterhouse Playing Fields is also located to the south west of Plot 11 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 play space 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, Car Parking, Servicing and Delivery, Pedestrian and Cycle

Background

As set out in the introduction to this report, the Plot 11 scheme has been submitted alongside separate applications for the highway network for Phase 1 (South). This comprises the drop-in highways proposals (18/6645/FUL) and a minor variation application (18/6482/BXE) to the approved landscape for Plot 12 RMA (17/6662/RMA) which makes minor alterations to the consented tertiary streets around Plot 12 in order to align with the current Plot 11, 13 and drop-in proposals. Together with the section of highways within the Plot 13 application curtilage, these applications collectively provide the Phase 1(South) highways network within which Plots 11, 12 and 13 are situated, and which connects to the wider BXC and strategic highways network.

In support of these applications, the applicant has submitted four separate pre-RMA condition discharge applications, listed below, covering different highways and transport issues as they relate to the suite of concurrent applications which have been submitted in relation to development within Phase 1 South as a whole.

- Reserved Matters Transport Report pursuant to condition 37.5 (18/6437/CON) (also referred as Phase 1 (South) Transport Report)– pending determination.
- Car Parking Standards and Strategy pursuant to condition 1.22 (18/6297/CON) – pending determination.
- Servicing and Delivery Strategy pursuant to condition 1.22

- (18/6304/CON) – pending determination.
- Pedestrian and Cycle Strategy pursuant to condition 2.1(a)
- (18/6296/CON) – pending determination.

These applications are presently pending determination whilst some minor outstanding issues subject to discussion between the Developer and the LPA which are being resolved. However, in all of these circumstances those sections relevant to the reserved matters application for Plot 11 have been confirmed in discussions between the LPA and the Developer to be acceptable.

Reserved Matters Transport Report (RMTR) – Phase 1 (South) Transport Report

Prior to the submission of Phase 1 (South) Transport report, herein referred to as the RMTR, the LPA approved the scope of the RMTR document under condition 37.1 (18/5794/CON). This document approved the principle of the RMTR fulfilling the function of covering the full extent of Phase 1 (South), as well as elements of 1A (North) and 1A (South) where it relates to areas to be replaced by the highways and drop-in application. The Highways and Public realm application (18/6645/FUL) recently approved on 18 Mar 2019 provides full details of the wider breadth of the RMTR where it relates to highways and public realm drop curtilage.

Based on the network as proposed under the drop-in proposals, and the wider network as assumed under the s73 permission, in relation to Plot 11, the Phase 1 South RMTR provides information on the trip generation and trip modes splits for Phase 1C based on the mix of uses proposed and updates any previous Phase 1 Phase Transport Reports. It takes into account the road layouts, junctions, traffic signal proposals and pedestrian and cycle routes.

It provides information on number of car borne as well as sustainable transport mode trips and whether these fall within or exceed the parameters set by the Transport Matrix in the S73 Permission. Given that the proposed car parking provision for the phase is low, and that the new Thameslink station will be operational when the first residents move in, and that sustainable modes such as walking, cycling and public transport are to be promoted to new residents and employees, the number of trips associated with the proposed development is within the numbers set for this phase in the Transport Matrix for the morning (8-9am) and afternoon (5-6pm) road peaks.

Modelling of the car borne trips on the immediate road network has been provided in the RMTR as well as junction vehicle turning movements. The immediate road network as proposed in this application is able to accommodate the vehicle movements proposed from Phase 1C. The Claremont road retention NMA application provides modelling for the wider road network.

It further demonstrates that considering existing and proposed improvements that align in time with the expected delivery of Phase 1(South), the split mode for these trips is expected to comprise approximately 50% by car, 30% to 35% by public transport and the remaining 15% to 20% on foot. However, through

a combination of active travel plan implementation and the evolution and growth of the BXC and BXS networks, it is expected that there will be an increase in cycle use as wider connections to the network come online, as well as increased uptake in public transport as a main mode of travel for residents.

Phase 1C Phase Car Parking Standards and 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 2041. This is to address air quality and health, as well as better street scape and less car dominance. 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.

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.

A review of the S73 Permission parking standards was undertaken as part of the approved PCPSS for Phase 1B(S) for Plot 12 RMA, which concluded that a provision of 0.5 or fewer car parking spaces per residential unit was appropriate for this plot. The review concluded that a lower ratio for this early phase than originally envisaged in the S73 Permission would align with the objectives set out in the then draft Mayor's Transport Strategy, draft London Plan and Healthy Streets guidance, and would reflect the early delivery of the new train station. It was also considered that car ownership in the BXS area was already lower than the LBB average and ranges approximately from 0.4-0.5 cars per household. The Phase Car Parking Standards and Strategy for Phase 1 (South) submitted in support of Plot 11, confirms that the review set out for Plot 12 remains valid for Plots 11 (and Plot 13).

A total of 156 car parking spaces for 352 residential units is proposed at a ratio of 0.44 spaces per unit. This includes 35 wheelchair accessible spaces (1 per 10 units). This will be provided over two levels, at ground floor and basement. The wheelchair accessible spaces will be distributed across the two levels to locate them close to the cores for the respective wheelchair accessible units.

A total of 20% of the car parking spaces are proposed to have active electric vehicle charging points and at least a further 20% with passive provision allowing further charging points to be installed to meet future demand.

The expected completion date for Plot 11 is late 2024, after key public transport improvement such as the new Thameslink station have been completed. The ratio of 0.44 car parking spaces per residential unit is appropriate for Plot 11 in the context of the evolving regional policy, Mayoral aspiration for 80% of

journeys to be made on foot or by bicycle by 2041 and existing car ownership levels in the BXS area. It is also considered that the wider improvement that the BXS will bring into the area, with many amenities and facilities within walking distance, allowing residents to meet most of their daily needs on foot.

To encourage travel by more sustainable modes car club bays will be provided throughout the BXS development. The submitted RMTR sets out that two bays are proposed within the Phase 1 (South) proposals should operators require them.

A total of 8 on-street car parking spaces are proposed on tertiary streets to the east and west of Plot 12 for visitors of Plot 11, 12 and 13, and 7 on the tertiary street to the west of Plot 13. Two wheelchair accessible spaces are proposed within these on either side of Plot 13. Visitor parking on these streets is proposed to be managed via a permit system managed by the Estate or pay and display operation. To the north of Plot 11 on the High Street South (East Works), 9 spaces are to be provided as Pay and Display spaces.

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 to surrounding residential streets and the prevention of new residents from being able to apply for permits to park in 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.

Phase 1 (South) Pedestrian and Cycle Strategy

Plot 11 proposals provide a northeast-southwest through route for pedestrians and cyclists. In a similar way to the pocket park on Plot 12, this provides a quieter meandering alternative route to the main High Street and Claremont Park Road.

In terms of cycling access, a cycle network is proposed for Phase 1 (South) with the ability to link into the wider network. Claremont Park improvements comprise a shared footway/cycle way route through the park linking Claremont Avenue with Brent Terrace South. Claremont Avenue is proposed with a 3.8m wide route for shared pedestrian and cycle access which will tie in to the bridge approach and Living Bridge. High Street South (East Works) is proposed with 2m mandatory on-carriageway cycle lanes. Claremont Park Road (Part 1) is proposed to provide a route recommended for cycling with cycle symbols on the carriageway surface, so cyclist would share the street alongside vehicular traffic (7.8m wide carriageway). The tertiary streets related to Plots 11, 12 and 13 are not proposed with any dedicated cycle, however cyclists can still use them and share streets with pedestrians.

In terms of long-stay cycle parking for the land uses of Plot 11, the quantum proposed to be provided in accordance with the draft London Plan standards which provide higher standards and therefore make provision to include scope for significant increase. The table below summarises the proposal and demonstrates how it complies with the draft London Plan standards. During the determination of this application applicant clarified that the Neighbourhood Police Unit is Sui Generis use class and as such the London Plan advise using ‘the most relevant other standard’ which was considered to be retail as it felt to be a robust comparison.

Proposed Long-stay cycle parking provision for Plot 11:

| Use Class proposed for Plot 11 | Draft London Plan Long-stay cycle parking requirements (e.g. for residents or employees) | Required Provision | Proposed Provision |
|---|---|---|--|
| Flexible retail (A1/A3): 1,355m ² and Neighbourhood Police Unit*: 94m ² Total: 1,449m ² | From a threshold of 100 sqm: 1 space per 175 sqm (GEA) | 8 spaces | 8 spaces as Sheffield stands within the buildings |
| Residential (C3) Studios: 23 1 bed: 103 2-bed: 192 3 bed: 33 4 bed: 1 Total: 352 units | Studio: 1 space per unit 1 bed: 1.5 spaces per unit, All other dwellings: 2 spaces per unit | Studios: 23 1 bed: 155 2 bed: 384 3 bed: 66 4 bed: 2 Total: 630 spaces | 630 spaces within the basement, of which 52 are Sheffield stands |

In terms of short-stay cycle parking provision for Plot 11 (and Plot 13 and 12) are proposed to be provided in accordance with the adopted London Plan (2016). The table below summarises the proposal and demonstrates how it complies with the adopted London Plan standards. As referred to above, the Neighbourhood Police Unit was considered as a retail use as a more robust measure.

Proposed Short- stay cycle parking provision for Plot 11:

| Use Class proposed for Plot 11 | Current London Plan Short-stay cycle parking requirements (e.g. for visitors or customers spaces) | Required Provision | Proposed Provision |
|--------------------------------|--|---------------------------|---------------------------|
| | | | |

| | | | |
|---|---|-----------|---|
| Flexible retail (A1/A3): 1,355m ² and Neighbourhood Police Unit*: 94m ² Total: 1,449m ² | From a threshold of 100 sqm: 1 space per 40 sqm (GEA) | 36 spaces | 36 spaces as Sheffield stands within the public realm |
| Residential (C3) 352 units | One space per 40 units | 9 spaces | 9 spaces as Sheffield Stands within the public realm |

The recently consented Plot 13 proposals comprised a total of 42 short-stay parking spaces in the public realm, and consented Plot 12 comprised a total of 27 of these also in the public realm. Plot 11 as shown above would provide 45 short-stay parking spaces in the public realm. The strategy confirms that the distribution of all short-stay parking across the public realm for Plot 11, 12 and 13 has been devised to align with both the wider desire lines and point of access to the plots. Such distribution is considered acceptable.

In terms of quality cycle parking standards for short and long-term cycle parking (such as stand layout and capacity to accommodate larger accessible cycle types), indicative layouts form part of the Ground Floor and Basement Floor Plan. The Applicant has confirmed that the cycle stores have been designed to accommodate draft London Plan requirements to safeguard space and that this provision could be updated to allow a greater range of cycle stand types to be provided such as those to accommodate adapted cycles, which would improve the range of provision albeit with a slight reduction in quantum whilst still meeting adopted London Plan standards. Detailed layouts of cycle parking will be provided at detailed design stage for agreement with the LBB, at which stage further review of cycle parking layouts will be undertaken by the applicant if required to increase provision for larger and non-standard cycles while still providing cycle parking numbers in accordance with the adopted London Plan standards. A condition securing the submission of cycle parking details is included in Appendix 1.

Phase 1(South) Servicing and Delivery Strategy:

The servicing and delivery requirements for the S73 Permission are outlined at a site wide level under the Framework Servicing Delivery Strategy (FSDS), approved under condition 1.21. It is also a pre-RMA requirement pursuant to condition 1.22 to submit a Servicing and Delivery Strategy (SDS) prior to the submission of any RMA under a particular phase. An SDS has been provided for Phase 1 (South) as a whole.

The submission outlines the overall strategy in relation refuse servicing requirements for the residential elements of the Phase 1 (South) development

plots, showing the likely routing of refuse vehicles, dedicated bays where required, and approximate stopping locations adjacent to refuse stores where dedicated bays are not provided. The waste and recycling collections for the residential plots within Phase 1 (South), Plots 11, 12, and 13, occur primarily within the tertiary street which loops around Plot 12 and exits either onto Claremont Park Road or High Street. The only exception to this is the for Plot 11 where refuse vehicles will be able to access residential refuse stores facing onto Claremont Avenue, under the managed vehicular access arrangements that apply to Claremont Avenue. The tertiary street where the majority of collections take place is subject to a separate determination as listed above under 18/6482/BXE. The drop-in curtilage effectively surrounds this tertiary street and provides a means of access to it. Accordingly, the SDS provides sufficient information, by way of visibility splay assessments and swept path analysis, to demonstrate that these operations could be undertaken safely within the Phase 1 (South) road network.

In relation to servicing requirements for the non-residential uses on the ground floors, such as deliveries, taxi drop offs and other adhoc servicing requirements, these have been calculated using TRICS data and Arup's data base as they relate to the individual uses within the development plots. In response to these requirements as detailed within the SDS, the principle dedicated off street servicing bays are located within the highways drop-in application. These consist of three bays located on High Street (East works) in front of each respective development plot, and a single bay at the bottom of Plot 11. This provision satisfies the servicing and delivery requirements for the plots pursuant to the s73 requirements.

The Council's Waste requirements are set out in document Information for developers and Architects: Provision of Household Recycling and Waste Service April 2018. 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 6.2 of the submitted Design Statement and the submitted Servicing and Delivery Strategy for Phase 1(South) submitted under 18/6304/CON confirms that the provision of residential refuse for general waste and recycle items has been sized to accommodate weekly collection as per the Council's 'Information for developers and architects – Provision of Household Recycling and Waste Service'. Applicant provided a further note to confirm the Council's latest version dated April 2018 was used to arrive to their calculations.

| No. of bedrooms per unit | LBB Refuse/Recycling Provision Requirement per unit | Plot 11 Units | Required Refuse volume – Plot 11 (litres) | Required Recycling volume – Plot 11 (litres) | Min Eurobins (1,100L) required for Refuse - Plot 11 | Min Eurobins (1,100L) required for Recycling - Plot 11 |
|--------------------------|---|---------------|---|--|---|--|
| One | 100 litres | 126 | 12,600 | 12,600 | 49 | 49 |
| Two | 170 litres | 192 | 32,640 | 32,640 | | |
| Three | 240 litres | 33 | 7,920 | 7,920 | | |
| Four | 310 litres | 1 | 310 | 310 | | |
| Total | | 352 | 53,470 | 53,470 | | |

The proposals show a total of 53 x 1,100 litre bins proposed for recycling and 53 x 1,100 litre bins proposed for refuse. This equates to a refuse storage of 58,300 litres and recycling storage of 58,300 litres. Therefore, the proposals meet and exceed LBB Refuse and Recycling standards which would require storage for 53,470 litres for refuse and 53,470 litres for recycling as noted in the table above. The bins are distributed across the five cores of Plot 11 to respond the respective residential demand of each core as shown on drawing BXS-ARP-1C-XX-F-TP-010 from the submitted Service and Delivery Strategy.

Paragraph 2.66 of the RDSF requires provision of dedicated recycling facilities in accordance with the Council’s requirements. In addition, Condition 40 requires that residential schemes put in place facilities to enable a minimum of 40% of waste to be recyclables, rising to 60% for commercial waste. As shown above the current Council’s requirements exceed the 40% threshold, as equal provision of waste storage (50%) and recyclable storage (50%) is currently required therefore complying with this part of Condition 40.

Section 3.3 of the Servicing and Delivery Strategy submitted under 18/6304/CON provides the Waste and Refuse collection strategy for Plot 11. Residential waste for the Plot is proposed to be collected from on-street from the tertiary streets either side of Plot 11, and from a loading bay from the High Street (East Works), all within a drag distance of 10m from the bin stores as outlined in BS5906:2005 (*Waste Management in Buildings – Code of Practice*), which is also compliant with LBB requirements. The strategy also confirms applicant will provide facilities management to move the bins within the stores to keep the empty nearest to the entrance.

Waste from commercial land uses will be collected by a private waste contractor. Commercial waste will be stored within individual units and will be collected from two areas, one loading bay on the High Street South (East Works) and one loading bay on Claremont Park Road (Part 1). In response to the Council’s Waste team advise during pre-application, commercial waste stores have been designed to accommodate two days’ waste assuming the contractor would provide collection daily.

The proposed strategy therefore complies with the Council’s requirements and

is considered acceptable.

Individual Travel Plan:

Condition 2.1 (d) iii of the S73 Permission requires RMAs to be accompanied by an Individual Travel Plan.

The proposals for Plot 11 are accompanied by an 'Individual Travel Plan: Plot 11, Phase 1C' dated October 2018, prepared by Arup.

The analysis confirms that the predicted mode split for Plot 11 in relation to the overall Phase 1 mode split, predict a lower percentage of car-based trips (51-53% fewer trips) than the projects for Phase 1 as a whole. Therefore, Plot 11 is expected to see higher use of walking and public transport based on existing behaviour and London wide trends. Retail trips have not been included in the analysis as the nature of these uses is likely to contribute pass by trips rather than additional trips to and from Plot 11.

The submitted plan addresses travel behaviour of residents, visitors and employees at Plot 11, and suggests measures intended to increase the number of walking and cycling and attain a higher proportion of public transport use in relation to trips by private car. Table 11 of the submitted ITP sets out the proposed targets of residential mode split for future years for Plot 11.

The submitted travel plan confirms that monitoring of the ITP will be undertaken throughout its duration to ensure that overall targets are achieved within the timeframe set. A travel survey will take place within one year of first occupation to measure and monitor actual behaviour against predicted volume and mode split. Section 7 of the report proposes a number of design measures and management initiatives to enhance accessibility to sustainable modes of transport.

The Council's Travel Plan Co-ordinator has reviewed the ITP, and confirmed to have no objection to the submitted travel plan subject to applicant amending detail relating to the Car Club, Cycle Hire Club, and Welcome/Starter Packs. The Council received on 20 March 2019 an updated ITP for Plot 11 which was reviewed by the Council's Travel Plan Co-ordinator who confirmed to find it acceptable.

Conclusion:

Subject to the inclusion of conditions relating to long-stay cycle parking for A1/A3 and cycle parking details 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 11 are explained and assessed in this section.

An 'Energy and Sustainability Statement Plot 11, Phase 1C' dated October 2018 prepared by Atelier Ten forms part of the submitted documentation for Plot 11.

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 to ensure that the development is sustainable and complies with strategic and local policies.

As noted earlier in this report, the Council recently approved an NMA application (18/6445/NMA) to remove condition 35.1 from the S73 Permission owing to the fact that it has been revoked nationally as a tool for assessing sustainability credentials of residential schemes and a move to assessing these matters through building regulations. Other controls still incorporated within the s73 controls are set out below.

The Energy and Sustainability statement submitted in support of this application clarifies that emissions rate of the dwellings must also be 19% below the Building Regulations Part L1A benchmarks in order to achieve emission reduction comparable to a Level 4 certified dwelling under Code for Sustainable Homes. The statement confirms that after incorporating the calculated carbon factor for the low carbon district energy centre in the calculations as a lean measure, the emission rate of dwellings drops to 42.2% below the target emission rate, therefore meeting the emission reduction equivalent requirement for Level 4 dwellings.

BREEAM

Condition 35.2 requires all commercial spaces to achieve at least 'Very Good' rating under BREEAM to ensure the development is sustainable and complies with strategic and local policies.

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 48.7% over Part L 2010. Therefore

the proposed development complies with the requirement and exceeds it by achieving a further 8.7% reduction.

The Statement also confirms calculations of carbon emissions for residential areas show compliance against current Building Regulations Part L2013.

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 non-domestic buildings.

The accompanying Energy and Sustainability Statement provides simulation calculations that achieve a reduction of 26.0% over Part L2010 for the non-residential areas. Therefore, the proposed development complies with the requirement and exceeds it by achieving a further 1% reduction.

The Statement also confirms calculations of carbon emissions for 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 3.3 (Be Clean – Heating Infrastructure) and Appendix G (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 11 will be served by a district heating network installed at a main energy centre located in Plot 59 at a later stage when the rest of the first phase plots come online, as per the consented RES approved under the S73 Permission. This centre will achieve significantly lower carbon factors than would be possible through conventional system using natural gas, oil, solid fuel or electricity at the individual plot level.

However, as the main energy centre is not anticipated to become operational until after Phase 1 South, a short-term energy strategy has been proposed within the RES to cover Phase 1 South (Plots 11, 12, 13 and 18). The strategy includes a heat plant room located within the basement of Plot 12 to supply heat for all plots within Phase 1 South, and another heating plant room proposed at Plot 19 to serve elements of the Station Quarter area, which will become operational after Plot 12 (in a later phase). The Plot 12 RMA was approved by the Council on 28 February 2018 under 17/6662/RMA and incorporated within it a heat plant to accommodate this interim provision.

The heat plant rooms at Plot 12 and 19 will mainly consist of natural 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.

The submitted Energy and Sustainability Statement for Plot 11 calculated low carbon factors of using the main energy centre and demonstrated compliance with the above planning conditions. As it is anticipated that the main energy centre will not become available within the first 12 months of Plot 11 occupancy, carbon factors of the heat plant room in Plot 12 has also been used in calculation demonstrating compliance with the current building regulations.

Water resource efficiency:

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.

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 to fully offset the potable water use for irrigation on the Meadow and the accessible roofs of the development , and cleaning needs.

Sustainable construction methods:

Condition 38.1 of the S73 Permission also requires details of sustainable construction measures. The Energy and Sustainability Statement submitted addressed sustainable construction measures including, passive building design measures, the performance of building materials, fabric energy efficiency and recycled material.

Condition 2.1(f) of the S73 Permission requires applicant to demonstrate compliance with the relevant parameters and principles in relation to the construction of materials as set out in the RDSF. Section 5.8.2 of the submitted Design Statement outlines the façade strategy and indicative materiality of the proposal. Table 5.3 of the Energy and Sustainability Statement confirms 90% of timber is to be obtained from a sustainable source Forest Stewardship

Council (FSC). Materials that deplete the Ozone layer and that contribute to global warming will be avoided. The statement also confirms that where feasible construction materials will have at least 10% recycled content (by value); audited using the WRAP Recycled-Content Toolkit. Also where feasible the use of materials will be selected from A to C options in the BRE's Green Guide to Specification (BRE, 2009). As such, the proposals in this respect are considered acceptable.

Conclusion:

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.

6.11 Drainage

Applicant accompanied this application with 'Drainage Statement: Phase 1 South Public Realm, Plot 11 and Plot 13' dated October 2018 prepared by Arup which incorporates input with relevant design for Plots 11 prepared by Expedition and Plot 13 prepared by AKT11.

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) to be set no lower than 300mm above the 1 in 100 year (+climate change) flood level.

Section 6 of the accompanying Drainage Statement confirms Plot 11 is located in Flood Zone 1 of the Environment Agency's flood maps. This is regarded as having a low risk of flooding. As the site is in Flood Zone 1, the nearest flood level of the River Brent for a 100 year +CC event should be used for Plot 11. As the River Brent will be realigned as part of the BXC development and before completion of Phase 1C, the resulting flood water levels from the realigned hydraulic modelling exercise has been used for this assessment. The statement confirms the hydraulic model outputs are included in the BXC Flood Risk Assessment (S73 Permission Volume BXC16) which show node BRpr_SK657 located close to the existing Templehof Bridge, provides a 100 year +CC flood water level of 39.4 mAOD (meters above Ordnance Datum). The statement confirms all FFL are above this level by a minimum of 300mm and as such proposals for Plot 11 are in accordance with the terms of Condition 45.2.

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 7.2 of the Drainage Statement confirms the allowable discharge rates for each catchment has been derived to align with the S73 Permission Volume BXC 15 Drainage Strategy. The allowable discharge rate for Plot 11 is a proportion of the allowable discharge rate for the BXS site wide catchment, based on area. The maximum allowable discharge rate for the BXS site wide catchment is calculated as 75% of the existing 1:100 year return period runoff rate, in accordance with S73 Permission Condition 44.5. This means a reduction of 25% of surface water discharge from the current level. The current 10 ha site wide catchment has a maximum allowable discharge rate of 751 l/s.

The statement confirms Plot 11 covers an area of 0.60 ha and as such has an allowable SW discharge rate of 45 l/s, stipulated as a proportion, by area, of the allowable discharge from the overall masterplan. To achieve this an attenuation volume of 200m³ is required to achieve this discharge rate and attenuate a 1:100 year +30% storm.

The statement demonstrates that attenuation is proposed to be provided via permeable paving with a geocellular sub-base replacement within the Court at the ground floor and first floor podium deck on the south building. These areas will be at a shallow depth and will allow for gravitational discharge into the network. The Court will provide an attenuation storage of 80m³ and the Podium Courtyard 120m³, resulting in a total attenuation volume of 200m³. As such, the proposals meet the requirements.

The surface water outfalls from the Plot 11 site are to connect to the Phase 1C site wide in-ground drainage network designed by Arup. Initial locations are illustrated in Appendix A of the Expedition Report, with the final connections locations to be confirmed in later design stages.

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.

Drawing P_RF_100 PL01 (Roof Level General Arrangement) demonstrates three green roof areas are proposed across Plot 11. Two on the 8th floor (222m² and 298m²) and one on the 9th floor (165m²), amounting to a total area of 685m² of green roof and thereby covering the target of 10% of available roof space and meeting the requirements of the S73 Permission. These roofs will only be accessible for maintenance and will contribute to biodiversity and reduce run-off.

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 ²) |
|-------|---|---|
| | 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 |
| | 3 bedroom 6 person | 95 |
| | 4 bedroom 7 person | 108 |

The submitted plans and additional accommodation schedule provided on 07/02/2019 showed a shortfall of 1m² in the unit sizing for ten 1B1P and two 1B2P, and a shortfall of 5m² for ten 3B6P. Applicant was asked to review proposals to ensure these met the minimum space standards.

Applicant provided updated plans and accommodation schedule. The ten 3B6P have been corrected to be 3B5P, as such their unit sizing of 90m² is in keeping with the above minimum space standards.

In respect to the 1m² shortfall for the ten 1B1P and two 1B2P, it was confirmed to be due to an area calculation error the units are proposed as 39m² and 50m² respectively, thereby complying with the minimum space standards.

The revisions also included a revision of wheelchair layouts, and as a result twenty-five 2B4P units were corrected to 2B3P.

The revised plans and revised accommodation schedule submitted demonstrate that all flats proposed 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.

The LPA recently approved a non-material amendment application (18/6445/NMA) to the S73 Permission to incorporate the most up to date accessibility and wheelchair standards to apply to future development plots. The relevant standards are; Part M4 (2) (Accessible and Adaptable Dwellings) of the Building Regulations which replaces Lifetime Homes requirements, and Part M4(3) (Wheelchair User Dwellings) which relates to wheelchair accessible/adaptable housing replacing the current wheelchair housing standards.

The applicant has submitted an 'Access and Inclusivity Statement: Plot 11 Phase 1C' dated October 2018 prepared by All Clear Designs Ltd. The report considers the two buildings that comprise Plot 11 including residential units, the communal amenity spaces within the Plot, and the publicly accessible 'Court' between the two buildings. The documents assess how the design meets the required design standards, good practice guidance and Building Regulations access requirements to facilitate access and use by all people including disabled people.

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, and Wheelchair Accessible Homes. The statement confirms the scheme complies with the most up to date standards, through the distribution of appropriately located M4(3) units and the entirety of the housing provision beyond those M4(3) units fulfilling M4(2) housing standards.

Parking

The residents' parking is located in a car park arranged over ground and basement levels. The car park will provide a total of 110 car parking spaces of which 28 will be accessible spaces. The ground floor car park will provide a total of 46 parking spaces of which 7 are proposed accessible. This equates to 22% of the parking spaces and 10% of the number of units. One accessible space is therefore provided for each M4(3) wheelchair user dwelling should this be required by future occupants.

Part M4(2) defines a parking spaces as wheelchair accessible if it is 2400mm wide by 4800mm long with a clear access zone of 900mm to one side. The statement confirms the 35 spaces proposed will be able to meet these criteria. The wheelchair accessible spaces have been distributed across the two levels to locate them close to the cores for the respective wheelchair accessible units.

Cycle parking is located at the basement level and is designed to accommodate 630 spaces. A dedicated cycle lift has been provided to assist access. Following submission, an amendment to the GF plan was made to ensure accessible dimensions of the cycle lift according to accessible guidance.

Taxi drop off will be available in the surrounding streets, near all of the entrances.

Entrances and exits

The ground floor of the building approached at street level has a series of entrances around the perimeter including main residential entrances, duplex properties facing the park to the south, and the north-south tertiary street to the west, retail units, car park entrance, entrance and lift to courtyard garden to the south, and neighbourhood police unit. The units and entrances will be differentiated with lighting, signage and internal fitouts so that they are clear to the relevant user.

Vertical Circulation – Lifts and Stairs

The proposed building is divided into six blocks. Each block has a central core containing two passenger lifts. The statement confirms these will meet the requirements of Part M of the Building Regulations and the relevant British Standards. All cores are centrally located to give easy access to all parts of each floor. The stairs and lifts are position in close proximity to each other to ensure routes for lift and stair users are not separated.

Stairs are proposed to meet all aspects of Part M and Part K of the Building Regulation for staircases in common parts of buildings containing dwellings. The stairs that are for residential use will meet Part M4(2) requirements.

Doors and Floor finishes

Garden gates will have clear opening width of 850mm or more. All main accessible entrance doors will provide a minimum clear opening width of 850mm and 1000mm for external commercial entrances and will be provided with visual distinctions where glazed, and /or vision panels where solid and on an access route. Floor finishes in reception will contrast with the walls and provide a slip resistance equal to or greater than R10. Where air pressure make the doors difficult to pen, automated entrance doors will be utilised. All internal residential doors will meet the requirements of Part M4(2).

Residential Units

Accessible and Adaptable Dwellings

Condition 36.5 (Lifetime Homes), as recently amended by application 18/6445/NMA, requires 90% of dwelling proposed to be constructed to meet Part M4(2) (Accessible and Adaptable Dwellings) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard). Considerations under this criteria include good standards of level access from site to the front door, external and internal front door landings and level thresholds, internal doors with clear open reveals and level thresholds, internal circulation space in all areas, ground floor accessible WC's in duplexes and entrance level accessible WC's in flats with outward opening doors, internal doorways and corridor

widths, circulation routes in bedrooms, adaptable bathrooms to shower room and for mobility aids, and height of living room glazing with easy operation window catches and controls.

The Access and Inclusivity Statement submitted in support of Plot11 RMA confirms that all unit types within Plot 11 proposals have been assessed against Part M4(2) (Accessible and Adaptable Dwellings) criteria and have been found to comply with the criteria. The proposed development is therefore in compliance with this requirement.

Wheelchair User Dwellings

Condition 36.6 (Wheelchair user units), as recently amended by application 18/6445/NMA, requires at least 10% of housing proposed to be constructed to meet all the relevant criteria of Part M4(3) (Wheelchair User Dwellings) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard). This criteria defines two types of wheelchair user dwellings: M4(3) 2(a) Wheelchair Adaptable and M4(3) 2(b) Wheelchair Accessible. Wheelchair Adaptable units are to be designed to be adaptable for a wheelchair user at a later date, and Market units can only be required to meet this standard. Wheelchair Accessible are to be designed to accommodate a wheelchair user from the moment they are constructed, and these are to be delivered at the request of the Local Authority to house an identified wheelchair user.

The proposals for Plot 11 demonstrate that a total of 35 units are proposed as M4(3) 2(a) Wheelchair Adaptable. This equates to 10% of the total 352 units residential units proposed for this scheme. This is compliant with the criteria of Part M4(3) (Wheelchair User Dwellings) of Schedule 1 to the Building Regulations 2010, and the terms of Condition 36.6.

Of the 35 units proposed, 18 units are proposed in Plot 11 North, and 17 are proposed in Plot 11 South. These are distributed across most levels from Level 1 to Level 8 with a majority of 20 located between Level 1 and 2. The Wheelchair Adaptable units are also distributed are proposed to be distributed across all units type in terms of size including: five 1B2P, twenty-eight 2B3P, one 3B4P and one 3B6P.

Each of the wheelchair adaptable units will have access to wheelchair accessible car parking spaces (a total of 35 are proposed, 7 at ground level and 28 at basement) located within 50m horizontal distance from residential entrances.

The statement and drawings submitted demonstrate that 90% of all units for Plot 11 will achieve Part M4(2) Accessible and Adaptable Dwellings in accordance with Condition 36.5, and 10% of the units will achieve Part M4(3)(2)a Wheelchair Adaptable in accordance with Condition 36.6.

Consultative Access Forum (CAF) consultation

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 27th July 2018 prior to the submission of this application, and post submission at a further meeting on the 24th January 2019.

The statement summarises the concerns raised by the CAF and demonstrates how the proposals have addressed these. The statement was amended during the determination of this application to make a more accurate reflection of this which is considered acceptable.

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.

| Unit Type | Minimum private amenity space per dwelling (m²) | How private amenity space can be achieved |
|---------------------------------|---|--|
| 1 or 2 Bed Flat on Ground Level | 5m ² | Terrace min. depth 1.5m (separate from communal courtyard) |
| 1 or 2 Bed Flat on Upper Level | 5m ² | communal courtyard, terrace or balcony min. depth 1.5m 30% of units to have min. 3m ² balcony or terrace |
| 3 or 4 Bed Flat on Ground Level | 14m ² | Terrace min. depth 1.5m (separate from communal courtyard) |
| 3 or 4 Bed Flat on Upper Level | 8m ² | Terrace or Balcony min. depth 1.5m |

Appraisal of Plot 11:

1 and 2 bed units on upper levels:

The DAS requires these units to provide a minimum of 5m² of private amenity space per dwelling in the form of communal courtyard, terrace or balcony (min 1.5m deep), and 30% of these units to provide a minimum of 3m² of balcony or terrace.

The proposals include a total of 318 one and two bed units on upper levels. Of these, a total of 99 units (31%) have been provided with private amenity in the form of balconies (77), inset balconies (6), terraces (11), and podium gardens (5). Balconies range between 9m² and 7m², all inset balconies provide 6m², terraces range between 8m² and 22m², and podium gardens range between

4m² and 7m². Therefore, 31% of the 1 and 2 bed units are proposed with private amenity that exceeds the minimum requirement of 3m² of private amenity space per dwelling for 30% of all 1 and 2 bed units. All terraces and balconies proposed for these units meet or exceed a minimum depth of 1.5m.

The remaining 219 units (69%) of these type of units have not been provided with a private balcony or terrace. This results in a requirement to provide a minimum of **1,095m²** of communal amenity space for these units which is in accordance with the private amenity standards of the DAS.

3 and 4 bed units on the ground level:

The RDAS requires these 3 and 4 bed units on the ground level to provide a minimum of 14m² of private amenity space per dwelling in the form of a private terrace of minimum 1.5m deep separate from communal courtyard.

The proposals include a total of 5 three bed units (3B6P) on the ground level. Two of these units are proposed to be provided with garden and balcony amounting to 14m², and two other units with a podium garden of 18.5m². Therefore, these units meet or exceed the requirements. The remaining unit is not able to be provided with private amenity space owing single aspect nature of this unit due to the position of core A4, constrained the options for private amenity provision whilst in keeping with all other design principles and parameters. It should be noted that this duplex unit is located on the south-west corner of Plot 11 is in very close proximity to both Claremont Park Road and the communal podium courtyard and this is considered to be sufficient mitigation for the amenity space provision for this single unit and as such is considered acceptable.

3 and 4 bed units on upper levels:

The RDAS requires 3 and 4 bed units on upper levels to provide a minimum of 8m² of private amenity space per dwelling in the form of a terrace or balcony minimum 1.5m deep.

The proposals, as revised, include a total of 28 three bed units and 1 four bed unit on upper levels. All units with the exception of one 3Bed 6Person unit on Level 8 have been provided with either a balcony (19 units), roof terrace (3 units) or terrace at the podium garden level (6 units). Where the units have been provided with a private amenity space their size is in exceedance of the minimum requirement of 8m² except for 2 units which have private amenity space of 7m² each. All terraces or balconies proposed meet or exceed the minimum depth of 1.5m.

In relation to the 3B6P unit on Level 8 which does not have its own private amenity space, the applicant has provided design explanation in relation to massing constrains which prevent additional balconies or terraces at this level. It is further noted that this unit sits beneath the communal roof terrace on level 9 and benefits from easy access to the stair and lift core which leads to this terrace. Given the proximity, and taking into account the design constraints, the

LPA consider that there is sufficient justification for this single shortfall in this instance.

6.15 Noise

Condition 29.1 requires, prior or coincident with Reserved Matters Application 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' dated October 2018, prepared by Sandy Brown Associates, was submitted coincident to this application for the discharge of Condition 29.1 and was registered under planning application 18/6437/CON. The report addresses the potential noise impacts upon Plot 11, and the design measures that have been and will be adopted.

The submitted report demonstrates that the internal noise criteria will be achieved with the adoption of acoustically rated glazing and either high performance acoustic passive ventilation or mechanical ventilation. The report provides examples of glazing build-ups and ventilation strategies that could be employed to achieve the required sound insulation performance for each of the elevations of Plot 11.

The report also assessed amenity noise levels in external residential amenity spaces although this is not a requirement of the S73 Permission. However, it recognises that meeting recommended noise levels is a desirable quality for residential developments and has therefore been included. The results demonstrate that BS8233:2014 recommendations relating to ambient noise are met in the courtyard, the public realm, and for those balconies sheltered from the nearby roads and the existing playing fields.

Following some clarifications from applicant dated 11th January 2019, in response to the Council's Environmental Health comments, the Council's EH Officer confirmed that they were satisfied with the results of the submitted report subject to a condition to control noise from activities on the proposed roof terraces which could impact the nearby residential units. An appropriately worded condition is recommended in Appendix 1.

The Council's Environmental Health Officer also raised a concern on potential odour nuisance and noise emissions from commercial kitchen exhausts from A1/A3 uses at the ground floor and requested further detail. The applicant provided details of extraction ducting terminating at roof level minimising the risk of low level kitchen extraction and associated odour issues. The applicant demonstrated that having vertical flues is practical despite the height of the building, and further confirmed that extraction and ventilation equipment details will be submitted in due course, as required by condition 30.4 of the S73

Permission, and will be designed in accordance with relevant guidance to ensure that the development does not prejudice the amenity of neighbouring receptors, including in respect of odour. The Council's EH Officer was satisfied with the additional information and confirmed to have no objection to the proposals.

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. This is assessed against the Building Research Establishment (BRE) guidance 'Site Layout Planning for Daylight and Sunlight, a guide to good practice' (Second Edition, BRE).

The application is supported by 'Internal Daylight, Sunlight and Overshadowing Assessment' dated October 2018 prepared by GIA. In undertaking the assessment, the report has made baseline assumptions around the built environment surrounding Plot 13, namely using the consented built form for Plot 12 RMA, and a 3d model of the updated illustrative masterplan context surrounding the plot, produced by Allies and Morrison, the original masterplan architects for the outline scheme.

With regards to daylight, the BRE outlines principally three methodologies for calculating levels received within residential homes. These are; Average Daylight Factor (ADF), Room Depth Criterion (RDC) and No Sky Line (NSC). These Indicators should be interpreted concurrently, together providing an accurate indication of daylight levels.

With regards to sunlight, the BRE also provides guidance on measuring levels using 'Annual Probable Sunlight Hours' (APSH), in relation to individual dwellings and external amenity space. An explanation of these individual forms of measurement is set out below. It should be noted that whilst an assessment of these individual increments of natural light is required, a holistic assessment is also required in order to reach a view overall as to whether a satisfactory natural lighting environment is being provided.

Daylight assessment

- 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 80% of all proposed rooms meeting or exceeding the ADF recommended levels. Specifically, 85% of all Living/Kitchen/Diners (L/K/D) meet or exceed the recommendation of 2% ADF; 51% of all Living Rooms meet or exceed the recommendation of 1.5% ADF; 91.3% of all proposed Bedrooms meet or

exceed the recommendation of 1% ADF; and 100% of the Kitchens meet or exceed 2% ADF. Combined all room types provide a total 80% meeting the recommended guidelines.

In respect of L/K/D room type, it is worth noting that 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. When taking this into consideration, the study has considered that L/K/D room types could also be measured against a lower ADF value of 1.5% (instead of 2%), resulting in a higher compliance of 96% in the case of Plot 11.

GLA Housing SPG (March 2016) suggests that the quality of daylight amenity should also be measured against broadly comparable typologies in the locality and across London. The submitted assessment studied relevant comparable regeneration projects with a number of plots benefiting from planning permission including Bromley by Bow, Stephenson Street, Elephant Park, Kings Cross, and Greenford Green. The results show that Plot 11 achieves high levels of ADF compliance and sits within the higher achievement levels when compared to the other large regeneration projects.

- 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 62% of the rooms for Plot 11 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.

All rooms have been designed to meet the Room Depth Criterion to ensure good distribution of light indoors. Studio flats and one-bedroom flats have been located in those areas where daylight potential is lower. This has assumed that people occupying smaller units tend to spend fewer daylight hours indoors, compared to families.

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 11 the design responded through an optimization process which included removing or re-shaping balconies, maximising window area, placing bedrooms in areas receiving less light, incorporating light veneer to internal floors, improving layout to have the living area closer to the window, dividing the kitchen area from the living room. As a result of this Plot 11 achieves overall very good levels of light in the scheme with 80% of all proposed rooms meeting or exceeding the ADF recommended levels. In respect of internal

daylight, details submitted are considered acceptable.

Sunlight assessment:

- 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 report confirms all main windows oriented within 90 degrees of due south and serving a living area have been assess for APSH. The results confirm that a majority of 75% of living room areas will meet or exceed the recommended levels for sunlight. In a minority of the cases where lower light levels where 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.

Overshadowing assessment:

- Sun Hours on Ground 21st 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 11 proposes a total of 4 areas of open spaces: the Courtyard at podium level within Plot 11 South, two communal roof terraces (one for each block), and the Court at ground level located between the two blocks. The results show that all areas but one far exceed the recommended level for overshadowing, which requires that at least 50% of each area receives two or more hours of direct sunlight on 21 March. The Court between Plot 11 North and Plot 11 South falls short of the recommended levels owing to the obstruction caused by Plot 11 South. This is expected of almost any open space running along an east-west axis, where shade from the south is inevitable. It is also noted that residents will be in close proximity to the neighbourhood park (Claremont Park) immediately to the south of Plot 11. It is therefore demonstrated that the majority of the areas exceed BRE's recommendation for Sun Hours on Ground.

Impacts on Plot 12

The effect of Plot 11 massing on Plot 12 was also considered as part of the submitted assessment, and a comparison was made to the results presented within the Daylight Sunlight and Overshadowing Assessment Phase 1B South Plot 12 RMA January 2018. In Daylight terms, the assessment tested the

lowest residential floor (First Floor), and found the changes in light condition to be 'very minor' with reductions (9 rooms) and improvements (12 rooms) of 0.1 - 0.3% ADF. The test therefore confirms that daylight levels on the floor above will result in no further impacts and the overall performance of Plot 12 will be very similar to that submitted in January 2018.

In Sunlight terms, the results show that Plot 11 will not have any impact upon the amenity areas located within Plot 12.

Daylight Assessment – future plots overlooking Plot 11

- 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 results demonstrate that the facades of future plots overlooking Plot 11 will receive levels of VSC ranging from 10%VSC on the lowest floor, to levels in excess of 27%VSC where typical fenestration would suffice to achieve adequate internal daylight levels. Where levels are between 10-15%VSC design measures such as larger windows and careful interior layouts would need to be incorporated. The daylight potential of the plots surrounding and overlooking Plot 11 are overall acceptable, and typical for major urban regeneration projects of these type.

Conclusion:

The submitted Internal Daylight Sunlight and Overshadowing Assessment demonstrates that the internal daylight standards for a significant majority 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 RDSF, 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 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 Plot 11, Phase 1C' with reference 4461 dated October 2018 prepared by AKT II. The results show that the majority of the site including podium roof level and balconies and roof terraces sit comfortably within the most comfortable grades with some small exceptions which are not considered significant. The conclusions therefore confirm trends of acceptable pedestrian wind comfort as a consequence of the proposed massing of Plot 11 without a strong need of applying further mitigation measures.

As such, the Plot 11 proposals meet the requirements of Condition 34.1 of the S73 permission, and are therefore considered acceptable in this respect.

6.18 Safety and Security

With the removal of the Code for Sustainable Homes condition, Secure by Design requirements are no longer optional via this route. However, crime prevention and community safety are material considerations. The NPPF continues to state that planning policies and decisions should aim to ensure developments safe and accessible environments and developments. Further, Barnet's Local Plan policies continue to support design measures to make places safer including the publication of Safer Places in 2004 and the Police Flagship initiative Secured by Design.

The Design Out Crime Officer (DOCOC) from the Metropolitan Police was consulted on the application. The response confirmed that applicant undertook a meeting with DOCOC on in July 2018 to discuss proposals for Plot 11 during which the DOCOC confirmed the requirements to achieve Secure by Design (SBD) accreditation. Specific issues were discussed including security rated doors and windows, perimeter fences, compartmentalisation, CCTV camera, moped parking, misuse of furniture, mass storage cycle, and access to roof terraces, and specific advice was given to achieve SBD accreditation.

Having reviewed the submitted proposals for Plot 11 the DOCOC has confirmed they have no objection these proposals subject to a condition requiring applicant to submit details demonstrating that the proposals can achieve SBD accreditation prior to carrying out the above works, and obtaining SBD prior to the first occupation of each building or part of the building. As such, a condition to this effect is recommended in the event of approval.

7. ENVIRONMENTAL IMPACT ASSESSMENT

The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'Regulations'), EU

Directive 85/337/EEC (as amended), as well as the National Planning Practice Guidance (2014).

The S73 Permission and the original 2010 Outline Permission were subject to 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.

Regulation 9 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 application F/04687/13 and any additional environmental information) is adequate to assess the environmental effects of the development.

In accordance with Table 10, Section 6, RDSF (scope of Explanatory Reports for RMAs), RMA submissions are required 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.

An EIA screening opinion request (18/6430/ESR) accompanied Plot 11 RMA. The conclusions confirmed proposals for Plot 11 were unlikely to be any new or different significant environmental effects associated with the proposed development. The proposals conform to the requirements set out in the parameter plans except for Parameter Plan 004 where there are non-residential uses proposed at the ground floor level on the eastern and southern frontages, and for Parameter Plan 007 where the threshold of 30% was marginally exceeded by 3% on the eastern frontage, .6% on the northern frontage, and 1% on the southern frontage. These have been assessed as small deviations not considered to result in any material difference in the findings of the ES.

The EIA Screening Opinion issued by the LPA on 27/03/2019 concluded that the development described in the information accompanying the screening request would not be likely to have significant effects on the environment, in the sense intended by the Regulations and that a further environmental impact assessment (EIA) to accompany the reserved matters application for Plot 11 was not required.

An Environmental Statement of Compliance reference REP/24552619/ENV002 dated 24 October 2018, prepared by Arup, also accompanied Plot 11 RMA demonstrating how specific conditions associated with the S73 Permission have been addressed as part of the Plot 11 RMA to ensure the development is in accordance with the ES. These include compliance with the Condition 1.16 (RDAS, RDSF and RDG), Condition 3.21 (Mitigation Measures), 27.1 (Existing landscape features), Condition 27.2 (Tree Survey), Condition 27.4 (Landscape proposals), Condition 29.1 (Acoustic Design Report), Condition 34.1

(Environmental Wind Assessment), and Condition 34.2 (Daylight, Sunlight and Overshadowing Assessment).

Therefore, the proposals for Plot 11 are considered to conform with the scheme assessed as part of the ES forming part of the S73 Permission, as well as subsequent updates to the ES. As such, the proposals are considered environmentally compliant with the aspirations of the BXC development.

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 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 remaining development plot within Phase 1C of the Brent Cross Cricklewood development. The submission proposes residential-led mixed use development on Plot 11 to provide 352 new residential units along with ground floor retail units and neighbourhood police unit in two blocks ranging from 8 to 13 storeys. Together with Plot 12 and 13

and new public open spaces and roads already approved, this represents the first substantive phase of Brent Cross South.

The reserved matters have been considered against the parameters and controls captured within the S73 Permission. Details relating to Landscape, Access, Appearance, Layout, Scale, including land use have been demonstrated to comply with the parameters within the S73 Permission and the allowable limits of deviation.

The supporting technical details accompanying this application demonstrate satisfactory 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.

The plot will provide a car parking ratio of 0.44 spaces per unit in accordance with the approach taken for Plots 12 and 13. The level of car parking accords with parking standards established by the S73 Permission and 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 environment and new urban realm responding to adjacent approved buildings and the location of approved open spaces and new roads.

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 – PRE- RMA CONDITIONS RELATING TO PLOT 11

APPENDIX 3 – SITE PLAN

APPENDIX 4 – DESIGN INFORMATION

APPENDIX 1

DRAFT LIST OF PLANNING CONDITIONS

RESERVED MATTERS APPLICATION IN RESPECT OF PLOT 11 OF PHASE 1C PURSUANT TO CONDITION 1.3(I), 2.1 AND 1.7 OF PLANNING PERMISSION F/04687/13 (DATED 23RD JULY 2014) FOR THE COMPREHENSIVE MIXED USE REDEVELOPMENT OF THE BRENT CROSS CRICKLEWOOD AREA. THE APPLICATION SEEKS APPROVAL OF DETAILS RELATING TO LAYOUT, SCALE, APPEARANCE, ACCESS AND LANDSCAPING FOR THE RESIDENTIAL LED MIXED USE DEVELOPMENT OF PLOT 11, COMPRISING 352 RESIDENTIAL UNITS, FLEXIBLE RETAIL (USE CLASSES A1/A3), PROVISION FOR A GROUND FLOOR NEIGHBOURHOOD POLICE UNIT (SUI GENERIS), BASEMENT AND UNDERCROFT CAR PARKING, CYCLE PARKING, REFUSE STORAGE AND PLANT TO BE PROVIDED WITHIN TWO BUILDINGS WITH HEIGHTS RANGING FROM 8 TO 13 STOREYS ARRANGED AROUND A PRIVATE COURTYARD, TOGETHER WITH AN EAST-WEST PUBLICLY ACCESSIBLE ROUTE BETWEEN THE TWO BUILDINGS. APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT OF COMPLIANCE.

DRAFT CONDITIONS

The term 'development' in the conditions below means the development permitted by this consent.

| | Approved plans | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------|--|--------------|---------------|--------------|-----------|--------------|---------------------|----------------------|-------------------|----------------------|------------------|----------------------|-------------------|----------------------|--------------------|----------------------|------------------|----------------------|--------------------|----------------------|-------------------|--------------|------------------|--------------|------------------|--------------|---------------------|--------------|--------------------|
| 1 | <p>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:</p> <p>Architectural drawings:</p> <table><tbody><tr><td>2116-A-P-001</td><td>Location Plan</td></tr><tr><td>2116-A-P-002</td><td>Site Plan</td></tr><tr><td>2116-A-L-099</td><td>Basement Floor Plan</td></tr><tr><td>2116-A-L-100 Rev P01</td><td>Ground Floor Plan</td></tr><tr><td>2116-A-L-101 Rev P01</td><td>First Floor Plan</td></tr><tr><td>2116-A-L-102 Rev P01</td><td>Second Floor Plan</td></tr><tr><td>2116-A-L-105 Rev P01</td><td>Typical Floor Plan</td></tr><tr><td>2116-A-L-106 Rev P01</td><td>Sixth Floor Plan</td></tr><tr><td>2116-A-L-107 Rev P01</td><td>Seventh Floor Plan</td></tr><tr><td>2116-A-L-108 Rev P01</td><td>Eighth Floor Plan</td></tr><tr><td>2116-A-L-109</td><td>Ninth Floor Plan</td></tr><tr><td>2116-A-L-110</td><td>Tenth Floor Plan</td></tr><tr><td>2116-A-L-111</td><td>Eleventh Floor Plan</td></tr><tr><td>2116-A-L-112</td><td>Twelfth Floor Plan</td></tr></tbody></table> | 2116-A-P-001 | Location Plan | 2116-A-P-002 | Site Plan | 2116-A-L-099 | Basement Floor Plan | 2116-A-L-100 Rev P01 | Ground Floor Plan | 2116-A-L-101 Rev P01 | First Floor Plan | 2116-A-L-102 Rev P01 | Second Floor Plan | 2116-A-L-105 Rev P01 | Typical Floor Plan | 2116-A-L-106 Rev P01 | Sixth Floor Plan | 2116-A-L-107 Rev P01 | Seventh Floor Plan | 2116-A-L-108 Rev P01 | Eighth Floor Plan | 2116-A-L-109 | Ninth Floor Plan | 2116-A-L-110 | Tenth Floor Plan | 2116-A-L-111 | Eleventh Floor Plan | 2116-A-L-112 | Twelfth Floor Plan |
| 2116-A-P-001 | Location Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-P-002 | Site Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-099 | Basement Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-100 Rev P01 | Ground Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-101 Rev P01 | First Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-102 Rev P01 | Second Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-105 Rev P01 | Typical Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-106 Rev P01 | Sixth Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-107 Rev P01 | Seventh Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-108 Rev P01 | Eighth Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-109 | Ninth Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-110 | Tenth Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-111 | Eleventh Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2116-A-L-112 | Twelfth Floor Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <p>2116-A-L-113 Roof Plan</p> <p>2116-A-L-200 North Block B Elevation</p> <p>2116-A-L-201 East Elevation</p> <p>2116-A-L-202 South Block B Elevation</p> <p>2116-A-L-203 North Block A Elevation</p> <p>2116-A-L-204 South Block A Elevation</p> <p>2116-A-L-205 West Elevation</p> <p>2116-A-L-206 Rev P01 Internal Courtyard West Elevation</p> <p>2116-A-L-207 Rev P01 Internal Courtyard East Elevation</p> <p>2116-A-L-208 North Block B Elevation (Colour)</p> <p>2116-A-L-209 East Elevation (Colour)</p> <p>2116-A-L-210 South Block B Elevation (Colour)</p> <p>2116-A-L-211 North Block A Elevation (Colour)</p> <p>2116-A-L-212 South Block A Elevation (Colour)</p> <p>2116-A-L-213 West Elevation (Colour)</p> <p>2116-A-L-300 Section AA</p> <p>2116-A-L-301 Section BB</p> <p>2116-A-L-400 Bay Study Block A</p> <p>2116-A-L-401 Bay Study Block B</p> <p>2116-A-L-402 Bay Study Block A (Duplex)</p> <p>Landscape drawings: TOWN621.01(08)3101 R04 Plot 11 Surface Finishes Plan _P_01_100 PL01 Courtyard Garden Landscape General Arrangement _S_01_100 PL01 Courtyard Garden Sections _P_RF_100 PL01 Roof Terraces Landscape General Arrangement _S_RF_100 PL01 Roof Terrace Sections</p> <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> |
| | <p>Neighbourhood Police Unit</p> |
| 2 | <p>Prior to the commencement of the Neighbourhood Police Unit within Plot 11 North as shown on plan 2116-A-L-100 Rev P01, details of the final layout and configuration in accordance with the Metropolitan Police operational requirements shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the development meets the operational requirements of the Metropolitan Police.</p> |
| | <p>Use Restrictions</p> |
| 3 | <p>The ground floor units identified as Retail may be used either as retail (Use Class A1) or as a restaurant (Use Class A3) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-</p> |

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| | <p>enacting that Order with or without modification).</p> <p>Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floor space within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers.</p> |
| | <p>Hours of Opening</p> |
| 4 | <p>The ground floor units identified as Retail, if used for Class A3 purposes (as defined by the Town & Country Planning (Use Classes) Order 1987 as amended by the Town & Country Planning Use Classes (Amendment) Order 2005), shall not be open for use by visiting members of the public outside the hours of 7:30am – 12:00pm unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To safeguard the amenity of adjoining residential occupiers.</p> |
| | <p>Materials</p> |
| 5 | <p>Notwithstanding the submitted plans, construction of the relevant part of the development hereby permitted shall not proceed unless and until details of materials (including samples) to be used for the external surfaces of the building and hard surfaced areas within the plot 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"> - Sample glazing with window/door frame(s); - Balustrade and edge detail; - Roofing materials, including roof parapets and overhangs to flats; - Typical rainwater goods (section of gutter, downpipe etc); - Sample areas of brickwork and mortar; - Areas of parking and paving; and - Hard Landscaping areas. <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> |
| | <p>Architectural Details</p> |
| 6 | <p>Notwithstanding the submitted plans, construction of the relevant part of the development hereby permitted shall not proceed unless and until 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"> (i) Balcony doors to flats; (ii) Balcony balustrades; (iii) Gates and Railings; |

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| | <ul style="list-style-type: none"> (iv) Main entranceways to flat cores and maisonettes; (v) Roof parapets and soffits to overhangs and recessed areas; (vi) Rainwater goods (gutters, down pipes etc) (1:100); (vii) All plant at roof level - including any Photovoltaics (1:50); (viii) Window setbacks and reveals; (ix) Sub-station and Car Park Ventilation; (x) Locations of all service intakes and meters. <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> |
| | <p>Landscape – the ‘Court’</p> |
| 7 | <p>Notwithstanding the submitted plans, construction of the landscaping associated with ‘The Court’ shall not proceed unless and until the final design, layout and details of the landscaping associated with this space have been submitted to and approved in writing by the Local Planning Authority. The landscaping shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure a high-quality landscape environment that is appropriate to the intended use of this space as it relates to the residential buildings on either side and a public access route linking to the Market Square and beyond.</p> |
| | <p>Landscape - Species</p> |
| 8 | <p>Notwithstanding the submitted plans, construction of the landscaping associated with the development hereby permitted shall not proceed unless and until 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> |
| | <p>Landscaping details</p> |
| 9 | <p>Notwithstanding the submitted plans, construction of the Play features, Seating, and other furniture including bins hereby permitted shall not proceed unless and until full details and specifications in accordance with the principles within the Landscape Design Report Plot 11, prepared by Andy Sturgeon Design (October 2018) have been 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</p> |

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| | the principles in the submitted Landscape Design Report Plot 11, prepared by Andy Sturgeon Design (October 2018). |
| | Transport – Long-Stay Cycle Parking facilities A1/A3 |
| 10 | <p>Notwithstanding the submitted plans, the ground floor units identified as Retail hereby approved shall not be occupied unless and until details of the location and layout of a secure cycle store for staff of the A1/A3 retail units, including the provision of basic changing and shower facilities, are submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the details thereby approved.</p> <p>Reason: To ensure a high-quality cycle parking provision for future staff of retail units and encourage cycle as a preferred mode of sustainable transport in accordance with quality cycling provision guidance of the London Plan and TFL's London Cycling Design Standards.</p> |
| | Transport – Cycle Parking |
| 11 | <p>Notwithstanding the submitted plans, construction of the cycle parking facilities hereby permitted shall not proceed unless and until approved details of cycle parking facilities including types of stands, number of spaces and layout, within the designated cycle parking areas in Plot 11 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 for different types of cycles are provided for occupiers and visitors to the development and to provide appropriate accessibility.</p> |
| | Transport |
| 12 | <p>Notwithstanding the submitted plans, construction of the development hereby permitted shall not proceed above ground floor damp proof course level unless and until 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 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> |
| | Lighting |
| 13 | <p>Notwithstanding the submitted plans, no external lighting on the buildings or within the public realm hereby approved shall be installed unless full details of a Lighting Strategy including:</p> <ul style="list-style-type: none"> - Locations - Lux levels - Operating hours |

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| | <p>- Associated lighting posts or other furniture</p> <p>has been 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> |
| | <p>Doors to open inwards</p> |
| 14 | <p>All ground floor doors within the development, including refuse access stores and residential entrances shall open inwards.</p> <p>Reason: In the interest of pedestrian and highway safety.</p> |
| | <p>Surface water infrastructure</p> |
| 15 | <p>No properties shall be occupied until confirmation has been provided that either:- all surfacewater network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.</p> <p>Reason: Thames Water has identified an inability of the existing surface water infrastructure to accommodate the needs of this development proposal. The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.</p> |
| | <p>Foul water network infrastructure</p> |
| 16 | <p>No properties shall be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.</p> <p>Reason: Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents</p> |

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| | Restrictions of permitted development - telecommunication |
| 17 | <p>Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order unless agreed in writing with the Local Planning Authority.</p> <p>Reason: To ensure quality of design and to safeguard the visual amenities of the building and surrounding area.</p> |
| | Secured by Design |
| 18 | <p>1) Prior to carrying out above grade works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full 'Secured by Design' Accreditation. The development shall only be carried out in accordance with the approved details.</p> <p>2) Prior to the first occupation of each building or part of a building or use, a 'Secured By Design' accreditation shall be obtained for such building or part of such building or use.</p> <p>Reason: To ensure the site benefits from appropriate Secured by Design features in the interest of safety and amenity of residential and non-residential occupiers of the site.</p> |
| | Roof terrace management |
| 19 | <p>Prior to the occupation of the first residential unit hereby approved, details of the management arrangements for the use of the roof terraces on the 9th floor of Plot 11 South and the 11th floor of Plot 11 North shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To safeguard the amenity of adjoining and future residential occupiers.</p> |
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Informatives:

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| 1 | The term 'development' in the conditions attached to this decision shall be taken to mean the development permitted by this consent. |
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| 2 | <p>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.</p> |
| 3 | <p>In accordance with Regulations 3 and 9 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, it is considered that this Reserved Matters submission reveals, with regard to the subject matter of the application, that there are no additional or different likely significant environmental effects than is considered in the environmental information already before the Council including the Environmental Statement (BXC02) submitted with the Section 73 application (F/04687/13) and any further and/or other information previously submitted. The environmental information already before the Council therefore remains adequate to assess the environmental effects of the development and has been taken into consideration in this decision.</p> |
| 4 | <p>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.</p> |
| 5 | <p>The surface water drainage strategy for this development should follow policy 5.13 of the London Plan. Typically greenfield run off rates of 5l/s/ha should be aimed for using the drainage hierarchy. The hierarchy lists the preference for surface water disposal as follows; Store Rainwater for later use > Use infiltration techniques, such as porous surfaces in non-clay areas > Attenuate rainwater in ponds or open water features for gradual release > Discharge rainwater direct to a watercourse > Discharge rainwater direct to a surface water sewer/drain > Discharge rainwater to the combined sewer.</p> |
| 6 | <p>In relation to Conditions 15 and 16 The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning.</p> |

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| 7 | <p>This application approves the final Plot development within Building Zone MQ2 which includes Plots 11, 12 and 13. Building Zone MQ2 is a part of the Market Quarter Development Zone also including MQ1 and MQ3 Building Zones. Floorspace thresholds, as presented in Table 6 in the supporting text to Parameter Plan 14, identify a threshold for MQ2 of 100,266m²(GEA). This control is subject to a flexibility mechanism which allows an up to 15% exceedance of the floor space threshold for each Building Zone, subject to an equal reduction in floorspace within another Building Zone within the same Development Zone and the availability of sufficient area of floorspace of that use class as controlled within the Revised Development Specification and Framework Zonal Floorspace Schedule (Appendix 5).</p> <p>Plots 11, 12 and 13 have a combined floorspace area of 103,798m²(GEA) exceeding the MQ2 floorspace threshold by 3,535m²(GEA). This equates to an uplift of 3.5% which is within the 15% flexibility allowance. The floorspace within the 3.5% uplift is non-residential and could fall within A1, A3, D1 and D2 Use Classes. Such floorspace is available within the other Building Zones within the Market Quarter Development Zone and it has been confirmed that for the purposes of future consideration of floorspace threshold parameters this floorspace would be drawn entirely from MQ1 'Remaining Floorspace' (Table 6. Parameter Plan 14).</p> |
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APPENDIX 2

Pre-Reserved Matters Conditions relevant to Plot 11 RMA (18/6409/RMA)

| Condition Number | Description | Reference | Status |
|------------------|--|-------------|---------------------------------|
| 1.13 | Submission of details for Condition 1.13 (Affordable Housing Viability Testing Report) in relation to Phase 1 (South) of the Brent Cross Cricklewood Regeneration pursuant to planning permission F/04687/13 dated 23/07/14 | 17/6770/CON | APPROVED 13 February 2018 |
| 1.22 | Submission of details for condition 1.22 (Servicing and Delivery Strategy) pursuant to Phase 1 South (comprising Phase 1A South, Phase 1B South and Phase 1C) planning permission F/04687/13 dated 23/07/14 | 18/6304/CON | Under Consideration |
| 2.8(a) | Submission of details pursuant to Condition 2.8(a) (Pedestrian and Cycle Strategy) relating to Phase 1 South (comprising Phase 1A South, Phase 1B South and Phase 1C) of planning permission F/04687/13 dated 23/07/14 | 18/6296/CON | Under Consideration |
| 11.2 | Submission of details for condition 11.2 (Car Parking Standards and Strategy) pursuant to Phase 1 South (comprising Phase 1A South, Phase 1B South and Phase 1C) planning permission F/04687/13 dated 23/07/14 | 18/6297/CON | Under Consideration |
| 27.1 | Submission of details for condition 27.1 (Existing Landscape Mitigation Measures) pursuant to Phase 1C of planning permission F/04687/13 dated 23/07/14 | 18/6348/CON | APPROVED 15 March 2019 |
| 33.3 | Submission of details pursuant to Condition 33.3 (Telecommunications Statement) relating to Phase 1C of planning permission F/04687/13 dated 23/07/14 | 18/6284/CON | APPROVED 18 February 2019 |

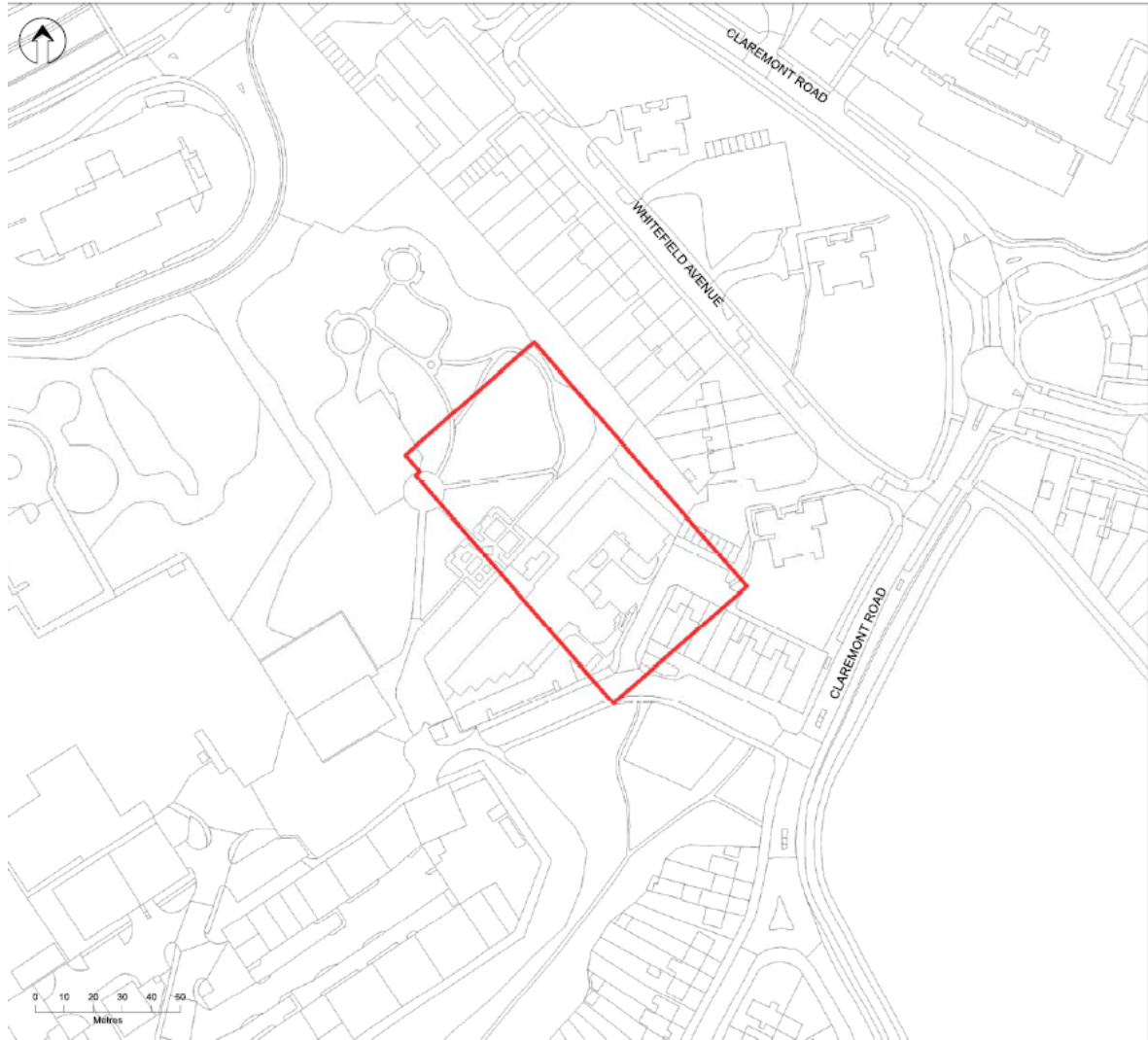
| | | | |
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| 37.5 | Submission of details pursuant to Condition 37.5 (Reserved Matters Transport Report) in relation to Phase 1 South (Comprising Phase 1A South, Phase 1B South and Phase 1C) of planning permission F/04687/13 dated 23/07/14 | 18/6347/CON | Under Consideration |
| 1.17 | Submission of details pursuant to Condition 1.17 (Illustrative Reconciliation Plan) relating to Phase 1C of planning permission F/04687/13 dated 23/07/14 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood (BXC) | 18/6438/CON | Under Consideration |
| 29.1 | Submission of details pursuant to Condition 29.1 (Acoustic Design Report) relating to Plot 11 of Phase 1C of planning permission F/04687/13 dated 23/07/14 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood (BXC) | 18/6437/CON | Under Consideration |
| 7.1 | Submission of details for condition 7.1 (Estate Management Framework) pursuant to Phase 1 (South) of planning permission F/04687/13 dated 23/07/14 | 17/6797/CON | Under Consideration |

APPENDIX 3

Site Plan

ADDRESS: Land In The Vicinity of Claremont Way, Brent Cross
Cricklewood Regeneration Area

REFERENCE: 18/6409/RMA Plot 11, Phase 1C



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APPENDIX 4

Design Information



View of the tertiary street looking north.

APPENDIX 4



View of Claremont Avenue looking south east.

APPENDIX 4



View of High Street South looking north east.

APPENDIX 4



View of the Courtyard Garden on podium looking towards Clitterhouse Playing Fields.

APPENDIX 4



View of Claremont Avenue looking north west.

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LOCATION: Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9 5JE

REFERENCE: 19/0444/RMA

Received: 28 January 2019

AGENDA ITEM 8

Accepted: 25 February 2019

WARD(S): Colindale

Expiry: 27 May 2019

APPLICANT: Redrow Homes Limited

PROPOSAL: Resubmission for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2G of Development Stage 2 of the Colindale Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1,220 units in the form of 82 x studio, 343 x 1 bedroom, 658 x 2 bedroom, 137 x 3 bedroom units together with the provision of 6,255 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses

RECOMMENDATION 1:

The Committee grants delegated authority to the Service Director Planning and Building Control 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:

Site Location Plan (Dwg ABCD-00-DR-L-3-90-000 Rev B)
Proposed Block A & C Basement Level -01 (Dwg 2857-5PA-230 Rev A)
Proposed Block A Level 00 (Dwg No. 2857-JW-100 Rev P01)
Proposed Block A Level 01 (Dwg No. 2857-JW-101 Rev P01)

Proposed Block A Level 02 (Dwg No. 2857-JW-102 Rev P01)
Proposed Block A Level 03-05 (Dwg No. 2857-JW-103 Rev P01)
Proposed Block A Level 06 (Dwg No. 2857-JW-104 Rev P01)
Proposed Block A Level 07 (Dwg No. 2857-JW-105 Rev P01)
Proposed Block A Level 08-09 (Dwg No. 2857-JW-106 Rev P01)
Proposed Block A Level 10-11 (Dwg No. 2857-JW-107 Rev P01)
Proposed Block A Roof Level (Dwg No. 2857-JW-108 Rev P01)
Proposed Block A Elevation A1 (Dwg No. 2857-JW-130 Rev P01)
Proposed Block A Elevation A2 (Dwg No. 2857-JW-131 Rev P01)
Proposed Block A Elevation A3 (Dwg No. 2857-JW-132 Rev P01)
Proposed Block A Elevation A4 (Dwg No. 2857-JW-133 Rev P01)
Proposed Block A Sectional Elevation A5 (Dwg No. 2857-JW-134 Rev P01)
Proposed Block A Elevation A6 (Dwg No. 2857-JW-135 Rev P01)
Proposed Block A Elevation A7 (Dwg No. 2857-JW-136 Rev P01)
Proposed Block A Typical Studio & 1B2P Flat (Dwg 2857-JW-140)
Proposed Block A Typical 2B3P & 2B4P Flats (Dwg 2857-JW-141)
Proposed Block A Typical 3B4P & 3B5P Flat (Dwg 2857-JW-142)
Proposed Block A Typical Wheelchair Adaptable Flats (Dwg 2857-JW-143)

Proposed Block A Accommodation Schedule (Dwg 2857-JW-150)
Proposed Block B and D Level 00 (Dwg No. 2857-5PA-200 Rev E)
Proposed Block B Level 01 (Dwg No. 2857-5PA-201 Rev D)
Proposed Block B Level 02 (Dwg No. 2857-5PA-202 Rev D)
Proposed Block B Level 03 - 07 (Dwg No. 2857-5PA-203 Rev D)
Proposed Block B Level 08 - 14 (Dwg No. 2857-5PA-204 Rev E)
Proposed Block B Roof Level (Dwg No. 2857-5PA-205 Rev C)
Proposed Block B Elevation B1 (Dwg No. 2857-5PA-230 Rev C)
Proposed Block B Elevation B2 (Dwg No. 2857-5PA-231 Rev C)
Proposed Block B Elevation B3 (Dwg No. 2857-5PA-232 Rev C)
Proposed Block B Elevation B4 (Dwg No. 2857-5PA-233 Rev C)
Proposed Block B Sectional Elevation B5 (Dwg No. 2857-5PA-234 Rev C)
Proposed Block B Sectional Elevation B6 (Dwg No. 2857-5PA-235 Rev C)
Proposed Block B Typical Studio & 1B2P Flat (Dwg 2857-5PA-240 Rev B)
Proposed Block B Typical 2B3P, 2B4P, 3B5P Flats (Dwg 2857-5PA-241 Rev B)

Proposed Block B Typical Adaptable Flats (Dwg 2857-JW-242)
Proposed Block B Accommodation Schedule (Dwg 6163-B-60-P-001 Rev P04)

Proposed Block C Level 00 (Dwg No. 2857-JW-300 Rev P01)
Proposed Block C Level 01 (Dwg No. 2857-JW-301 Rev P01)
Proposed Block C Level 02-09 (Dwg No. 2857-JW-302 Rev P01)
Proposed Block C Level 10 (Dwg No. 2857-JW-303 Rev P01)
Proposed Block C Level 11 (Dwg No. 2857-JW-304 Rev P01)
Proposed Block C Level 12 (Dwg No. 2857-JW-305 Rev P01)
Proposed Block C Level 13-14 (Dwg No. 2857-JW-306 Rev P01)
Proposed Block C Roof Level (Dwg No. 2857-JW-307 Rev P01)
Proposed Block C Overall Roof Level (Dwg No. 2857-JW-308 Rev P01)
Proposed Block C Elevation C1 (Dwg No. 2857-JW-330 Rev P01)
Proposed Block C Elevation C2 (Dwg No. 2857-JW-331 Rev P01)
Proposed Block C Elevation C3 (Dwg No. 2857-JW-332 Rev P01)

Proposed Block C Elevation C4 (Dwg No. 2857-JW-333 Rev P01)
Proposed Block C Sectional Elevation C5 (Dwg No. 2857-JW-334 Rev P01)
Proposed Block C Sectional Elevation C6 (Dwg No. 2857-JW-335 Rev P01)
Proposed Block C Sectional Elevation C7 (Dwg No. 2857-JW-336 Rev P01)
Proposed Block C Typical Studio & 1B2P Flat (Dwg 2857-JW-340)
Proposed Block C Typical 2B3P & 2B4P Flats (Dwg 2857-JW-341)
Proposed Block C Typical 3B4P & 3B5P Flat (Dwg 2857-JW-342)
Proposed Block C Typical Wheelchair Adaptable Flats (Dwg 2857-JW-343)
Proposed Block C Accommodation Schedule (Dwg 2857-JW-350)
Proposed Block D Level 01 (Dwg No. 2857-JW-401 Rev P01)
Proposed Block D Level 02 (Dwg No. 2857-JW-402 Rev P01)
Proposed Block D Level 03 (Dwg No. 2857-JW-403 Rev P01)
Proposed Block D Level 04 (Dwg No. 2857-JW-404 Rev P01)
Proposed Block D Level 05 (Dwg No. 2857-JW-405 Rev P01)
Proposed Block D Level 06 (Dwg No. 2857-JW-406 Rev P01)
Proposed Block D Level 07 (Dwg No. 2857-JW-407 Rev P01)
Proposed Block D Level 08 (Dwg No. 2857-JW-408 Rev P01)
Proposed Block D Level 09 (Dwg No. 2857-JW-409 Rev P01)
Proposed Block D Level 10 (Dwg No. 2857-JW-410 Rev P01)
Proposed Block D Level 11 (Dwg No. 2857-JW-411 Rev P01)
Proposed Block D Level 12 (Dwg No. 2857-JW-412 Rev P01)
Proposed Block D Level 13 (Dwg No. 2857-JW-413 Rev P01)
Proposed Block D Level 14 (Dwg No. 2857-JW-414 Rev P01)
Proposed Block D Level 15 (Dwg No. 2857-JW-415 Rev P01)
Proposed Block D Level 16 (Dwg No. 2857-JW-416 Rev P01)
Proposed Block D Level 17 (Dwg No. 2857-JW-417 Rev P01)
Proposed Block D Level 18 (Dwg No. 2857-JW-418 Rev P01)
Proposed Block D Level 19 (Dwg No. 2857-JW-419 Rev P01)
Proposed Block D Level 20 (Dwg No. 2857-JW-420 Rev P01)
Proposed Block D Level 21 (Dwg No. 2857-JW-421 Rev P01)
Proposed Block D Level 22 (Dwg No. 2857-JW-422 Rev P01)
Proposed Block D Roof Level Dwg No. 2857-JW-423 Rev P01)
Proposed Block D Elevation D1 (Dwg No. 2857-JW-430 Rev P01)
Proposed Block D Elevation D2 (Dwg No. 2857-JW-431 Rev P01)
Proposed Block D Elevation D3 (Dwg No. 2857-JW-432 Rev P01)
Proposed Block D Elevation D4 (Dwg No. 2857-JW-433 Rev P01)
Proposed Block D Sectional Elevation D5 (Dwg No. 2857-JW-434 Rev P01)
Proposed Block D Sectional Elevation D6 (Dwg No. 2857-JW-435 Rev P01)
Proposed Block D Elevation D7 (Dwg No. 2857-JW-436 Rev P01)
Proposed Block D Elevation D8 (Dwg No. 2857-JW-437 Rev P01)
Proposed Block D Typical Studio & 1B2P Flat (Dwg 2857-JW-440)
Proposed Block D Typical 2B3P & 2B4P Flats (Dwg 2857-JW-441)
Proposed Block D Typical Adaptable Flats (Dwg 2857-JW-442)
Proposed Block D Accommodation Schedule (Dwg 2857-JW-450)

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. a) Prior to the commencement of each block, details of proposed air pollution mitigation measures to target air quality neutral status shall be submitted to and approved in writing by the Local Planning Authority.

- b) The approved mitigation measures identified for that block shall be implemented prior to completion of that block in accordance with details approved under this condition before any of the development in the phase first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.3 of the London Plan 2016.

4. a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development 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), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

5. 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 2016.

6. a) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas for a minimum period of 5 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2016.

INFORMATIVE(S):

- 1 The applicant is reminded that the conditions and planning controls in hybrid planning permission H/04753/14, as amended by permissions 16/5050/S73 and 16/7836/S73 (dated 5th May 2017), are still relevant and must be complied with. There are also conditions that require to be discharged prior to the commencement and occupation of the development.

1. BACKGROUND TO THE APPLICATION

On 23rd December 2015, the 'original' hybrid planning permission (Ref: H/04753/14) was granted for the phased comprehensive redevelopment of part of the former Peel Centre site (now known as 'Colindale Gardens'), with minor material amendments to Blocks P & Q granted on 5th December 2016 (Ref: 16/5050/S73) and minor material amendments to Blocks H, J, K and M granted on 5th May 2017 (Ref: 16/7836/S73) ('the hybrid planning permission').

The redevelopment of the site will comprise the construction of 2,900 new homes and associated development, the creation of new public open space and the provision of a new primary school. It was granted subject to 60 conditions and a Section 106 agreement.

The development was designed as part of a masterplan and will be constructed in three development stages, each comprising a number of 'phases'.

The application was granted in hybrid form. Full planning permission was granted for part of the development comprising Development Stage 1, with outline planning permission (with all matters reserved except access) granted for Development Stages 2 and 3.

All site-wide pre-commencement conditions have been approved and this application seeks re-approval of reserved matters approval for Phases 2D, 2E, 2F and 2GA and 2GB of the Hybrid Consent.

On 12th November 2018, a reserved matters application was approved in relation to blocks ABCD (18/4369/RMA) for:

"Application for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2G of Development Stage 2 of the Colindale Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1208 units in the form of 87 x studio, 353 x 1 bedroom, 659 x 2 bedroom, 109 x 3 bedroom units together with the provision of 7,094 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses."

Since this original reserved matters approval for Blocks ABCD, a number of amendments to the plans associated with Block B are required as a result of further detailed design development. The changes include:

- The provision of an additional 12 apartments;
- A reduction in the amount of commercial space;
- An increase in communal amenity space;
- A shift in the siting of the building so that it sits 5.7m further north;
- Re-location of the sub-station;
- The removal of the colonnade on the ground and first floor;
- An increase to the overall height of the building by approximately 850mm due to revised levels and the need to accommodate serviceable ceiling voids in every dwelling; and
- A general reordering of windows and balconies.

The proposed amendments also include a reduction in the size of the ABCD basement. The cycle parking previously approved for Block D in the ABCD basement is now proposed at ground floor level in Block D.

As a result of the reduced ABCD basement, the basement under Block E (approved under 17/2564/RMA) will be extended to ensure that there is no overall loss of car parking within the scheme. The application to amend the basement under Block E is separate to this application but is also pending consideration (reference 19/0636/RMA) and constitutes a redistribution of parking from Blocks B and D to E.

The majority of the plans approved under the original reserved matters application for Phases 2D, 2E, 2F and 2GA and 2GB (Blocks ABCD) (reference 18/4369/RMA) are unchanged by the current proposal – therefore they have not been resubmitted and are to be reapproved as part of this application. The plans submitted for approval as part of this application relate to Phase 2GA and 2GB (Block B), the ground floor of Phase 2F (Block D) and the basement.

The unchanged plans (originally approved under 18/4369/RMA, and to be reapproved by this application) and the plans submitted as part of this application in relation to Phase 2GA and 2GB (Block B), the ground floor of Phase 2F (Block D) and the basement cover details necessary to secure reserved matters approval in respect to Phases 2D, 2E, 2F and 2GA and 2GB (Blocks ABCD). These plans are supplemented by supporting documentation that justifies compliance/deviations to the plans/documents approved at the outline stage.

2. MATERIAL CONSIDERATIONS

2.1 Key Relevant Planning Policy

National Planning Policy Framework (February 2019)

The 2018 NPPF was adopted in February 2019 replacing the 2012 NPPF and includes minor clarifications to the revised version published in July 2018. The NPPF sets out the Government's planning policies for England and how these should be applied¹. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF also 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', unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

The London Plan (March 2016)

The London Plan (consolidated with alterations since 2011) was adopted in March 2016 and is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004).

Policies within the London Plan that are relevant to this application include: 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); 5.11 (Green roofs and development site environs); 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), 7.7 (Location and design of tall and large buildings); 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature).

The site forms part of a 262ha area designated as an 'Opportunity Area' (Colindale/Burnt Oak) in the London Plan (2016), which is identified as having capacity to accommodate a minimum of 12,500 homes and 2,000 jobs in the current plan period. London Plan Policy 2.13 encourages development at Opportunity Areas, to exploit their public transport accessibility and potential for increases in residential, employment and other uses, through higher densities and more mixed and intensive use.

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.

Barnet Local Plan

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD) adopted in September 2012 and the Colindale Area Action Plan adopted in March 2010.

Colindale Area Action Plan (March 2010)

The CAAP establishes a detailed, area-specific policy basis to guide the redevelopment of the Colindale and Burnt Oak Opportunity Area, and is, accordingly, the principal planning policy document of relevance to the application site.

The AAP promotes the Colindale area as a major focus for the creation of new homes, jobs, a new neighbourhood centre and supporting infrastructure. It breaks the area up into a series of 'corridors', where area-specific policies apply. Those of relevance to the application site include:

- The western part of the site falls within the 'Colindale Avenue Corridor of Change', where redevelopment for a mix of uses to include a new neighbourhood centre (including foodstore) together with high density housing is supported.
- The central and eastern parts of the Site lie within the 'Aerodrome Road Corridor of Change' and are identified as part of a wider area allocated for a mix of medium-high density housing, student housing, employment uses (including the retention of the Metropolitan Police), a primary school and a park.
- The application site traverses both corridors of change.

Policies that are relevant to this application include: 2.0 (Colindale Opportunity Area); 3.1 (Improving connectivity in Colindale); 3.2 (Walking and Cycling); 3.5 (Parking); 4.1 (Colindale Avenue Corridor of Change); 4.2 (Aerodrome Road Corridor of Change); 5.1 (Urban Design in Colindale); 5.3 (Building Heights); 5.5 (Open Space and Biodiversity in Colindale); and 7.1 (Housing in Colindale).

Core Strategy (September 2012)

Policies that are relevant to this application include: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS1 (Barnet's place shaping strategy), 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), CS7 (Enhancing and Protecting

Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place).

The Core Strategy identifies Colindale as a 'Regeneration Area' accommodating four 'Corridors of Change' the most relevant being Colindale Avenue and Aerodrome Road (consistent with the AAP).

Development Management Policies DPD (September 2012)

The Development Management Policies document provides the borough-wide planning policies that implement the Core Strategy. These policies are used for day-to-day decision making.

The relevant policies for the consideration of this application include: DM01 (Protecting Barnet's Character and Amenity); DM02 (Development Standards); DM03 (Accessibility and Inclusive Design); DM05 (Tall Buildings); DM08 (Ensuring a variety of sizes of new homes to meet housing need).

2.2.1 Relevant Planning History

Application Reference : H/04753/14

Proposal: Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking.

Application Type: Hybrid

Start date: 29.08.2014

Decision: Approved

Decision Date: 23.12.2015

Application Reference : 16/5050/S73

Proposal: Minor Material Amendment to condition 1 (Approved Plans) of Planning Permission for H/04753/14 Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys, up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2), the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking dated 23.12.2015. Variations include: Amendments to Application Description increasing number of units in Stage 1 (from 888 to 951) and decreasing number of units in future phases Stages 2 and 3 (from 2012 to 1949); Blocks P and Q are increased in height by 1 storey from part 3, 6 and 8 to part 4, 7 and 9 storeys; Introduction of a new residents hub in Block P including a reception,

residents gym, function/class room and office space; Increase in number of units in Blocks P and Q from 96 units each to 119 and 122 units; Alterations to unit mix; Alterations to layout and road network; Increase in Cycle Spaces

Application Type: S73

Start date: 12.08.2016

Decision: Approved

Decision Date: 05.12.2016

Application Reference : 16/7836/S73

Proposal: Minor Material Amendment to condition 1 (Approved Plans) of Planning Permission for H/04753/14 dated 23/12/2015 as amended by S73 Application 16/5050/S73 dated 05.12.2016. Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 951 units in full detail and up to 1949 units in outline in buildings ranging from 2-21 storeys, up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2), the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking.

Variations include (but not limited to). Amendments to Application Description increasing number of units in Stage 1 (from 951 to 1,061) and decreasing number of units in future phases Stages 2 and 3 (from 1949 to 1839). Blocks H, J and M are increased in height. Increase in number of units in Block H from 126 to 162, Block J from 66 to 87, Block K from 64 to 75, and Block M from 62 units to 104 units. Alterations to the building footprint for Blocks J and K. Alterations to the unit mix and parking distribution in Blocks H, J, K and M and introduction of a basement level below Blocks J and K

Application Type: S73

Start date: 09.12.2016

Decision: Approved

Decision Date: 05.05.2017

Application Reference : 17/2564/RMA

Proposal: Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phases 2A, 2B and 2C of the Colindale Gardens (Former Peel Centre) development pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 483 units in the form of 42 studios, 136 x 1 bedroom, 203 x 2 bedroom, 98 x 3 bedroom and 4 x 4 bedroom, together with details to discharge the requirements of conditions 55 and 56

Application Type: Reserved Matters

Start date: 11.05.2017

Decision: Approved

Decision Date: 02.08.2017

Application Reference : 18/4369/RMA

Proposal: Application for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2G of Development Stage 2 of the Colindale Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1208 units in the form of 87 x studio, 353 x 1 bedroom, 659 x 2 bedroom, 109 x 3 bedroom units together with the provision of 7,094 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses

Application Type: Reserved Matters
Start date: 17.07.2018
Decision: Approved
Decision Date: 12.11.2018

2.3 Public consultation and other views expressed

Public Consultation

Letters were sent out to 1249 addresses on the 25th February 2019. As a result of this consultation, three letters of representation were received all objecting to the proposals on the following grounds:

1. LOSS OF DAYLIGHT AND INCREASE IN SHADOWING: It is proposed to move Block B forward by approximately 5.7 metres. This will surely create an increased loss of daylight and further shadowing to my property and those of my neighbours along Colindale Avenue and Pasteur Close.

I note in the original sunlight reports for the 2014 planning application, Agar House was mentioned as one of the properties that would lose daylight as a result of this development, a fact of which we were never informed.

The report states: Out of the TWELVE windows of the six flats only ONE will satisfy the BRE criteria for VSC. While these are guidelines, why should longstanding owners of 26 years plus be subject to a loss of light in their property? Can I ask where is the revised Daylight, Sunlight and Overshadowing report for this proposed new positioning of Block B?

2. OVERBEARING APPEARANCE: The original plan had allowed for a relatively pleasant broad walk-way with trees. Under the new proposed position this will no longer exist creating a claustrophobic feel and a loss of visual amenity.

3. TRANSPORT SAFETY. The height of the newly proposed Block B has been increased by 850mm. These buildings are already too tall and situated so near the main road will represent a mass and density which will not only overshadow nearby properties, but also create a potential safety hazard to drivers, pedestrians and cyclists along Colindale Avenue's narrow road.

4. OVERDEVELOPMENT: An additional 12 apartments in Block B are proposed, as well as a significant increase in the number of 2- and 3-bedroom apartments from the original plans. Many of which are designed for four people. This reveals an increased capacity for 56 more residents than the original proposals. Where is the evidence of an adequate infrastructure to accommodate all of these extra homes and residents?

New applications to build more residential buildings will congest the entire Colindale area, currently, there are already major traffic flow and traffic jams along and around Colindale Avenue. Illegal parking all the way along Charcot Road because of the population in the area and current limitation in infrastructure. Colindale Tube station is very packed during peak hours, there are so many people that the entire pedestrian area outside the station is full of commuters waiting to get into the station.

No more new buildings or residential areas should be built without new infrastructure supporting them, new A roads need to be built, underground station and train extension need to be added to the solution.

There seems to no parking facilities for the use of the health centre there will be a need for spaces for the doctors, nurses, administration staff & patients also spaces for staff & admin staff of the nursery and drop off & pick up spaces for the children's parents.

Officer's response:

The principle of the development has already been agreed under hybrid planning permission H/04753/14, as amended by permissions 16/5050/S73 and 16/7836/S73 (dated 5th May 2017). It is also noted that in addition to housing the new development would provide a new Neighbourhood Centre, a health care centre for 3 GPs (510-1,100m²) and education facilities (a 3 form entry primary school, plus 400m² of nursery space), as well as access to 4 hectares of new public open spaces and provision of outdoor leisure and recreation opportunities.

In relation to Daylight/Sunlight. The application proposal includes Block B moving north by 5.7m. The Environmental Statement Addendum submitted as part of the application addresses the daylight, sunlight and overshadowing impacts of the proposed amendments to Block B. It concludes that the revisions to Block B are minor in comparison to the consented scheme for Blocks ABCD (approved in November 2018) and effectively are unchanged in comparison to the consented scheme.

In relation to parking the proposal includes a reduction in the size of the basement car park. However, the basement under Block E (approved under 17/2564/RMA) will be extended to ensure that there is no overall loss of car parking within the scheme. The application to amend the basement under Block E is separate to this application but is also pending consideration (reference 19/0636/RMA) and constitutes a redistribution of parking from Blocks B and D to E.

Internal/External and Other Consultations:

LB Barnet: Traffic and Development

No comments received at time of writing this report. Any comments received will be reported in the addendum report.

Environment Agency

No Objections raised.

Scientific Services

No Objections raised.

Network Rail

No Objections raised.

Trees and Landscape

No objections subject to conditions.

London Fire Brigade

'The Commissioner has been consulted with regard to the above-mentioned premises and makes the following observations:

The Commissioner is not satisfied with the proposals, for the following reasons: Insufficient information provided in relation to access and facilities for fire fighters, as set out in Section B5 Approved Document B.'

Officer Comment –

The applicant has provided clarifying information to the London Fire Brigade. It is considered that this additional information satisfies the concerns expressed. Any additional comments will be reported in the addendum.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings

This application site submitted for assessment comprises the land within Phases 2D (Development Zone A), 2E (Development Zone C), 2F (Development Zone B) and 2G (Development Zone D) within Development Stage 2 of the outline consent, as defined on the site-wide Phasing Plan approved pursuant to Condition 4 of the hybrid planning permission, covering approximately 2.81 hectares located on the western side of the wider Colindale Gardens site.

The wider Colindale Gardens site extends to 20.35 hectares and is located in Colindale. It is located approximately 14.5 kilometres (9 miles) northwest from Central London and 17 kilometres (10.5 miles) south east of Watford. The site to which this application relates extends to approximately 2.74 hectares and is located centrally within the Colindale Gardens site.

The site is bounded by Aerodrome Road and the Metropolitan Police training facility to the north, Colindale Avenue to the West, Development Zones E, F & G for which reserved matters consent has been granted to the west, and the London Underground Northern Line to the south.

The surrounding development is largely residential interspersed with other uses.

The building stock is of various ages, from low-scale 1930s housing stock through to modern high density flat developments. The Colindale area is undergoing significant physical change with a number of developments under construction or planned. To the north of the Site is the Beaufort Park development which is a modern flatted development of over 3,000 homes in buildings up to 18 storeys, and the Middlesex University Student accommodation at Platt Halls located to the north west of the Site. Beyond these are the RAF Museum and the Grahame Park Estate which is currently undergoing redevelopment in the area north of Grahame Park Way. To the south, beyond the Northern Line are Colindale Park, Silk Stream, Rushgrove Park and low scale 1930s suburban residential streets and the A41. Tall buildings have also been approved as part of the Grahame Park development, as well as other nearby developments, including the recently completed redevelopment of the former Colindale Hospital site (3-10 storeys), the Station House student accommodation development (7-18 storeys) and the former British Newspaper Library site (4-11 storeys).

3.2 Description of Proposal

The proposal seeks the re-approval of matters reserved under the hybrid planning permission (layout, scale, appearance and landscaping) to develop Phases 2D (Block A), 2E (Block C), 2GA and 2GB (Block B) and 2F (Block D) within Development Stage 2 at Colindale Gardens.

Since the original approval of matters reserved under the hybrid planning permission in relation to Development Zones A, B, C and D (reference 18/4369/RMA), a number of amendments to the plans associated with Block B are required. The changes include:

- The creation of an additional 12 apartments;
- A reduction in the amount of commercial space;
- An increase in communal amenity space;
- A shift in the siting of the building so that it sits 5.7m further north;
- Re-location of the sub-station;
- The removal of the colonnade on the ground and first floor;
- An increase to the overall height of the building by approximately 850mm due to revised levels and the need to accommodate serviceable ceiling voids in every dwelling; and
- A general reordering of windows and balconies.

The proposed amendments also include a reduction in the size of the ABCD basement. The cycle parking previously approved for Block D in the ABCD basement is now proposed at ground floor level in Block D.

As a result of the reduced ABCD basement, the basement under Block E (approved under 17/2564/RMA) will be extended to ensure that there is no overall loss of car parking within the scheme. The application to amend the basement under Block E is separate to this application but is also pending consideration (reference 19/0636/RMA) and constitutes a redistribution of parking from Blocks B and D to E.

As in the original reserved matters approval for Blocks ABCD (reference 18/4369/RMA), the proposed layout shows Blocks A, B, C and D arranged around the central landscape feature of the Station Plaza.

Block A is a mixed use building lining the northern edge of the Station Plaza that also creates a corner at the junction of Colindale Avenue and Aerodrome Road. The ground floor provides active frontage with opportunities for non-residential use on Colindale Avenue, Station Plaza and Aerodrome Road. Residential entrances are located on the quieter residential street – Sanday Drive.

Block B is a mixed use building lining the southern edge of the Station Plaza. The ground floor level provides active frontage with opportunities for non-residential use on Colindale Avenue and Station Plaza. The first floor level also contains non-residential uses. Its southern elevation faces the London Underground Northern Line and the eastern elevation faces Sanday Drive, a tertiary routes between Blocks B and D.

Block C, in the north east corner of the site, is a solely residential use. The south elevation faces the approach to Station Plaza, the north elevation faces Aerodrome Road and the east elevation faces Lismore Boulevard. A tertiary route to the west, Sanday Drive, separates Block A and Block C.

Block D is a mixed use building in the south east corner of the site. The north elevation faces the approach to Station Plaza, the south elevation faces the London Underground Northern Line, the east and West elevations face Sanday Drive, a tertiary route that separates Block D from Block B (to the west) and from Block F (to the east).

The buildings are supported by ancillary functions including car parking, cycle storage, plant space, refuse storage and residential lobbies. Dwellings are also provided with private amenity space in the form of balconies, terraces and gardens.

Amendments

Minor amendments have been made to the design of the proposed balconies to include solid cladding, following discussions with the Council's design officer. These changes do not materially change the nature of the application as they concern matters which otherwise could be altered under a non material planning application or discharge of condition process and as such have not been subject to any further public consultation.

Housing

Amount and Mix

The proposal comprises a mix of studios, and 1, 2, 3, and 4 bedroom units providing a total of 1,220 dwellings as follows:

- 82 x studios
- 343 x one bed dwellings
- 658 x two bed dwellings
- 137 x three bed dwellings

The above includes the following mix for each block:

Block A:

- 31 x studios
- 66 x one bed dwellings
- 181 x two bed dwellings
- 44 x three bed dwellings

Total: 322 units

Block B:

- 0 x studios
- 34 x one bed dwellings
- 81 x 2 bed dwellings
- 28 x three bed dwellings

Total: 143 units

Block C:

- 29 x studios
- 95 x one bed dwellings
- 229 x two bed dwellings
- 65 x three bed dwellings

Total: 418 units

Block D:

- 22 x studios
- 148 x one bed dwellings
- 167 x two bed dwellings
- 0 x three bed dwellings

Total: 337 units

Tenure

The proposals include a mix of affordable housing provided within Blocks A, B, C and D of the proposed development. The scheme will comply in full with the requirements of the S106 which requires a minimum of 454 affordable housing units to be provided in Stages 2 and 3.

An Affordable Housing Scheme that complies with paragraph 4, Schedule B of the S106 Agreement of the OPP, will be submitted in due course. However currently it is envisaged that Block B the subject of the current application will

be 100% affordable in tenure following discussions with the registered social landlord which Redrow is currently in contract discussions with.

Car Parking

The proposal comprises the provision of 447 car parking spaces as follows:

Block A

- 33 spaces on-plot

Block C

- 56 spaces on-plot

Block D

- 10 spaces on-plot

These on-plot spaces are in addition to the 348 spaces provided in the basement underneath Blocks A and C.

3.3 Planning Application Specification

Matters/Details for which Approval is sought

This proposal seeks the re-approval of matters reserved under the hybrid planning permission (layout, scale, appearance and landscaping) to develop Phases 2D (Block A), 2E (Block C), 2GA and 2GB (Block B) and 2F (Block D) within Development Stage 2 at Colindale Gardens.

Since the original approval of matters reserved under the hybrid planning permission in relation to Development Zones A, B, C and D (reference 18/4369/RMA), a number of amendments to the plans associated with Block B are required. The changes include the creation of an additional 12 apartments and an increase in communal amenity space.

The proposed amendments also include a reduction in the size of the ABCD basement. The cycle parking previously approved for Block D in the ABCD basement is now proposed at ground floor level in Block D.

As a result of the reduced ABCD basement, the basement under Block E (approved under 17/2564/RMA) will be extended to ensure that there is no overall loss of car parking within the scheme. The application to amend the basement under Block E is subject to a separate planning application currently pending consideration (reference 19/0636/RMA) which involves a redistribution of parking from Blocks B and D to E.

The scope of this submission was agreed with the LPA as part of pre-application discussions.

Supporting Documents/Plans Submitted

The following documents have been submitted in support of this application:

- Covering Letter;
- CIL Form;
- Design Statement;
- Plans for approval;
- Plans for information;
- Light Within Report Block B;
- Transport Statement Addendum;
- Comparison Document;
- Accommodation Schedule; and
- Environmental Statement Addendum.

The following documents have been submitted for information or illustrative purposes only:

- Design Statement;
- Comparison Document;
- Plans for information;
- Environmental Statement Addendum;
- Transport Statement Addendum; and
- Light Within Report Block B.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of redeveloping this land has been established by the hybrid planning permission. The hybrid planning permission specifically allows the development to be brought forward in a series of phases.

A site wide Phasing Plan (ref. BM31458 SW-XX-DR-L-3-02 Rev 001), approved pursuant to the discharge of Condition 4 of the hybrid planning permission divides the site into three Development stages, a number of phases within those development stages and references the development zones/blocks relating to each phase. It defines the broad extent of each phase, and sets out the sequence (and approximate timing) in which phases will be brought forward for development.

This application relates to the re-approval of reserved matters approval for Phases 2D (Block A), 2E (Block C), 2GA and 2GB (Block B) and 2F (Block D). The extent of the land that comprises these phases is compliant with the approved Phasing Plan.

4.2 Land Uses

The hybrid planning permission approved a mix of uses within the Colindale Gardens development. Condition 1 controls the type and location of allowable

uses by requiring development to be carried out in accordance with the Primary Control Documents (PCD). The only PCD that controls the type and location of allowable uses is the Development Schedule, Revision 7 (approved April 2018) (PCD 5).

The allowable uses within Development Phase 2D, 2E, 2F and 2GA and 2GB are a mix of residential and town centre uses comprising; Residential (Use Class C3), Retail (Class A1-A4), Nursery, Community and Leisure uses (Use Class D2) and Healthcare (D1).

Since the original reserved matters approval for Blocks ABCD (reference 18/4369/RMA), there are no changes in terms of the types of land uses proposed. However, there are changes to the amount of proposed residential and commercial uses:

Residential

Since the original reserved matters approval (18/4369/RMA), an additional 12 residential units are proposed in Block B. This will result in a total of 1,220 residential units in Blocks ABCD. The principle residential use of these blocks are not changed as a result of the proposed changes under this reserved matters application and still fall within the parameters of the original hybrid approval which allows for up to 2900 units within the Colindale Gardens development.

Commercial - A1- A4, C3, D1, D2

Since the original reserved matters approval (18/4369/RMA), a reduction in commercial floorspace in Block B is proposed. The table below shows the size of the commercial units in Block B as approved and as now proposed.

| Unit number | Consented 18/4369/RMA (sqm) | Proposed (sqm) |
|--------------------|--|-----------------------|
| 8 | 467 | 325 |
| 9 | 505 | 489 |
| 10 | 1328 | 941 |
| | 2,300 | 1,755 |

This reduction in floorspace principally involves commercial floorspace proposed on the upper floors within Block B and as such does not significantly affect the extent of active frontages proposed around the new public square. These changes are not considered to raise any significant issues and still accords with the parameters of the outline approval.

4.3 Amount and Mix of Development

Amount

The hybrid planning permission approved the development of 2,900 units across Colindale Gardens. Condition 1 controls this by requiring development to be carried out in accordance with PCD 5, which controls the amount of residential development by setting a site-wide maximum amount of residential floorspace of 276,813m² and 2,900 residential units.

PCD 5 also controls the maximum number of residential units for each Development Zone and enables any deviations from these numbers to be permitted subject to local authority approval. The application proposes a total of 1,220 dwellings as follows:

- Block A (Phase 2D): 322;
- Block B (Phase 2GA and 2GB): 143;
- Block C (Phase 2E): 418; and
- Block D (Phase 2F): 337.

The proposal involves an increase of 405 units above the maximum number of units across these four phases currently approved under PCD5 (an increase of 12 units from the reserved matters originally approved for Blocks ABCD (reference 18/4369/RMA)). The Applicant's intention is to reconcile this with an equal decrease in the total number of units in Blocks V, W, X, Y and Z in Development Stage 3. This means the site-wide total of 2,900 residential units and maximum amount of residential floorspace will be unchanged, and therefore compliant with the hybrid planning permission. There will be no increase to the site-wide total.

All of these changes will be accounted for in a revision to the latest approved Development Schedule (Revision 7).

Mix

PCD 5 sets out the controls to the site-wide mix of housing and an indicative mix for Development Zones A, B, C and D. Although there are no specific controls over the residential mix in Blocks A, B, C and D, the proposed mix is in broad alignment with the site-wide requirements and the indicative mix for these plots set out in PC5.

The proposal does not alter the site-wide approved residential mix because it is a localised redistribution within the parameters of the outline permission.

Tenure

The proposals include a mix of affordable housing provided within Blocks A, B, C and D of the proposed development which will comply with paragraph 4, Schedule B of the S106 Agreement of the OPP, which requires approval of an Affordable Housing Scheme. As mentioned above it is currently envisaged that Block B will be 100% affordable in tenure mix.

4.4 Matters Reserved

The reserved matters currently under consideration are as follows:

Scale means the height, width and length of each building proposed within the development in relation to its surroundings.

Layout means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

Appearance means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Landscape plans have not been submitted because an application for amendments to Block A is to be submitted as soon as possible. The future application for amendments to Block A will take account of the latest approval for Block B and update the landscaping proposals accordingly.

Layout

The key relevant matters for consideration are the layout principles established on the Parameter Plans and relevant principles set out in the DPD.

General Layout Parameters

The application proposes to move Block B 5.7m further north. However, an application to amend Block A (to ensure the distance between Blocks A and B is as per the original reserved matters approval under 18/4369/RMA) will be submitted shortly.

Accordance with the Design Principles Document

The DPD imposes a series of requirements on to each phase which have been fully accounted for in the submitted plans. Details are set out in the Design Statement. The key points/elements are highlighted below:

- **Station Plaza** – no changes are proposed to the design of the Station Plaza since the approval of the original reserved matters for Blocks ABCD (18/4369/RMA) with the exception of the siting of Block B. The application proposes to move Block B 5.7m further north. However, an application to amend Block A (to ensure the distance between Blocks A and B is as per the original reserved matters approval under 18/4369/RMA) will be submitted imminently.
- **Form and Massing** – the only amendments in terms of form and massing since the original reserved matters approval for Blocks ABCD (18/4369/RMA) is an increase to the overall height of the building by

approximately 850mm. This is due to revised levels and the need to accommodate serviceable ceiling voids in every dwelling.

- **Frontages** – although the ground floor elevations have changed since the original reserved matters approval for Blocks ABCD (18/4369/RMA), active frontages continue to be maximised, facing the Public Square.
- **Parking Principles** – the basement car park originally approved under 18/4369/RMA has been reduced by 101 spaces. These 101 spaces will be re-provided in the basement under Block E (which is subject to a separate application, reference 19/0636/RMA). The overall site-wide and Stage 2-wide car parking ratios will remain unchanged.
- **Outdoor Amenity Space** – the proposal provides additional amenity provision associated with the additional 12 residential units. As with the original reserved matters approval for Blocks ABCD (18/4369/RMA), the quantum of outdoor communal amenity space complies with the Mayor of London’s London Housing SPG standards but it does not comply with LB Barnet Residential Guidance.

Amenity space is provided at podium level for each block and there is an opportunity for the roofs in Blocks ABCD to be used as amenity space or bio-diverse roofs. The total residential amenity space is between 4,581 and 10,064sqm.

The provision of amenity space complies with the Mayor of London’s London Housing SPG standards. There is a slight shortfall compared to the requirements set out in the LB Barnet Residential Design Guidance SPD but it is considered that this deviation is acceptable because there are significant areas of high quality public open space, including Garden Square West, Peel Park and Community Gardens in close proximity to each of these plots.

Scale

The key relevant matters for consideration are the heights for each element of each building, having regard to the controls set out on the parameter plans and in the DPD.

Height

The only amendment to height since the original reserved matters approval for Blocks ABCD (18/4369/RMA) is minor – an increase of 850mm is proposed to the overall height of the building. This is due to revised levels and the need to accommodate serviceable ceiling voids in every dwelling.

Following the minor amendment in height to Block B, the breaches to Parameter Plan 0108 for Blocks ABCD are now as follows:

- Block A – Cores A1 and A2 (+9.03m), Core A3 (+8.88m), Core A4 (+12.555m and +9.255m) and Core 5 (+6.18m);
- Block B – Core B1 (+9.780m) and Core B2 (-21.745m);
- Block C – Core C1 (+4.43m), Core C2 (+8.03m), Core C3 (+14.33m) and Cores C4 and C5 (+8.03m); and
- Block D – Core D1 (+0.65), Core D2 (+14.73m) and Core D3 (+8.58).

The minor increase in height of 850mm beyond the development approved under 18/4369/RMA will not be discernible within the townscape given the scale of the buildings and their backdrop.

Density

The development approved under 18/4369/RMA involved an increase in the density of development in Plots A, B, C and D compared to the Parameter Plans (PC6) and Development Schedule (PC5). This was the result of a design-led approach developed in consultation with the Borough's officers. The provision of an additional 12 units will result in a further nominal increase in density.

This part of the Colindale Gardens site is the most accessible, given its location 50 m from Colindale London Underground Station. There is clear support in the emerging London Plan to deliver higher densities on well-connected suitable sites. It is concluded that this is acceptable as density is the outcome of a rigorous design-led exercise that ensures the scale of form of development on these plots is the most appropriate, having regard to all relevant planning considerations.

Daylight/Sunlight - internal

Following the amendments to Block B since the original reserved matters approval (18/4369/RMA), the layout of Block B continues to maintain good daylight and sunlight levels to the units within the Peel Centre development as well as sunlight availability to the amenity spaces.

Landscaping

This proposal incorporates the provision of the landscape areas defined on Parameter Plan – Landscape Treatment Plan (Dwg No. 1735-FCB-SITE-0104 P2). The Council's arboricultural officer has examined the submitted plans and has raised no objections subject to the attachment of appropriate conditions in relation to tree planting and landscaping.

The applicant has further advised that full details of landscaping to satisfy the requirements of Condition 11 will be submitted in due course in the form of a discharge of condition application..

Detailed Design

The key relevant matters for consideration include the set of principles in Sections 5.2.5 and 5.6 of the DPD.

Accordance with the Design Principles Document

The Applicant intends to submit full details of materials to satisfy the requirements of Condition 22 however the applicant has provided the following indicative design principles.

- Brick will be the primary cladding material. The colour and tone of brick will be complementary to bricks used across the site;
- The architectural composition of the building elevations will consist of a defined base, middle and top as a simple tripartite composition;
- The scale at ground floor is varied with areas of defensible space outside ground floor residential units;
- The top of buildings are articulated and provide strong rooflines, in a variety of roof profiles;
- The buildings emphasise vertical orientation and include features to ensure that the elevations are not unrelenting; and
- The base of the buildings generally has a two storey datum, particularly those frontages facing Station Plaza.

Neighbouring Amenity

The closest residential properties to the development are the residential properties located on the opposite side of Colindale Avenue. While Block B has been moved 5.7m to the north away from the railway track and has been increased in height by 85cm, it is not considered that these changes will significantly impact upon the amenities of these residential properties. It is also noted that the applicant has advised that a future reserved matters application will be submitted amending the position of block A and as such the amount of visible skyline will remain unchanged. The applicant has also submitted an Environmental Statement Addendum as part of this application addresses the daylight, sunlight and overshadowing impacts of the proposed amendments to Block B. It concludes that the revisions to Block B are minor in comparison to the consented scheme for Blocks ABCD (approved in November 2018) and that the impacts to the surrounding sensitive receptors in closest proximity are likely to be unchanged in terms of the level of impact or marginally altered in numerical terms compared to the consented scheme.

Car Parking

Condition 16 of the hybrid planning permission requires the level of residential parking to be forecast using car ownership demand. Condition 16 also estimates an average of 0.71 spaces per dwelling across the site and 0.68 spaces per dwelling in Development Stage 2.

The proposals incorporate a total of 447 parking spaces across Plots A, B, C, and D. A single basement will be constructed under two of the blocks (A and C) providing a substantial amount of car parking at basement level.

Although the proposal will result in a reduction of 101 parking spaces when compared to the development approved under the original reserved matters approval for ABCD (reference 18/4369/RMA), a separate application is pending consideration for the extension of the basement under Block E (reference 19/0636/RMA). This will ensure that there is no overall reduction of car parking within the scheme. The overall site-wide and Stage 2-wide car parking ratios will remain unchanged.

This application is supported by a Transport Statement Addendum prepared by Arup, which includes an updated car parking demand assessment. Car Parking for Blocks A, B, C, D & E remains unchanged in terms of overall amount although the precise design and location has been revised, reflecting the revisions to the extent of the basement. This application is linked to the separate application to extend the basement under Block E (19/0636/RMA).

The parking demand can be accommodated in accordance with the approved site-wide car parking management strategy, as already approved under Condition 15, or the car parking strategy for Plots A, B, C and D.

The deficit in car parking provision compared to demand across the phase will be accommodated through provision of a temporary car park. Details of car parking allocation will be submitted to discharge condition 18 of the hybrid consent, in line with the framework set by the Car Park Management Plan under condition 15.

Environmental Matters

This application is accompanied by an Environmental Statement Addendum which describes the revisions to the proposals since Blocks ABCD were originally approved under 18/4369/RMA and provides an update on the environmental effects of the proposed development. This ES Addendum has been prepared with reference to the Town and Country (Environmental Impact Assessment) Regulations 2011, as amended 2015.

This ES Addendum provides an update in planning policy for each technical topic and considers the environmental assessments presented in the August 2014 ES. Further environmental assessment is provided where required.

The ES Addendum concludes that the revisions to the proposals since Blocks ABCD were originally approved under 18/4369/RMA do not materially change the outcome and conclusions previously identified. Therefore, the residual effects of the August 2014 ES and the subsequent environmental assessments remain valid. The topic specific assessments for socio-economics, ground conditions, daylight, sunlight and overshadowing, wind microclimate and townscape and visual impact have shown that there are no

new or altered significant effects as a result of the revisions to the approved ABCD development.

5. EQUALITIES 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
- 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 the approval of reserved matters for this proposed development will comply with the Council’s statutory duty under this important legislation.

6. CONCLUSION

This proposal seeks the re-approval of matters reserved under the hybrid planning permission to develop Phases 2D (Block A), 2E (Block C), 2GA and 2GB (Block B) and 2F (Block D) within Development Stage 2 at Colindale Gardens.

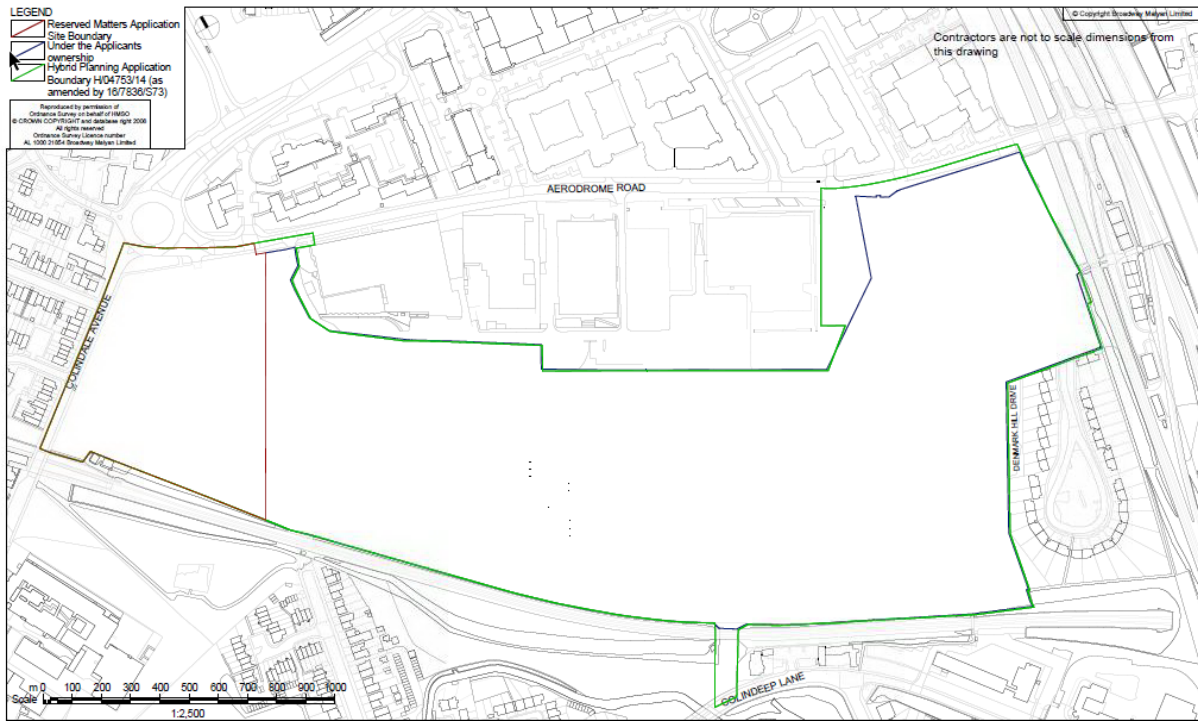
The principles of redeveloping this land have already been established by the hybrid planning permission and the amendments proposed following approval of the original reserved matters (18/4369/RMA) are considered minor in nature and impact.

The proposal accords with the relevant development plan policies, is in general accordance with the design principles and the parameters established in the approved hybrid planning permission, and provides a rationale that justifies deviations.

The proposal is acceptable on visual amenity, highways and environmental grounds. The proposal would not affect the amenities of neighbouring residential properties. It would provide for housing that would have a good standard of accommodation, including outlook, privacy and access to daylight.

It is recommended that the application be **Approved** subject to the Conditions listed at the beginning of this report

APPENDIX 1: Site Location Plan



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Location **Whitefield School Claremont Road London NW2 1TR**

Reference: **18/7370/FUL**

Received: 12th December 2018

Accepted: 19th December 2018

Ward: Golders Green

Expiry 13th February 2019

Applicant: Mrs Elizabeth Rymer

Proposal: Erection of single storey SEN (Special Educational Needs) teaching outbuilding following demolition of existing outbuildings/structures. Single storey cycle workshop and cycle covered area. Reinstated security fence. New canopy to courtyard. Associated landscaping including alterations to parking and planting [AMENDED DESCRIPTION]

AGENDA ITEM 9

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal 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)

- 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:

2017 11 PL 01 Site Location Plan
2017 11 PL 02A (Site layout and landscape, as revised)
2017 11 PL 03 (Ground Layout GA)
2017 11 PL 04 (Roof layout and elevations)
2017 11 PL 05 (Site Construction Management Plan)
2017 11 PL 06 (Topographical Site Survey)
Correspondence from agent via email dated 15 March 2019

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 CS NPPF and CS1 of the Local Plan Core

Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 3 a) Before works commence on the bicycle workshop and compound hereby approved, 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 works in relation to the bicycle workshop and compound hereby approved 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 2016.

- 4 The development shall be implemented in accordance with the measures detailed within Drawing No. 2017 11 PL 05 (Site Construction Management Plan) and correspondence from the agent via email dated 15 March 2019.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 5 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. 2017 11 PL 02A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the school.

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.

- 6 The finished floor levels of the teaching building hereby approved shall be set at least 300 mm above the surrounding ground level.

Reason: To mitigate flood risk, in accordance with Policy DM04 of Barnet's Development Management Policies Document DPD (2012) and London Plan Policy 5.12.

- 7 The development shall be implemented in accordance with the materials detailed on the drawings approved under Condition 2 of this consent.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 8 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping around the development hereby approved, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development 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), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

Informative(s):

- 1 In accordance with paragraphs 38-57 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.
- 2 The applicant is advised they should not do any further work to or remove trees without the Local Planning Authorities' agreement beforehand, as this may conflict with the Masterplan for the area.

Officer's Assessment

1. Site Description

The application site is a secondary school with sixth form in Cricklewood. It is south of the A406/North Circular Road and west of A41 Hendon Way.

There are various buildings and structures on site, including hard and soft landscaping, and playing fields.

To the west of the site is Mapledown Primary School. To the north-west of the site is Tilling Road retail park. To the north-east of the site is Hendon Youth Sports Centre and Multi-Use Games Area. To the south are residential properties fronting Prayle Grove, separated by Marble Drive.

The site is not within a conservation area and there are no statutory listed buildings on site.

Clitterhouse stream runs along the north of the site. The area around the stream lies in Flood Zone 1. The whole school site is within a critical drainage area.

The area subject to this application is an open piece of land to the north of the school buildings within the school site. The land is adjacent to the stream and away from any public highways.

The school is in the red line boundary of the Brent Cross Cricklewood regeneration planning permission.

The replacement Whitefield School sits within Phase 2 of the regeneration, shown indicatively as being located on an adjacent Plot (Plot 27) which is situated to the west of the existing school, across Claremont Road.

The most up to date Indicative Construction Program (ICP), as varied under condition 4.4 of the s73 permission (17/3658/CON), lists construction works for the replacement Whitefield School as commencing 31 May 2021 and being completed 31 May 2023.

The existing site in turn is designated for mixed retail and residential uses predominantly, in line with the Zonal Floorspace Schedule within the Revised Development Specification Framework (RDSF).

2. Site History

Reference 18/1221/FUL

Address: School House, Whitefield School, Claremont Road, London, NW2 1TR

Decision: Approved subject to conditions

Decision Date: 26 July 2018

Description: Change of use from residential building (C3 use) to a children's nursery (D1 use) with new decking, play area and cycle storage

Reference 15/05922/FUL

Address: Whitefield School, Claremont Road, London, NW2 1TR

Decision: Approved subject conditions

Decision Date: 24 November 2015

Description: Erection of a canopy following removal of existing canopy

Reference F/03413/14

Address: Whitefield School, Claremont Road, London, NW2 1TR

Decision: Approved subject conditions

Decision Date: 10 November 2014

Description: Replacement Lamp Holders on existing floodlight

Reference C01763N/02

Address: Whitefield School, Claremont Road, London, NW2 1TR

Decision: Approved subject conditions

Decision Date: 04 December 2002

Description: Single storey extension to provide additional special needs/administration space.

Various applications for new classrooms and teaching facilities throughout the 1980s and 1990s.

3. Proposal

The application seeks consent for the erection of a single storey Special Educational Needs (SEN) teaching building following demolition of existing structures.

The teaching building would be 48 metres in width, 15 metres in depth and measure 3.67 metres in height to the maximum ridge height. Part of the building would adjoin the flank of the existing gymnasium. This section of the building would be 4.4 metres in depth and 11.8 metres in width. The building would be clad in vertical natural western red cedar.

The application also proposes a single storey cycle training workshop and cycle covered area to be sited north west of this teaching building, and next to the existing cricket nets. This building would be 8.6 metres in width, 4.6 metres in depth. The covered cycle lock up would extend 7.9 metres in length. Both the cycle store and cover would not exceed 3.7 metres in height. The cycle store would be clad in vertical natural western red cedar like the separate teaching building and the cycle cover would be in galvanised steel.

There will be a reinstated security fence along the stream; new canopy to the courtyard area and associated landscaping including alterations to parking and planting. The canopy would be 9 metres by 6 metres.

2 car parking spaces will be removed to accommodate a 'drop off' area for pupils of the new teaching building and 5 new parking spaces will be provided.

4. Public Consultation

A site notice was erected 03 January 2019.

Consultation letters were sent to 169 neighbouring properties.
0 responses have been received.

Environmental Health: No objection subject to conditions

Highways: No objection subject to conditions

Trees: No objection subject to conditions

Local Lead Flood Authority: No objection subject to conditions
Strategic Planning and Regeneration Team - Brent Cross: No objection
The London Fire Commissioner (fire and rescue authority for London): No objection

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The London Plan is currently under review. 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 adopted London Plan

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM03, DM04, DM16, DM17

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as

neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of development is acceptable
- Whether the proposed development would cause harm on character and appearance of the area
- Whether harm would be caused to the living conditions of neighbouring residents
- Matters regarding trees, biodiversity, flooding and refuse/recycling

5.3 Assessment of proposals

Principle of development

For proposals such as this Core Strategy Policy CS10 identifies that the Council will work with its partners to ensure that community facilities including schools are provided for Barnet's communities.

Paragraph 15.7.6 of the Core Strategy (2012) states that the Council will continue to identify opportunities to improve the condition of secondary schools in Barnet; this includes new and refurbished schools which provide modern learning environments and buildings which meet strict sustainable design criteria.

National policy states that local planning authorities should "give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications" (National Planning Policy Framework 2018: paragraph 94).

London Plan Policy 3.18 (Education Facilities) states that in Point C that "Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes."

Paragraph 3.106 of this policy states: "In order to support educational attainment and adapt to changing work and lifestyle patterns, the needs for facilities for children with special needs and additional pre or after school activities need to be considered."

Policy DM03 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should meet the highest standards of accessible and inclusive design by demonstrating that they: can be used safely, easily and dignity by all regardless of disability and age (amongst others); are convenient and welcoming with no disabling barriers so everyone can use them independently without undue effort, separation or special treatment; are flexible and responsive; and are realistic.

The application seeks consent for a new teaching building. The submission documents state that the new building is a "response to the growing need for teaching provision for specialised accommodation in which to fully integrate and teach pupils with Special Educational Needs (SEN) and in particular children with Autism Spectrum Disorder (ASD). The development is a redress to the under provision of specialist spaces to meet the current need and does not create a change in either staffing or pupil numbers" (Planning Statement, page 4). The cycle workshop area will be used for the teaching of repair and maintenance of bicycles for students.

The area is a piece of open land to the north of the existing gymnasium. A site visit by the Officer confirmed it did not include any sports or recreation facilities, equipment or markings. Furthermore, the area did not appear accessible to members of the public. It is not considered to fall within the definition of 'Open Space' as defined by the NPPF (2018) nor 'playing field' or 'playing pitch' as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015. Therefore no loss of open space or playing fields would occur.

It is clear that national, London and local policy is strongly in favour of improving school facilities, and this is a material consideration in the determination of this planning application.

In such circumstances, Planning Officers find that there is nothing to specifically preclude the development in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

Impact on character and appearance of the area

Policy CS5 of Barnet's Core Strategy (2012) states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The area proposed to site the new teaching building is not visible from the public realm or street scene. The building(s) would appear subordinate in scale, and in keeping with, the existing school buildings on site. The choice of materials is considered acceptable.

Impact on amenity of neighbouring occupiers

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The proposed teaching building and cycle building is not close to any residential properties. There will be no increase in student numbers as a result of the proposal. As such, no harm would arise to the amenity of neighbouring properties .

Impact on trees

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate.

There are no Tree Preservation Orders on site. The Tree Officer has assessed the application and concluded that the proposed teaching building will not impact on trees growing nearby as they are fenced out of the construction zone.

Upon revisions, the applicant has proposed for the cycle building to be located outside of 6 metre rootzone of the closest trees. The applicant proposes screwpile or other non-intrusive foundation system for the lightweight timber building. A free draining gravel paving in a cell net structure has also been proposed to minimise root damage. These methods and measures are considered acceptable, subject to conditions of the submission of a tree protection plan and arboricultural method statement before development commences on this element of the development. The agent has agreed to this condition, in accordance with Section 100ZA of the Town and Country Planning Act 1990.

The Planning Officer has noted that vegetation and trees in the adjacent nature area and stream have been removed post pre-application meeting/advice and before the submission of this planning application. These trees were not covered under a TPO.

The Tree Officer has recommended a landscaping condition for new tree planting to soften the visual impact of the built form and enhance the nature/stream area. However, the Planning Officer notes that outline planning permission F/04687/13 (dated 23 July 2014) approved an indicative tree plan that the area of trees to the north west of the school land, which is where the Clitterhouse Stream runs, are shown both as being removed and retained. These trees and the stream will be located in a new park within the masterplan called the Eastern Park.

It is therefore not considered appropriate to attach a condition regarding landscaping and expect the School to re-plant trees as these may not fit within the longer-term vision and aims of the regeneration area.

Impact on ecology

Policy DM16 of Barnet's Development Management Policies Document DPD (2012) states when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity.

The stream and nature area adjacent to the school is non-designated. As abovementioned, some trees and vegetation have been removed before the submission of this application. The structures proposed to be removed are shed-type buildings which are unlikely to have protected species roosting. The existing gymnasium roof will not be affected by the proposals. As such, it is not considered the proposals would harm ecology.

Impact on flooding

The proposed teaching building will be sited adjacent to a stream. Educational establishments are permitted in Flood Zone 1, in accordance with Planning Practice Guidance. The school site is located in a Critical Drainage Area.

The Sustainable Drainage Officer advises that the school appears to be located above the predicted flood level including the site for the proposed teaching building. However, the

proposed development is close to the existing watercourse and without detailed hydraulic modelling, it is not possible to establish the flood zones associated with this watercourse.

Nonetheless, given the temporary nature of this building (as the whole school will be re-provided at an adjacent site under the regeneration plans), in order for the flood risk to be mitigated, it is recommended that the floor levels of the building are set at least 300mm above surrounding ground. The agent has confirmed this is the case.

Refuse and recycling

The agent advises that there is no requirement to create additional refuse storage for the proposed teaching building due to the low occupancy for number of pupils. Refuse and waste from the classrooms will be collected in the normal manner as per the rest of the school and follow the current arrangement the school has. This is acceptable.

Conditions

A condition has been attached specifying the relevant drawings and documents and to require that the development be carried out in accordance with them as this provides certainty. The standard time limit condition has been attached. A condition to ensure materials are implemented as per the drawings submitted has been attached to provide clarity.

The Site Management Layout Plan and accompanying correspondence from the agent has been deemed acceptable by the Council's Highways and Environmental Health team. This has been conditioned to ensure measures are implemented and adhered to throughout the demolition and construction process. A condition has been attached to ensure proposed car parking spaces are provided and retained in perpetuity on site.

A pre-commencement condition regarding the cycle store's impact on trees has been attached, as discussed. It is noted that the proposed site layout plan submitted shows new planting around the proposed teaching building. A pre-commencement condition has been attached to secure details of the size, species etc.

A condition has been attached to ensure the floor levels of the building are set at least 300 mm above the surrounding ground level, for flood mitigation reasons.

Environmental Health have recommended conditions regarding air pollution and noise mitigation measures. However, as the agent states, the development would not increase pupil numbers and provides additional space for existing pupils. It is an environmental build and is electrically heated using an efficient carbon neutral MVHR (Mechanical Ventilation Heat Recovery) system, which provides fresh filtered air into a building and is not dependent on opening windows. The proposed building is sited away from the main roads, which are the greatest noise sources. As such, it is not considered necessary to attach these conditions in this instance, particularly given the future regeneration proposals.

5.4 Response to Public Consultation

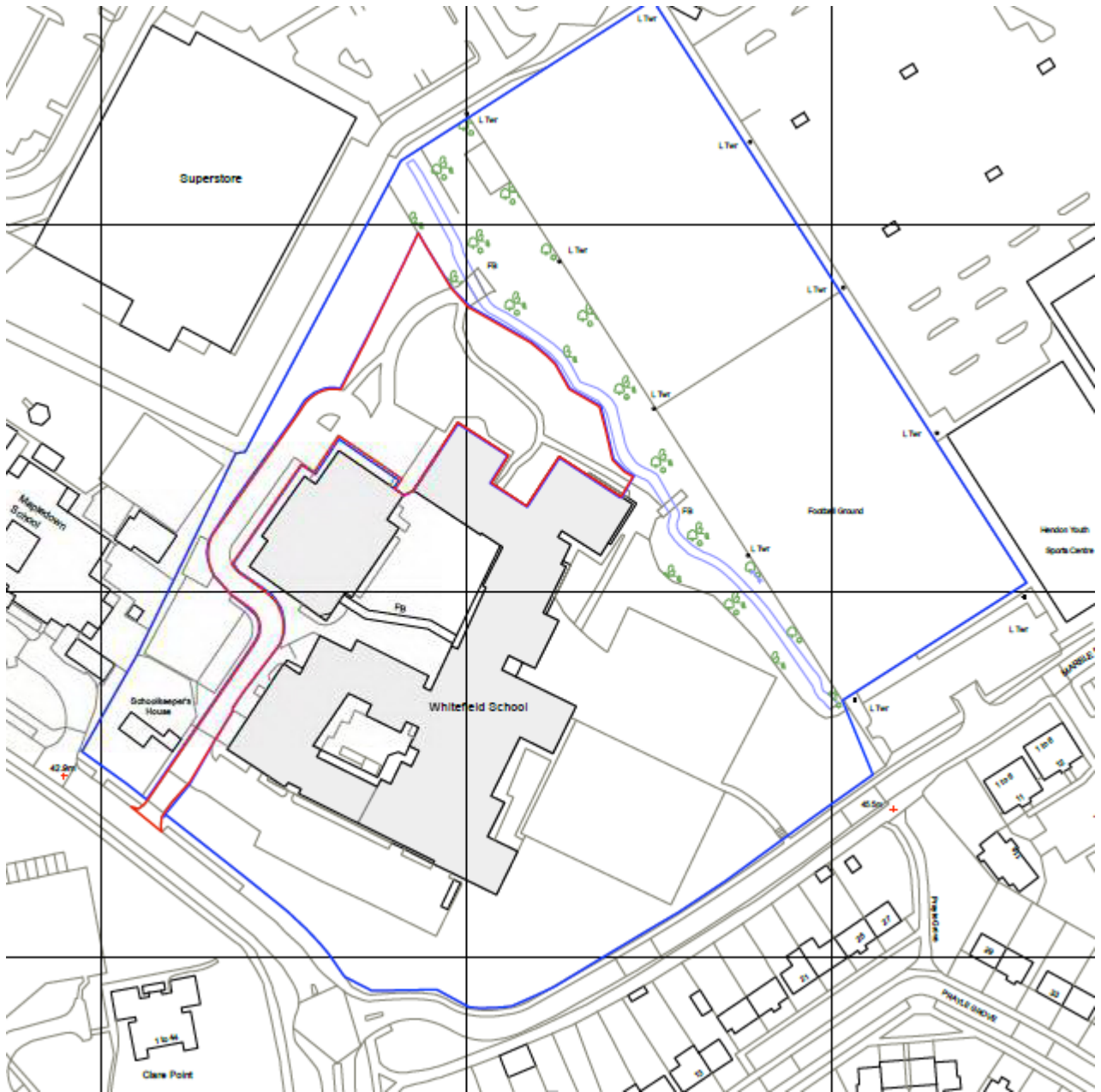
None.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. The development is found acceptable in regards to trees, flooding and ecology. This application is therefore recommended for approval.



Location 5 - 12 Bookbinders Cottages Bawtry Road London N20 0SS

Reference: 18/7241/FUL

Received: 5th December 2018

Accepted: 5th December 2018

Ward: Oakleigh

Expiry 6th March 2019

Applicant: The Book Trade Charity

Proposal: Demolition of existing buildings and erection of 4no. two storey buildings comprising of 17 self-contained flats and a site office. Associated amenity space, hard and soft landscaping, refuse/recycling storage, cycle store and provision of 17 off-street parking spaces

AGENDA ITEM 10

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal 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 I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Payment of £15,192.00 towards carbon offset to meet the Mayor of London's zero carbon target.
4. Monitoring of legal agreement

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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 and documents:

0504-000.01 Revision B - Site and Location Plan
0504-300.02 Revision B - Existing east and west elevations
0504-100.00 Revision B - Existing ground floor plan
0504-100.01 Revision B - Existing first floor plan
0504-100.08 - Existing roof plan
JKK9431 - 1 Revision A - Topographical Survey
JKK9431 - 03 Revision A - Floor plans
JKK9431 - 04 Revision A - Floor plans
JKK9431 - 07 Revision A - Site plan

0504-100.12 Revision A - Annotated Plan
0504-200.01 - Proposed Building B
0504-200.02 - Proposed Building C
0504-200.03 - Proposed Building E
0504-200.04 - Proposed Building F
0504-300.03 Revision G - Proposed north and south elevations
0504-300.04 Revision G - Proposed east and west elevations
0504-100.02 Revision H - Proposed ground floor plan
0504-100.03 Revision G - Proposed first floor plan
0504-100.09 Revision A - Proposed roof plan
0504-400.01 Revision B - Proposed site section AA
0504-400.02 Revision A - Proposed site section BB
0504-400.03 Revision A - Proposed site section CC
0504-500.03 Revision A - Materials
0504-500.04 - Proposed (north) refuse/recycling store and cycle store
0504-500.05 - Proposed south refuse/recycling store

10440-500 Revision T1 - Proposed drainage layout
10440-501 - Proposed drainage construction details
10440-502 - Existing drainage routes
Drainage calculations by NJP Consulting Engineers Ltd
Confirmation of sufficient capacity by Thames Water dated 25 January 2019
Drainage Strategy and Flood risk assesement by NJP Consulting Engineers Limited dated January 2019 (ref: RN/10440)
Accommodation Schedule by bellis architects (Revision D dated 22.11.2018)
Primary Ecological Appraisal by Phlorum Limited, dated (16th) November 2018
Letter and supporting information for 'Energy Assessment' by Keyplan dated November 2018 (reference: E8153/RI/RI/ENERGY)
Transport Statement by Odyssey revised March 2019 with accompanying drawings and appendices
Design and Access Statement by bellis architects dated 23.11.2018 ref no 0504-DAS-01 including 'Opportunity Report'

Arboricultural Assessment prepared by Tim Pursey (date of survey November 2018) and accompanying Tree Constraints Plan and Tree Protection Plan
Planning Statement by Tetlow King Planning dated November 2018 (reference JS/OM M18 1003-01.RPT)
Correspondence from agent via email dated 26 March 2019

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

4 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

5 a) No site works or works on this development including demolition or construction work shall commence until details of the temporary means of enclosure, including boundary treatments to neighbouring properties, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before site works including demolition and construction work commence, and retained as such throughout the demolition and construction period of the development.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway during the demolition and construction work in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

6 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.
- xi A competent banksman shall be employed at all times to manage the construction traffic in and out of the site to ensure highway and pedestrian safety.

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 polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

7 No site works or works on this development including demolition or construction work shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- Detailed assessment of the required surface water attenuation volume during the 100 plus climate change using FEH design rainfall. The assessment should consider the designed drainage network and the proposed attenuation as one system (not WinDes quick storage estimate), including evidence of attenuation volume 50% drain down time.
- Assessment of the proposed drainage system (not in simulation) during the 30-year design rainfall according to Sewer for Adoption 7th Edition.

- Prevention of overland flow into the neighbouring land to the south in the event of drainage system exceedance or blockage.

The development shall be implemented in accordance with the details approved as part of this condition.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

8 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

9 Prior to first occupation of the development hereby approved, full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 20% of the approved residential parking spaces to be provided with active electric vehicle charging facilities and 20% passive electrical charging facility. 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.

10 Before the development hereby permitted is first occupied, details of how the development would comply with Secured by Design standards (or any superseding accreditation) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these approved details.

Reason: In the interest of community safety in accordance with London Plan Policy 7.3, London Borough of Barnet's Local Plan Policy CS12 of Core Strategy (September 2012) and Policy DM02 Development Management Policies (September 2012).

11 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development 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), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

12 Before the buildings hereby permitted are first occupied the windows as indicated to be 'opaque windows' on Drawing No. 0504-100.02 Revision H and Drawing No. 0504-100.03 Revision G shall be glazed with obscure glass only and shall be permanently fixed shut or provided with only a fanlight opening and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

13 Prior to occupation of the development, vehicular parking onsite as shown on Drawing No. 0504-100.02 Revision H submitted with the planning application and the access to the parking area from public highway shall be provided. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with the 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.

14 Prior to occupation of the development hereby approved, the cycle parking and storage as shown on Drawing No. 0504-100.02 Revision H and Drawing No. 0504-500.04 shall be provided and shall be retained as such 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 and Policy 6.9 of the London Plan.

15 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

16 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 Condition 2 of this consent 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 Section 8 of the Arboricultural Assessment prepared by Tim Pursey approved under Condition 2 of this consent.

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 2016.

17 The recommendations set out in Section 5 of the 'Primary Ecological Appraisal' dated November 2018 prepared by Phlorum Limited, approved under Condition 2 of this consent, shall be implemented in full and adhered to throughout the site preparation, demolition and construction process.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse affect on protected species in accordance with Policy DM16 of Barnet's Development Management Policies Document DPD (2012) and London Plan Policy 7.19.

18 Prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent, approved dwellings B1 and B2 (as shown on Drawing No. 0504-100.02 Revision H approved under Condition 2 of this consent) shall have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The remaining dwellings hereby approved shall have been constructed to meet and achieve all the relevant criteria of Part M4(2) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

19 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

20 Before the development hereby permitted is first occupied, the enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins as shown on Drawing 0504-100.02 Revision H; Drawing No. 0504-500.04 and Drawing No. 0504-500.05 shall be provided and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

RECOMMENDATION III:

1 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 31.04.2019, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy 5.2 of the London Plan (2016), Policy CS13 of Barnet's Local Plan Core Strategy (2012) and Policy DM04 of the Barnet's Adopted Development Management Policies Document DPD (2012).

Informative(s):

- 1 In accordance with paragraphs 38-57 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. 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.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

3 The submitted Construction Method Statement shall include as a minimum details of:

- o Site hoarding
- o Wheel washing
- o Dust suppression methods and kit to be used
- o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

- o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

4 Thames Water advises that where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. More information can be found at: <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

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. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

- 5 The applicant will be expected to enter into with the Highways Authority under Section 278 Agreement of the Highways Act, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.
- 6 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 7 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 8 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

- 9 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 10 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 11 Any matters regarding 'Secure by Design' accreditation shall be discussed and designed in collaboration with the Design out Crime officer.

Officer's Assessment

1. Site Description

The application site is part of a wider site located to the south of Bawtry Road, within the ward of Oakleigh. The site is accessed from Bawtry Road.

To the west of the wider site are 'Bookbinders Cottages', a development of four buildings comprising of flats (the blue line of the location plan). This particular application relates to two of these buildings (the red line on the location plan); No.5-8 Bookbinders Cottages is located to the west and No. 9-12 Bookbinders Cottages is located centrally within the site.

The applicant's documents advise that the Bookbinders site was developed in 1927 by The Bookbinder's Charitable Society (BCS), who merged with The Book Trade Charity (BTBS) in October 2016. The buildings to the east of the wider site (St Ninian's Court and Bruce Gardens) are outside the application site and are in the ownership of a different charity, Scots Care, who have no connection to BTBS.

Historically there was a fifth building which was demolished due to subsidence issues. This was located parallel to the access road, adjacent to No. 39 and 41 Bawtry Road. This is shown on the historical maps in the applicants submitted documents.

The site is in Flood Zone 1 and is within a Critical Drainage Area.

The site is not located within a conservation area and does not include any locally or statutory listed buildings.

There are no Tree Preservation Orders within the application site.

Vehicle parking is located along the existing access road; there are currently six parking spaces within the red line boundary.

The wider site originally laid out in with seven two storey buildings built across the site in a symmetrical formation opening out towards the south. The original arrangement and plan of the site was extended with two new blocks introduced to the east (on the land owned by Scots Care), known as No. 1-4 and 5-8 Bruce Gardens, as well as an office and hall building. In addition a group of terrace properties were introduced to the south of the site, sited perpendicular to the access road. This is shown on the historical maps in the applicants submitted documents.

The site is abutted by residential properties to the north and the west. To the north of the site lie two storey semi-detached dwellings fronting Bawtry Road. Their rear gardens abut the site. To the west of the site lie two storey semi-detached and detached dwellings fronting Manor Drive. To the north-west of the site is an undeveloped open piece of land to the rear of 55-57 Manor Drive and the garage block serving Manor Court (accessed from York Way).

2. Site History

Reference: N05062

Address: Bookbinders Cottage Homes Bawtry Road N20

Decision: Approved subject to conditions

Decision Date: 17.03.1976

Description: 28 additional old persons dwellings in 7, two-storey blocks.

Reference: N05062C

Address: Bookbinders Cottage Homes Bawtry Road N20

Decision: Approved

Decision Date: 23.02.1977

Description: 28 additional old persons dwellings in 7 2-storey blocks.

Reference: N05062B

Address: Block 'E', 17-20 Bookbinders Cottage Homes Bawtry Road N20

Decision: Approved subject to conditions

Decision Date: 18.02.1977

Description: Demolition of existing block and the erection of a new block of four dwellings.

Reference: N05062A

Address: 17-28 Bookbinders Cottage Homes Bawtry Road N2

Decision: Approved subject to conditions

Decision Date: 07.12.1976

Description: Addition of bay windows to ground floor flats.

Reference: N05062E

Address: Bookbinders Cottage Homes Bawtry Road N20

Decision: Approved

Decision Date: 19.12.1979

Description: Construction of 28 additional dwellings in 7 x 2 storey blocks of four.

Reference: N05062D

Address: Bookbinders Cottage Homes Bawtry Road N20

Decision: Approved subject to conditions

Decision date: 30.03.1977

Description: Single storey side addition.

Reference: N05062F

Address: 1 to 16 Bookbinders Cottage Homes Bawtry Road London N20

Decision: Approved subject to conditions

Decision date: 23.08.1983

Description: Four two-storey front extensions, eight enclosed staircases at rear

Reference: N05062H

Address: 5 & 6 & 15 & 16 Bookbinders Cottage Homes Bawtry Road London N20

Decision: Approved subject to conditions

Decision date: 19.05.1986

Description: Two storey rear extensions to flats 5, 6, 15, 16.

Reference: N05062L

Address: 1-4 Bookbinders Cottage Bawtry Road London N20

Decision: Approved subject to conditions

Decision Date: 20.10.1993

Description: Two storey rear extension and creation of two additional flats.

Reference: 16/0839/FUL

Address: St Ninian's Court, Bawtry Road, Whetstone N20 0SX

Decision: Refused

Decision Date: 11.04.2016

Description: Demolition of existing single storey office. Erection of 2 new buildings comprising of 2 x 1 bedroom units and 4 x 1 bedroom units to provide a total of 6 no one bedroom flats with associated landscaping works, amenity space and refuse and recycling

Appeal decision: Dismissed (appeal reference: APP/N5090/W/16/3153795)

Appeal decision date: 30.09.2016

3. Proposal

The applicant proposes to demolish two of the buildings on site- No. 5-8 Bookbinders Cottages and No.9-12 Bookbinders Cottages and erect four new two storey buildings.

For ease of reference, the proposed buildings been referred to as Buildings B, C, F and E in the applicants documents.

No. 1-4 Bookbinders Cottages (Building A) and No. 21-28 Bookbinders Cottages (Building D) are to remain and fall outside the application site.

Proposed Building B and Building C would be in the same location as the existing buildings they will replace. The additional buildings would be located either side of Building C, towards the north of the site. Building E would be sited in a similar location of the building which was historically removed due to subsidence and was part of the original plan of the site. Building F would be located on the north-western section of the site.

The proposed buildings would comprise a total of 17 self-contained residential flats. The proposal also includes an office and residents' space in Building E; this office facility is currently available in No. 9 -12 Bookbinders Cottages (to be demolished).

The proposal would replace 8 existing residential units, resulting in a net gain of 9 residential units. The proposed units would be comprised of 15 one bedroom units and 2 two bedroom units. The break down is as follows:

- Building B - 8 no. x 1 bedroom 1 person units (Units B1 to B8)
- Building C - 4 no. x 1 bedroom 2 person units (Units C1 to C4)
- Building E - 1 no. x 1 bedroom 2 person unit (Unit E1) and 1 no. x 2 bedroom 3 person unit (Unit E2)
- Building F - 2 no. 1 bedroom 2 person units (Units F1 and F2) and 1 no. x 2 bedroom 3 person unit (F3)

The proposed buildings would be two storeys in height and would be contemporary in design. Proposed Buildings E and F would feature single storey projections/extensions adjacent to the properties fronting Bawtry Road. There would be shallow banking along this boundary around Proposed Buildings F and E.

The proposals also include 17 car parking spaces, an extended hammerhead for vehicles, two refuse and recycling stores (one to north of the site and the other to the south), a cycle store sited to the north, and associated outdoor amenity spaces ('courtyards gardens') around the proposed buildings.

In regards to the applicant, the applicants supporting documents advises: "BTBS was established in 1837 and provides care and support to former, current and future book trade people in need, with grants and housing. Those in the book trade include publishing,

distribution, bookselling, bookbinding and allied trades, with authors and librarians also being considered.

BTBS's charitable activities include providing low-cost housing; relieving those in social and financial need with a book trade connection by way of charitable financial support; and promoting education and training programmes for the benefit of the trade, its current and ex-employees."

The Charity provides a wide range of support through grants for re-training, living with a disability, medical needs and other circumstances brought about by redundancy, sickness or other life events.

They have identified that new entrants to the book trade, particularly in and around London, have the skills and education which the trade needs, but are often prevented from taking up jobs because of the high cost of accommodation, travel and subsistence within a reasonable distance of work in London. These proposals seek to help meet that need."

The Design and Access Statement states that the applicant's "charitable status means that they need to be especially considered and efficient in how they spend their funds to ensure the best value solution for the long term. It has therefore been decided that demolition and rebuild of buildings to provide contemporary flats will provide the best value for the charity both in the short term and in relation to on going maintenance costs when looking to the future."

4. Public Consultation

A site notice was erected 13 December 2018.

A press notice was published 13 December 2018.

Consultation letters were sent to 458 neighbouring properties.

18 responses have been received, comprising 18 letters of objection.

The objections received can be summarised as follows:

- Concerns with impact on privacy and overlooking of occupiers on Bawtry Road and Manor Drive (particularly in light of trees being removed); impact on light and outlook; impact of light pollution from new development
- Concerns with the disruption from building work, including traffic, noise and dust pollution, construction vehicles ability to access the site and damage from large vehicles on walls and fences
- Impact on character and appearance of the area
- New flats will create more traffic, congestion and parking
- Querying the use of the new dwellings (i.e. who they will be occupied by)
- Concerns with money making
- Concerns with density
- References to the appeal at the neighbouring site (application reference 16/0839/FUL at St Ninians Court)
- The destruction of current housing for senior citizens is contrary to guidance in HoC report 'Housing for older People' (05/02/18) in which Local Authorities are guided to ensure all new developments include provision for ageing populations
- Concerns with emergency access to the site
- Concerns with cycle store regarding height, noise and compromise security of neighbours

- The community (in St Ninians Court and Bookbinders Cottages including ScotsCare) are mainly elderly, retired and some quite ill residents. Their quality of life and mental health will be impacted. Would result in displacement of residents.
- Impact on local services and facilities from new development (i.e. hospitals and schools)

One objection did not include an address. It stated that:

- Suggesting that the [existing] properties do not conform to current Nationally Described Space standards is not a reason to demolish existing homes
- Does not appear that any wheelchair accessible homes are being provided
- Impact on sunlight and daylight on surrounding properties
- No plans for the replacement of trees and ecology
- No information regarding the impact of run off and increased discharge into the sewer system
- Parking issues in York Way

Internal consultees:

Traffic and Development (Highways) team: No objection subject to conditions

Environmental Health team: No objection subject to conditions

Trees and Landscaping team: No objection subject to conditions

Sustainable Drainage Review team: No objection subject to conditions

Affordable Housing team: The Planning Officer is involved in ongoing discussions regarding affordable housing matters

Ward Councillors: No comments received

External consultees:

Metropolitan Police Service (Design out Crime): No objection, subject to a condition

London Fire Brigade: No objection

Thames Water: No objection

Affinity Water Ltd: No comments received

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is

essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The London Plan is currently under review. 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 adopted London Plan

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS13
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM10, DM16, DM17

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of development is acceptable;
- Whether the proposed density, housing mix and level of affordability of development is acceptable;

- Whether harm would be caused to the character and appearance of the surrounding area;
- Whether harm would be caused to the amenity and living conditions of neighbouring residents;
- The quality of accommodation for future occupiers;
- Whether the development would have an acceptable impact on parking and the highways network;
- The impact on trees;
- The impact on ecology;
- The accessibility and sustainability merits of the scheme;
- Matters regarding refuse and recycling;
- Matters regarding flooding and drainage

5.3 Assessment of proposals

Principle of development:

Policy CS1 of Barnet's Core Strategy DPD (2012) seeks to ensure consolidated housing growth will be complemented by protection and enhance of Barnet's high quality suburbs.

The application site has not been identified for any specific use in the development plan, is situated in an area characterised by residential housing, is located close to local amenities and services, and utilises existing access from Bawtry Road. It is not within a conservation area and the buildings are not locally or statutory listed buildings. The principle of flatted development is acceptable given the existence of flats on the site.

In such circumstances, Planning Officers find that there is nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

As such the principle of redevelopment of the site is deemed acceptable.

Density:

London Plan Policy 3.4 states that taking into account local context and character, the design principles in Chapter 7 of the London Plan and public transport capacity, development should optimise housing output for different types of location within the relevant density range in Table 2.3.

The site has a Public Transport Accessibility Level (PTAL) rating of 1b/2, which fall within a 'Suburban' setting. The proposal has 17 units, 45 habitable rooms (hr) and a site area of 0.233ha. The site therefore has 61u/ha and 162hr/ha. The development has 2.7hr/unit (rounded up) and with a PTAL of 2, and therefore it falls within the relevant densities in the matrix. The density is therefore acceptable.

Housing mix:

Policy DM08 of Barnet's Development Management Policies Document DPD (2012) states that development should provide where appropriate a mix of dwelling types and sizes. It states that the Council's priority for social rented housing are homes with 3 bedrooms, and for market housing homes with 4 bedrooms.

The proposal is for 17 no. one-bedroom units and 2 no. two-bedroom units. However, Planning Officers recognise that there is a requirement for the mix proposed as part of this application.

The applicant's Planning Statement states that the charity (the applicant) has over 180 years' experience in providing housing for employees in the book trade. The application proposes one- and two-bedroom units because of the specific demographic make-up of its tenants.

It states that many of its tenants are new entrants to the book trade and are therefore more likely to be younger and to require one- or two- bedroom accommodation. Furthermore, those tenants who are older and perhaps have retired (having previously worked in the industry) are also likely to require only smaller accommodation. Furthermore, it is acknowledged the existing buildings on site only contain one bedroom units, which reflects the requirements of the applicant.

In light of the above, Planning Officers deem this mix of dwelling size acceptable in this particular instance.

Affordable housing provision:

The proposed development provides more than 10 unit (gross) and therefore is expected to provide affordable housing, in accordance with Policy DM10 of Barnet's Development Management Policies Document DPD (2012).

The submitted documents advises: "In this case, 100% of the units on this site (existing and proposed) will provide much-needed affordable housing, for rent. The raison d'etre of the Charity is to provide relief in respect of housing costs to previous, current or future members of the book trade. The Charity provides housing for those whose needs are not met by the market."

The Planning Officer remains in discussions with colleagues and with the agent of the most appropriate way to secure this.

Character, appearance and design matters:

Paragraph 124 of the National Planning Policy Framework (2018) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The wider site (Bookbinders Cottages, St Ninians Court and Bruce Gardens) consists of residential development within an open and spacious character comprising mainly two storey semi-detached properties, and short terraces.

The properties are mixed in age (due to the evolution of the site over time as previously explained) but are brick built with tiled gable-end pitched roofs.

In terms of their appearance, the proposed buildings would be contemporary in design but reflect that of the surrounding properties. Design features of the proposed buildings include pitched tiled roofs; gable end roof and gable projections and brick elevations. Such features are considered to respond positively to its context and are found to have an acceptable relationship with the neighbouring buildings and spaces.

The proposed buildings would be two storey (some with single storey projections/extensions), the same as the surrounding buildings (and those they replace). Furthermore, the lower ground levels would ensure the scale and massing of the building would respect the surrounding context. The buildings would maintain spacing between each other, the existing buildings and respective boundaries.

In regards to arrangement, proposed Building B and Building C would be sited in the same location as those buildings they replace. Building B maintains its principle entrance facing east into the centre of the site. Building E would be sited in a similar location to the building which was historically removed due to subsidence and was part of the original plan of the site. It would project no further north than the original building (and the established side building line of 1-2 St Ninians Court and 7-8 Bruce Gardens). Building F would be located to the north-west. It would project no further north than Building E and no further westwards than the existing building A. As a result, the proposed layout would reflect a similar arrangement to that of the neighbouring ScotsCare site. This scheme differs from appeal reference APP/N5090/W/16/3153795 (dated 30 September 2016) at St Ninians Court which proposed a building that projected beyond the established side building line of 1-2 St Ninians Court and 7-8 Bruce Gardens and filled the 'gap'.

The existing layout allows gaps between buildings to provide access between different green spaces, and the proposed scheme continues this arrangement.

In terms of height, size, scale, massing and materiality it is considered that these proposed buildings would not detrimentally harm the character and appearance of the surrounding area.

Conditions have been recommended to ensure that the materials used in for the new building are of an appropriate quality. Conditions are also recommended to ensure that a suitable design and quality of materials are used for the areas of hard and soft landscaping around the new building and means of enclosing the site.

Subject to the conditions recommended, the proposal is found to be acceptable and compliant with development plan policies as they relate to design, character, appearance and landscaping matters.

Impact on amenity of neighbouring occupiers:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states that new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden.

The application site has neighbouring residential properties on all four sides of the site. The site adjoins properties on Bawtry Road (north); St Ninian's Court (east); Balfour Grove (south) and Manor Drive (west).

Properties on Bawtry Road adjoin the application site to the north and their rear garden abut the site. The closest proposed buildings are Building E and Building F.

In respect of privacy there are no first floor windows in the northern elevations of these buildings facing Bawtry Road. As demonstrated from Proposed Site Section AA and BB, the ground floor windows on the northern elevations facing Bawtry Road would be 6.8 metres away from the boundary and, due to site levels, screened by the boundary fence. Building C would have obscure glaze windows at first floor in the northern elevation.

In respect of outlook and light, Building E and Building F would be two storey buildings with single storey projections. The single storey projections would be sited 6.8 metres from the boundary and feature roofs which pitch away from this boundary. The two storey elements would be sited 10 metres (Building E) and 12.9 metres (Building F) from the boundary adjacent to the properties on Bawtry Road.

No. 39 - 51 Bawtry Road are south facing to the rear. They have garden lengths of between 16 - 22 metres, meaning that the most important areas of use and amenity (immediately to the rear of these properties) are a significant distance away from Building E and Building F.

For the above reasons, it is considered that the proposed Building E and F would not cause harm to the privacy, outlook or daylight/sunlight of occupiers at Bawtry Road.

No. 1-4 St Ninians Court consist of flats on the opposite side of the access road, to the east of the site. The proposed windows in the eastern elevation of Building E are 21 metres from the front elevation of No. 1-4 St Ninians Court. No overlooking or loss of privacy would arise. They are a significant distance away not to harm outlook or light.

No. 24-27 St Ninians Court is a terrace of flats located to south. The windows in the southern elevation of Building E is 21 metres from the front elevation of this terrace. The windows in Building C facing this terrace are obscure glazed. They are a significant distance away not to harm outlook or light.

No. 13-20 St Ninians Court are under the ownership ScotsCare and are outside of the application site. They are at an angle to the development site, being to the south east. Any views to or from the proposed development, specifically proposed Buildings C or E, would be oblique and would not therefore have a direct impact on these properties.

Balfour Grove is located to the far south of the site. Their gardens abut the site. The windows in the southern elevation of Building C are sited over 30 metres from the boundary adjacent to these properties. The window in the side elevation of Building B facing these properties is sited 23 metres away. The properties on Manor Drive are essentially 'buffered' by Building A and D, which will remain. As such, no harm would arise.

Building A is within the applicant's ownership but lies outside of the application site. Proposed Building B is located to the north of Building A and would replace the existing Building B. The proposed Building B would be positioned a similar distance from Building A as the current building. The applicant's documents advise that whilst Building A had windows in its northern elevation, they are secondary windows and the rooms served all have other means of providing light and outlook. The windows in the south elevation of

proposed Building B would be obscure-glazed. No harm to Building A would therefore arise.

Manor Drive is located to the west of the site. Their rear gardens abut the site. The closest proposed buildings are Building B and Building F.

The proposed Building B and Building F would be no closer to the properties on Manor Road than the rear building line of the Building A. Building B would be sited 10.5 metres from the boundary adjacent to Manor Drive and Building F would be sited 11 metres from the adjacent boundary.

Views from the proposed first floor Units B7 and B8 towards Manor Drive avoid any direct overlooking into neighbours' gardens by the use of angled bays. The remaining first floor windows in the west elevation of Building B are sited 10.5 metres from the garden boundary, which meet the SPD requirements. The ground floor windows in the west elevation of Building B would face the boundary fence.

The properties along Manor Drive have garden lengths in excess of 40 metres, meaning that the most important areas of use and amenity (immediately to the rear of these properties) are a significant distance away from Building B and Building F. Furthermore, No. 53 -57 Manor Drive are buffered from the application site by an undeveloped open piece of land to the rear of 55-57 Manor Drive and the garage block serving Manor Court (accessed from York Way). As such, no harm would arise.

The cycle store and northern refuse/recycling store would be sited adjacent to the boundary adjacent to Bawtry Road. As demonstrated by the submitted Drawing No. 0504-500.04 (Proposed refuse and cycle stores) due to the banking of the land, the refuse store and cycle store would not project higher than the boundary fence. No harm would therefore arise.

The southern refuse/recycling store would be sited adjacent to No. 25-27 St Ninians Court. As demonstrated from Drawing No. 0504-500.05 (Proposed south refuse store) would be sited 4.9 metres away from these front elevations and be located in front of the front doors and shower room windows. No harm would therefore arise.

In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to the amenities of neighbouring and surrounding occupiers.

Quality of accommodation for future occupiers:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers.

Policy DM02 states that where appropriate development will be expected to demonstrate compliance with a number of national and Londonwide standards supported by guidance set out in the Council's suite of SPDs, including the minimum floor space standards (as set out in The London Plan Policy 3.8) and outdoor amenity space requirements (as set out in Barnet's Sustainable Design and Construction SPD 2016).

Dwelling size:-

The units proposed would have gross internal areas which meet the requirements of the London Plan for a dwelling of the specific type. The dwellings would have an internal head height of 2.5 metres, as required by the London Plan.

Dwellings internal layout, outlook and light:-

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook and light for occupiers of the new units with dual aspect. The units would meet the minimum room dimensions and floor areas as set out in Table 2.2 of Barnet's Sustainable Design and Construction SPD (2016).

External amenity space provision:-

Table 2.3 of Barnet's Sustainable Design and Construction SPD (2016) states that flats should be provided 5 sqm of outdoor amenity space per habitable room. Submitted Drawing No. 0504-100.12 (Annotated Plan) and the supporting documents demonstrates that this requirement is met through the provision of communal 'courtyard gardens', which is in keeping with the established character of the site.

Privacy and overlooking:-

Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states that in new residential development there should be a minimum distance of 21 m between properties facing windows to habitable rooms to avoid overlooking and 10.5 m to a neighbouring garden.

As described previously, in relation to the neighbouring properties, the development meets this requirement.

Internally within the development site, proposed Building E and F would be sited 17.3 metres from each other. None of the windows would face each other, and if they do then they would be obscure glazed. Therefore no direct overlooking would occur.

Conclusions on the amenities of future occupiers:-

For the reasons set out above the development, as controlled by the conditions recommended, is found to be compliant with development plan policy.

Impact on parking and highways network:

Policy CS9 of the Barnet Core Strategy DPD (2012) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure.

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) sets out the Council's standards and policies in regards to road safety and hierarchy, accessibility, transport assessment, travel planning, local infrastructure needs and parking management.

Point g of Policy DM17 states that the council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the 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).

It states that residential development maybe acceptable with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.

The highways assessment should consider the parking requirements of the existing buildings retained (Building A, which includes 8 no. x one bedroom units, and Building D, which includes 8 no. x one bedroom units), in addition to the proposed units.

Considering the proposed development subject to this application, the parking assessment in accordance with Policy DM17 should be as follows:

29 x one bedroom = London Borough of Barnet (LBB) maximum parking standard range 1 to less than 1 space per unit = 29 maximum parking spaces and range 29 to 0.

2 x two bedroom = LBB maximum parking standard range 1 to 1.5 space per unit = 3 maximum parking spaces and range 3 to 2.

The 17 parking spaces proposed is below the maximum standard. The acceptable level of parking is based on a number of factors within the range and considering the PTAL for the site (1b/2). The acceptable level of parking at the maximum is 32 spaces, taking certain characteristics into account including existing car ownership levels, accessibility local services and public transport an acceptable level for 1 bed units would be 0.9 and for 2 bed units 1.4 spaces that would require 29 spaces for the proposal. The provision of 17 spaces is a deficit of 12 spaces.

In accordance with Policy DM17 parking under-provision can be accepted if that it can be proven that there is available space on-street to cater for any overspill. The applicant has carried out a parking survey. A parking survey should accord with the Lambeth Methodology that states acceptable walking distance is 200 metres from the site. On review of the distances 200m would include Bawtry Road and Balfour Grove via Bruce Gardens. The A109, Porch Way and York Way are beyond 200 metres walking distance. The parking survey is supplied in Appendix D of the Transport Statement submitted with the application and shows that 5 parking spaces on Friday 2nd November 2018 and 4 spaces Tuesday 6th November 2018. In the worst case there would be a deficit of 8 spaces on-street.

Consideration should be given to the parking reduction due to the loss of the existing units. The existing site had 22 x one bedroom units with 6 parking spaces and if assessing this against the expected levels of car parking in accordance with DM17 policy then 20 car parking spaces would be required meaning that 14 spaces would be required on-street. 8 units are to be demolished so would reduce the on-street requirement by 8 spaces showing that there would be available space on-street to accommodate the overspill.

In light of the above, the proposed 17 parking spaces, is deemed acceptable, subject to conditions.

The existing access onto Bawtry Road would be used to serve the site there is no existing safety concerns evident that would require modifications for this development.

24 cycle parking spaces are being proposed in accordance with the London Plan Cycle Parking Standards (Table 6.3).

In accordance with the London Plan, 20% of parking spaces will have an electric vehicle (EV) charging points whilst a further 20% will have passive provision for EV charging.

Four disabled parking spaces are proposed. This is deemed acceptable.

Impact on trees:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that trees should be safeguarded and that proposals will be required to include hard and soft landscaping.

The Planning Officer notes from site observations and neighbour responses that some trees have been removed along the northern and western boundaries, however these were not covered under Tree Protection Orders and thus did not require the express permission of the local authority. Neither is the site within a conservation area.

Notwithstanding these matters, the Tree Officer has assessed the application and concluded that the foot print of the proposed buildings will not directly impact on trees growing close to the development. Upon the advise of the tree officer, the agent has confirmed that the row of blackthorn trees on the northern boundary where a cycle and bin store and parking spaces 1 and 2 are provided will be retained.

The Tree Officer has advised a landscape plan must be provided that will provide suitable replacement plantings for visual screening and biodiversity reasons. This can be secured through planning condition.

Ecology/biodiversity:

London Plan Policy 7.19 states that development proposal should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity. Point c states that proposals should not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species or a priority species or habitat identified. Policy DM16 of Barnet's Development Management Policies Document DPD (2012) provides similar protection for biodiversity and identified/designated sites.

The application site is not in a Site of Special Scientific Interest nor is it in a Site of Importance for Nature Conservation. It is not a European site.

The application site has been the subject of a Preliminary ('Phase 1') Ecological Appraisal to establish whether it provides a habitat for protected species. The site was considered to provide negligible potential for reptiles, newts, badger, dormice and water vole. The Appraisal states that 'no evidence of bats was found'. The Appraisal does state that as a precautionary measure, a single bat emergence survey is recommended. The document also makes recommendations to avoid having an adverse impact on breeding birds and

recommendations for habitat enhancements. A condition will be attached to ensure these recommendations are adhered to, and implemented.

Accessibility and Sustainability:

London Plan Policy 3.8 states (point d) that ten percent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings'. Two of the proposed units (B1 and B3) will be wheelchair user dwellings, and therefore meet the ten percent target. A condition will be attached accordingly.

London Plan Policies 5.2 and 5.3, and the GLA's Energy Assessment Guidance require that all new residential dwellings must be carbon neutral, with at least a 35% reduction beyond the 2013 Building Regulations being provided on-site. Non-domestic development must achieve a 35% reduction on site beyond the 2013 Building Regulations. The application submission includes an Energy Assessment which demonstrates that these requirements can be satisfied, which the remaining offset by a developers contribution in order for the project to comply with the 'Zero Carbon' requirement.

Table 2.11 of Barnet's Sustainable Design and Construction SPD (2016) states that new dwellings should be designed to ensure that a maximum of 105 litres of water is consumed per person per day. A condition has been attached accordingly.

Refuse and Recycling:

The agent has demonstrated that refuse capacity for the proposed and existing units complies with the standards set out the Council's document 'Information for developers and architects: Provision for Household Recycling and Waste Service'.

The agent advises that the existing arrangements and collections by the Council will continue. Photographs have been provided by the agent of refuse vehicles accessing the site. The hammerhead will be retained for the refuse vehicles to utilise. Walking distance for the crew to collect the bins would not exceed ten metres from the collection point.

Flooding and drainage:

Policy DM04 of Barnet's Development Management Policies Document DPD (2012) sets out policies in regards to flooding and run off. London Plan Policy 5.13 sets out policy in regards to drainage.

Upon revisions, the Sustainable Drainage Team have no objections to the proposed development subject to pre-commencement conditions. As such, the proposal is found acceptable in this regard.

Conditions:

In accordance with Section 100ZA of the Town and Country Planning Act 1990, the agent has agreed to the pre-commencement conditions.

5.4 Response to Public Consultation

- Concerns with impact on privacy and overlooking of occupiers on Bawtry Road and Manor Drive (particularly in light of trees being removed); impact on light and outlook; impact of light pollution from new development

As assessed in detail in the main report, it is not considered the proposed buildings would have impact on the residential or visual amenities of neighbouring occupiers.

Considering the distances between the proposed buildings and neighbouring buildings on Bawtry Road and Manor Drive, and the fact the site is already in residential use, it is not considered the development would result in a nuisance from lighting at night time.

- Concerns with the disruption from building work, including traffic, noise and dust pollution, construction vehicles ability to access the site and damage from large vehicles on walls and fences

The application has been found acceptable by both the Highways department and Environmental Health department. A condition has been attached to secure the submission of a Demolition and Construction Management Statement and Logistics Plan.

- Impact on character and appearance of the area

As assessed in the main report, it is not considered the proposed buildings would detrimentally impact the character and appearance of the surrounding area.

- New flats will create more traffic, congestion and parking

As assessed in the main report, the Highways department have found the application acceptable on highways grounds.

- Querying the use of the new dwellings (i.e. who they will be occupied by)

As explained in the main report, the applicant is a charity. The proposed development will provide housing for new entrants to the book trade, as well as retirees.

- Concerns with money making

This is not a material planning consideration.

- Concerns with density

As assessed in the main report, the density of the development is in accordance with the density matrix of the London Plan.

- References to the appeal at the neighbouring site (application reference 16/0839/FUL at St Ninians Court)

As explained in the main report, the scheme differs from appeal reference APP/N5090/W/16/3153795 (dated 30 September 2016) at St Ninians Court which proposed a building that projected beyond the established side building line of 1-2 St Ninians Court and 7-8 Bruce Gardens and filled the 'gap'. This scheme would not do this.

- The destruction of current housing for senior citizens is contrary to guidance in HoC report 'Housing for older People' (05/02/18) in which Local Authorities are guided to ensure all new developments include provision for ageing populations

As explained, the applicant (the charity) provides housing for retirees who worked in the booktrade (as well as new entrants). The proposed development meets the requirement of London Plan Policy 3.8 which states that ten percent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings'.

- Concerns with emergency access to the site

The Fire Brigade has confirmed they have no objection to the scheme.

- Concerns with cycle store regarding height, noise and compromise security of neighbours

As demonstrated on the submitted plans, the northern cycle store would not project higher than the boundary fence along Bawtry Road. Planning Officers see no reason why the noise from any use would disrupt neighbours to an unacceptable level, or why the cycle store would risk the security of neighbours as their boundary fence would remain.

- The community (in St Ninians Court and Bookbinders Cottages including ScotsCare) are mainly elderly, retired and some quite ill residents. Their quality of life and mental health will be impacted. Would result in displacement of residents.

A condition has been attached securing the submission of a Demolition and Construction Management Statement and Logistics Plan to safeguard the amenity of neighbouring occupiers. A condition stating hours of construction (in line with the relevant legislation) is also attached. Considering the size, scale and nature of development it is not considered that this would constitute a reason for refusal in this instance.

- Impact on local services and facilities from new development (i.e. hospitals and schools)

Considering the size and scale of the proposed development, this is not considered a matter for refusal in this particular instance.

- Suggesting that the [existing] properties do not conform to current Nationally Described Space standards is not a reason to demolish existing homes

This is not an argument that Planning Officers have attached weight to. The merits of the scheme has been assessed above.

- Does not appear that any wheelchair accessible homes are being provided

Two of the proposed units (B1 and B3) will be wheelchair user dwellings, and therefore meet the ten percent target as set out in the London Plan. A condition will be attached accordingly.

- Impact on sunlight and daylight on surrounding properties

As assessed in detail in the main report, due to the siting and distances from the rears of the properties along Bawtry Road and Manor Drive, it is not considered the proposal would detrimentally impact the daylight and sunlight levels received to these properties.

- No plans for the replacement of trees and ecology

A condition has been attached regarding a landscape scheme, as recommended by the tree officer. As assessed above, the submitted ecology appraisal found no harm to protected species or otherwise, and set out recommendation which have been conditioned.

- No information regarding the impact of run off and increased discharge into the sewer system

The Sustainable Drainage Officer has confirmed they have no objection in principle, subject to conditions.

- Parking issues in York Way

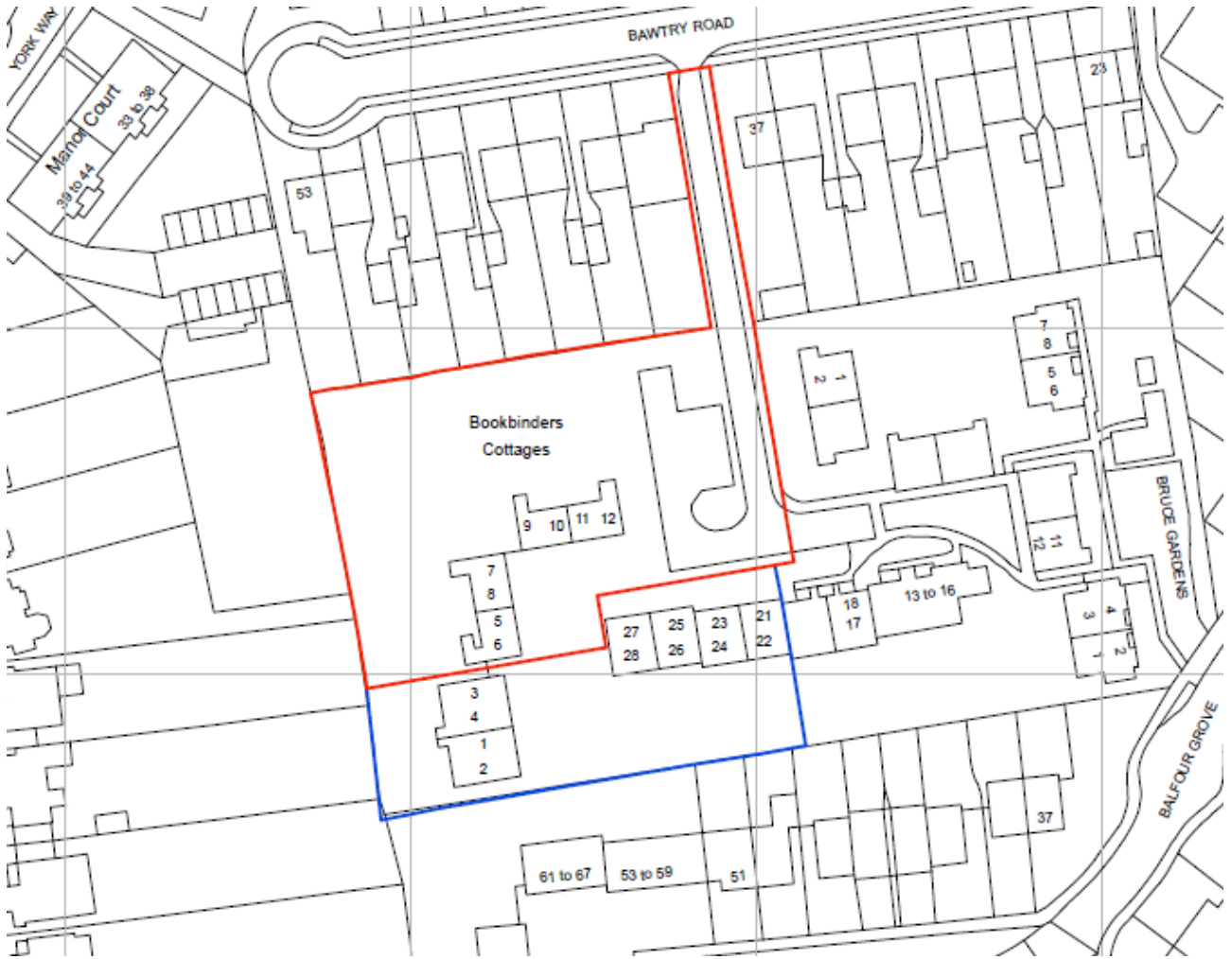
This has been considered by the Highways team. The proposal has been found acceptable in regards to impact on highways. The error of terming York Way as 'York Road' has been addressed.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development is considered acceptable in principle. It would have an acceptable impact on the character and appearance of the application site and the surrounding area. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. It would provide acceptable quality of accommodation for future occupiers. Subject to conditions. the development is deemed acceptable in regards to impact on parking and highways, ecology, trees, flooding, and refuse/recycling. This application is therefore recommended for approval.



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LOCATION: Pentavia Retail Park
Watford Way
London
NW7 2ET

AGENDA ITEM 11

REFERENCE: 17/8102/FUL Validated: 22/12/2017

WARD: Mill Hill Expiry: 23/03/2018

APPLICANT: Meadow Residential

ORIGINAL PROPOSAL: Redevelopment of site including the demolition of all existing buildings and construction of 724 new Build to Rent residential units (Use Class C3) along with 949 sqm of ancillary residential facilities, 987 sqm of non-residential floorspace (Use Class A1, A3 and D1) within buildings ranging from 5 to 15 storeys, a new pedestrian access off Bunns Lane, open space, landscaping, car parking, acoustic mitigation and highway / pedestrian improvements (Environmental Statement Received)

BACKGROUND SUMMARY:

The aforementioned planning application was presented to LB Barnet Planning Committee on 25 July 2018 with a recommendation for refusal. Members resolved to refuse the application in line with officer recommendation along with the addition of an additional reason for refusal based on inadequate levels of affordable housing being proposed. Barnet Council thus resolved to refuse the application for the following reasons:

1. The proposed development, by virtue of its excessive height and scale 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 within the surrounding area, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore be contrary to policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014) and the Pentavia Retail Park Planning Brief.
2. The proposed development would fail to provide adequate levels of affordable housing, contrary to Policy CS4 of the Barnet Core Strategy (2012), Policy DM10 of the Barnet Development Management Policies Document (2012) and Policies 3.11, 3.12 and 3.13 of the London Plan (2016).

Subsequent to the resolution above, and due to the application being one of strategic importance, the application was referred to the Mayor of London. On 5 November 2018, the Mayor of London

issued a direction to the London Borough of Barnet that he will act as the Local Planning Authority for the purposes of determining the Application (under article 7 of the Town and Country Planning (Mayor of London) Order 2008 and the powers conferred by Section 2A of the Town and Country Planning Act 1990 (as amended)).

Subsequent to the Mayor's direction, on 22 March 2019 the applicant submitted revisions to the Application comprising the following;

- an increase in the number of residential units from 724 to 844 to provide 120 additional residential units;
- changes to the type of market homes proposed to introduce private sale units, alongside Build to Rent;
- the provision of 41% affordable housing (increased from 35%);
- changes to the tenure of affordable units to provide: 131 Discount Market Rent units; 57 Discount Market rent units at London Living Rent levels; 94 London Affordable Rent units; and 63 London Shared Ownership units;
- a reduction in the amount of ancillary residential facilities from 949 sqm. to 885 sqm. (-64 sqm.);
- an increase in the amount of non-residential floorspace (Use Class A1, A3-A4 and D1) from 987 sqm. to 1,028 sqm. (+41 sqm.);
- changes in the height of Blocks B, C, D, F, G, H, I, J, K, L, M, N, O, P, Q and R and amendments to the elevational treatment;
- a reduction in car parking from 545 spaces to 397 spaces (-148 spaces);
- revised pedestrian and cycle access and the relocation of bus stops on Bunns Lane and the A1 (northbound); and
- an increase in cycle parking spaces from 1,182 spaces to 1,603 spaces (+421 spaces).

Having been called in by the Mayor, who is now acting as the Local Planning Authority, the Council is now required to make a formal representation to the Mayor on the updated scheme. This note seeks the necessary authority for officers to make this representation.

ASSESSMENT:

The Council resolved to refuse the application on the excessive height, scale and massing and in this regard the revised scheme retains the height of the 15 storey tallest element (Block A) and also introduces additional height to Blocks B, C, D, F, G, H, I, J, K, L, M, N, O, P, Q and R. Given the lack of any reduction in the height and scale of the development, officers recommend that the Council maintains the objection to the scheme as set out in the first reason for refusal.

In terms of affordable housing, the Council resolved to refuse the application based on the inadequate levels of affordable housing which would have fallen below the local target of 40%. The revised scheme has fundamentally revised the housing offer and has introduced private sale units instead of the previous solely 'build-to-rent' development. This, along with the other revisions to the scheme, has allowed the applicant to increase the on-site affordable housing provision to 41% which exceeds the Council's local target. On this basis, officers would consider that the scheme would be

compliant with Policy CS4 of the Barnet Core Strategy (2012), Policy DM10 of the Barnet Development Management Policies Document (2012). Officers would therefore strongly recommend that the Council withdraws any objection to the scheme based on affordable housing.

Aside from issues associated with the previous reasons for refusal, the revised development proposes a significant reduction in parking spaces. The scheme which was previously presented to members comprised 545 residential spaces at a ratio of 0.75 spaces whilst the revised scheme submitted to the Mayor comprises 366 residential spaces at a ratio of 0.43 spaces per unit (with the ability to add 31 spaces if demand is sufficient – raising the ratio to 0.47 spaces per unit).

The site has a poor level of accessibility with a PTAL of 1 however in making the original recommendation to members, officers considered that a level of 0.75 (whilst below a policy compliant level) was appropriate on balance given the package of sustainable transport measures that would have been secured through the development. However, with the revised scheme – the reduction in the levels of residential parking to a ratio of 0.43/0.47 spaces per unit is considered to constitute an unacceptably low level of residential parking. In light of this reduced level of parking, officers consider that it would be appropriate for the Council to make representations to the Mayor objecting to the revised application on this basis.

RECOMMENDATION:

Recommendation 1:

That the Council make representation to the Mayor of London, recommending that the application be refused for the following reasons:

1. The proposed development, by virtue of its excessive height and scale 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 within the surrounding area, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore be contrary to policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014) and the Pentavia Retail Park Planning Brief.
2. The proposed development would provide inadequate levels of residential parking provision to serve the development, resulting in likelihood of additional parking stress within the surrounding area parking to the detriment of highway and pedestrian safety and the free-flow of traffic, contrary to Policies CS9 and CS15 of the Local Plan Core Strategy (adopted September 2012), and Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012).

Recommendation 2:

That members grant delegated authority to the Head of Strategic Planning (in consultation with the Planning Committee Chairman) to make any additional representations to the Mayor of London as may be necessary.

SITE LOCATION PLAN:

