

**LOCATION:** Land Off Brent Terrace,  
London, NW2  
(The Brent Terrace Triangles)

**REFERENCE:** 15/00720/RMA

**WARD:** Golders Green

**Received:** 05 February 2015

**Accepted:** 05 February 2015

**Expiry:** 17 March 2015

**APPLICANT:**

**PROPOSAL:** Reserved Matters application within Phase 1a (North) of the Brent Cross Cricklewood Regeneration Scheme relating to Layout, Scale, Appearance, Access and Landscaping, for the residential development of Plots 53 and 54 comprising 47 Residential Units

## **1. APPLICATION SUMMARY**

The proposal is a reserved matters application for housing development on Plots 53 and 54 (known as the Brent Terrace Triangles) under the Brent Cross Cricklewood Regeneration Scheme.

The application proposes 47 residential units comprising 36 flats and 11 terraced houses. All but one of the units are required to provide accommodation for Whitefield Residents displaced within Phase 1a (North).

The units would provide accommodation for all secure tenants and all owner-occupiers who qualify for re-housing within the first decant of Whitefield Estate Residents (a second larger decant of Whitefield Estate Residents is proposed in Phase 1B (South)). This amounts to 31 Secure Tenants and 15 Owner Occupier Leaseholders. Decant of these residents allows delivery of highways infrastructure enabling Phase 1A (North) of the Brent Cross Cricklewood Regeneration Scheme to be delivered.

The principle of the residential development of Plots 53 and 54 was originally approved in outline in 2010 under planning permission C/17559/08 for the comprehensive redevelopment of the Brent Cross Cricklewood Regeneration area, it was then re-established under the Section 73 Planning application F/04687/13 with its approval in July 2014.

The submission provides details of Layout, Scale, Appearance, Access and Landscaping for the proposed buildings on the two plots. It conforms with all the parameters and principles relevant to these development plots and the residential form of development except the parameter for scale thresholds where it exceeds the 'Width' parameter. This issue is addressed in detail later in the report where it is demonstrated that the form of development proposed is acceptable in terms of its resulting appearance and its impacts upon existing neighbouring residents and future residents of the site.

A separate application has been made against condition 2.4 of permission F/04687/13 to vary this width parameter subject to the scheme being found to be acceptable by the Committee. This condition application (Ref: 15/00834/CON) is also in front of the Committee for consideration. The Variation of this width parameter is applied for in the context of this reserved matters application and approval would not be applicable to any possible alternate application on Plots 53 and 54.

The timescale for the delivery of Plots 53 and 54 has been brought forward from Phase 1C to Phase 1A (North) to provide housing for Whitefield Estate residents displaced by infrastructure works proposed within Phase 1A (North). The variation in phasing was considered and approved under an application against Condition 4.2 (Ref: F/05552/14) of the S73 Consent. The change to the delivery of the plots was anticipated and is referred to within the wording of Condition 4.2. Consideration was given as to whether the proposed change in phasing would result in any significant adverse environmental or transport impacts or would undermine the comprehensive development of the Brent Cross Cricklewood Development. Having concluded that such impacts would not result from the proposed change in phasing the conditions application was approved on 2 February 2015.

Plots 53 and 54 are currently used by local residents as informal open space. The loss of this greenfield land to development has been established within both the 2010 and 2014 outline permissions where it was considered to be compensated for by the provision of temporary replacement open space as well as the permanent provision of high quality new open spaces and public realm. The most immediate such improvements are those to Claremont Open Space and Clitterhouse Playing fields in Phase 1A (North).

The Claremont Park Open Space and Clitterhouse Playing Fields Improvements (Part 1) are currently under consideration under a separate reserved matters application (15/00769/RMA) for Phase 1A (North). This application will come before members for decision later in the summer.

Given the loss of informal space on the Brent Terrace Triangles at an earlier time than considered within the S73 Consent it is considered appropriate to attach a condition to this reserved matters application requiring a committed programme for the delivery of the Open Space Improvements to Clitterhouse Playing Fields (Part 1) and Claremont Park Open Space to be submitted to and approved in writing by the Local Planning Authority prior to the development of these sites. The condition requires delivery of the improvement works prior to occupation of the residential units.

## **2. RECOMMENDATION**

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

### **3. BACKGROUND**

#### **3.1 Outline Consent**

An outline masterplan for the comprehensive redevelopment of the Brent Cross Cricklewood (BXC) Regeneration area was approved on 28 October 2010 (reference C/17559/08).

Subsequently this approval was revised under a Section 73 Planning application (F/04687/13) described below. The revision was approved on 23 July 2014

Proposal:

*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.*

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

The S73 Consent is a multi-phase scheme for delivery over a period of 16 years.

F/04687/13 proposes the phased delivery of acceptable comprehensive development for the whole site in accordance with the planning policy.

Phase 1 is proposed to be delivered in sub phases which are divided between north and south. This is to reflect the new delivery responsibilities including the Council's intention to procure a new development partner for the area south of the A406. The sub phases are as follows:

- Phase 1A (North) – this includes all the highways infrastructure to support the northern development including the key highways infrastructure to support the Phase 1 South, such as the improvements to the southern junctions of the A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements. In addition the River Brent re-routeing and Bridge works will be delivered as part of Phase 1A (North), along with the Clitterhouse Playing Fields Part 1 (excluding the Nature Park) and the Claremont Park Improvements. The Living Bridge is included in (and its details will be approved before the commencement of) Phase 1A (North). Under the Revised Section 106 Agreement, its delivery will be triggered by the commencement of Phase 1B (North) and its delivery will be programmed to commence and be completed no later than before the occupation of Phase 1B North plots.
- Phase 1A (South) – A number of highway improvements needed to support Phase 1 of the Southern Development will be provided including the Waste Handling Facility (Diverted Geron Way/A5 junction; Claremont Park Road (Part 1); School Lane Works. In addition Waste Handling facility Rail Sidings and Gantry Craneworks and Threshold spaces at Layfield Place, Fenwick Place and Templehof Circus and Access to Plot 28 would come forward.
- Phase 1B (North) – This includes all of the plot development on the north side with the exception of the residential development within the Brent Cross West Zone. The 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 the Riverside Park, Sturgess Park Improvements and around 300 housing units. Commencement of this Sub-Phase will trigger the BXP's obligations to deliver the Living Bridge which will link into the buildings and public realm to be provided on the Plots forming part of this Sub-Phase.
- Phase 1B (South) – This includes the Market Square, the Clarefield Park Temporary Replacement Open Space the replacement food store, the Waste Handling facility, the CHP and the new and expanded Claremont School, in addition to more than 1000 residential units.
- Phase 1C – This will include the remaining plot development on the south side.

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

This reserved matters application brings forward the first housing within the Brent Cross Cricklewood scheme. It is sought at this time to rehouse Whitefield Estate Residents displaced by Phase 1A (North) infrastructure, specifically the delivery of the Living Bridge and works to Tilling Road.

Within the context of the S73 Consent these residents occupy the “Whitefield Estate Existing Units (Part 1)” with the residential development of Plots 53 and 54 providing units within the definition of “Whitefield Estate Replacement Units (Part 1)”.

The ‘Whitefield Estate Replacement units (Part 1)’ within the S106 Agreement linked to the S73 Consent is defined as being 85 units of which 60 are from the existing Whitefield Estate and 25 are Extra Care Units within the Rosa Freedman Centre.

The current proposal seeks to rehouse the Whitefield Estate residents. It does not address the 25 Rosa Freedman Extra Care units, though the obligation to facilitate the rehousing of these residents remains with the Phase 1A (North) development partner.

The 60 Whitefield Estate units are located in Dyson Court, Rawlinson Court, Anderson Court, Claremount Way and 1-16 Whitefield Avenue.

The S106 agreement requires re-provision of these 60 units on a like for like basis. Discussions with the Council’s housing officers and an assessment of current need for the 31 Council Tenants has identified a need for larger units than currently occupied by these residents. The development partner has agreed to a change in the obligation requirements that would respond to the identified need for larger units. Such a change requires a deed of Variation of the S106 agreement which would be reported to a later committee.

Of the 29 leaseholders and freeholders 14 are currently not resident in their property. Therefore whilst they remain entitled to compensation they are not entitled to be rehoused within the regeneration area.

The 15 leaseholders and freeholders who are resident in their properties are accommodated with replacement units of a size in keeping with their existing units.

### **3.4 Phase 1A (North)**

This application is one part of the Phase 1A (North) Reserved Matters applications.

Phase 1A (North) is largely an infrastructure phase. It includes necessary highways infrastructure to support the northern development as well as improvements to critical southern junctions including A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements. The River Brent re-routeing and Bridge works will also be delivered as part of Phase 1A (North), along with the Living Bridge, Replacement Templehof Bridge; Clitterhouse Playing Fields Part 1 (excluding the Nature Park) and the Claremont Park Improvements.

The reserved matters for Phase 1A (North) have been broken down into four

separate reserved matters submissions due to the size, scale and complexity of this initial sub phase of the Brent Cross Cricklewood Regeneration scheme.

Four Reserved Matters Applications were submitted to London Borough of Barnet for Phase 1A (North), however as a result of discussions with the Development Partners, it was agreed that the Infrastructure and Central Brent Riverside Park Reserved Matter Applications would be withdrawn prior to registration whilst their design was progressed further.

The reserved matters that make up Phase 1A (North) are shown in the table below:

*Table 1.0*

No.	Summary Description	Planning Reference	Status
1.	The residential development of Plots 53 and 54.	15/00720/RMA	Subject of this Committee Report
2.	The Open Space Improvements of Clitterhouse Playing Fields (Part 1) and Claremont Park	15/00769/RMA	Currently under Consideration.
3.	Open Space proposals for Central Brent Riverside Park	N/A	To be submitted in May 2015
4.	Infrastructure Proposals including Roads and Junctions, Templehof and Living Bridges and Relocation of the Brent River corridor.	N/A	To be submitted in May 2015

When submitted the Central Brent Riverside Park and Infrastructure applications will each be subject to public consultation and consideration by the Local Planning Authority.

### **3.5 Pre-Reserved Matters Conditions**

The Section 73 consent ('S73 Consent') for the Brent Cross Regeneration 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 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.

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 S73 Consent Pre Reserved Matters Conditions for Phase 1A (North) which have relevance to the Plots but have yet to be formally determined. In some cases this is due to the lack of detail available regarding the outstanding reserved matters for Phase 1A (North); in other instances there remain issues subject to discussion between the development partners and the LPA which have yet to be resolved, a third category includes conditions where agreement has been reached but conditions have yet to be formally discharged. In all of these circumstances those sections relevant to the reserved matters application for plots 53 and 54 have been confirmed in discussions between the LPA and the development partners 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, Committee is in position to make a decision prior to the formal approval of these outstanding conditions.

### **3.6 Early Delivery of Plots 53 and 54 under Condition 4.2**

Plots 53 and 54 were originally included in Phase 1C in the Section 73 application approved in July 2014 but have now been brought forward to Phase 1A (North) to accommodate Whitefield Estate residents.

Condition 4.2 allows consideration of a submission to vary any part of an approved sub phase subject to the demonstration that such change would not have significant adverse environmental effects when compared to the assessments contained within the relevant Environmental Statement, (as submitted against the S73 Consent) or subsequent EIA Process. The condition also requires confirmation that such a change to the phasing would not undermine the comprehensive delivery of the Brent Cross Cricklewood Regeneration Scheme.

Any such application is also required to consider consequential changes to: the necessity for the delivery of Critical Infrastructure; the timing of payments

for the Consolidated Transport Fund and the relevant requirements for pre-commencement condition approvals.

Condition 4.2 was drafted with the explicit recognition that the Brent Terrace Triangle sites (Plots 53 and 54) could be selected as an appropriate location for the Whitefield Estate Replacement Units allowing the early submission and determination of such an application prior to key pre-commencement conditions.

An application to change the phasing of Plots 53 and 54 in accordance with this condition was made under planning reference F/05552/14 and approved on 2<sup>nd</sup> February 2015.

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

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

The proposal is spread over two roughly triangular sites of informal open space accessed off Brent Terrace. These plots are identified as Plot 53 (0.45ha) to the north and Plot 54 (0.3ha) to the south.

Brent Terrace is a long and straight cul-de-sac to the north of Cricklewood station. On the western side of the road are 19th century railway worker cottages with tiled roofs. These 2 storey brick buildings have single storey extensions facing Brent Terrace.

The eastern side of Brent Terrace is lined by a mixed native hedge, approx 4-5m in height which forms the boundary of the two triangular sites. The hedge is situated upon a bank which varies in height along the frontage of the plots and raises the western side of the triangles to approximately 1m above the Brent Terrace road level.

The western boundary line of the triangles backs onto private gardens of the residential units of Clitterhouse Crescent. Rear gardens vary in depth from 15m to 25m. Properties on Clitterhouse Crescent are at a higher level than those on Brent Terrace with levels rising through the plots and gardens.

The maximum height difference on plot 53 is 2.9m above the Brent Terrace Road Level, on plot 54 this difference in levels increases to 3.3m.

##### **4.2 Proposal**

This reserved matters submission provides details of Layout, Scale, Appearance, Access and Landscaping for the Residential Development of Plots 53 and 54 by 47 units.

The size and form of the residential properties are shown in the table below:



<b>Plot 53 – 30 Units</b>	
Number of units	Size and type of unit
14	2 Bed Flats
10	3 Bed Flats
3	3 Bed Houses
3	4 Bed Houses
<b>Plot 54 – 17 Units</b>	
7	2 Bed Flats
5	3 Bed Flats
4	3 Bed Houses
1	4 Bed Houses

Plot 53 includes 2 similar three storey blocks including houses and flats with a pair of houses at the northern end of the site. 2 cycle parking shelters are proposed on this site along with a single storey building containing the plot development's Combined Heat and Power Plant.

Plot 54 includes a further three storey block (again of similar form to those on Plot 53). A terrace of 3 two storey houses are located to the south of this block. A cycle shelter and an extension to the existing substation complete the built form on this site. To the southern end of the two storey terrace an area of doorstep play of 180m<sup>2</sup> would be located adjacent to an existing pedestrian route linking Plot 54 to Clitterhouse Road.

Amenity space is provided in the form of private garden space or balconies.

Proposals include grading the sites to achieve a ground level of circa 60-70cm above the road level of Brent Terrace. This will result in areas of retaining wall, of up to 2.5m in height to the east of the main parking areas proposed.

The residential units have been designed with their principal frontage facing Brent Terrace with rear gardens presenting to the backs of Clitterhouse Crescent.

The western elevation of the buildings would include a planting strip of 1.5m in width, a pavement of 2m in depth would provide further separation from a replanted hedge to the frontage of these properties.

1:1 parking is proposed within the site areas. Two vehicular access points are proposed on plot 53, one of which has been widened to provide a turning point for refuse and other large vehicles. Three such access points are proposed on plot 54.

Secure cycle storage for 73 bicycles is also proposed.

The proposal includes an extensive scheme of landscaping including the replanting of the hedge to the Brent Terrace frontage with 2m high (at time of planting) native hedge including Hornbeam, Dogwood, Hazel, Hawthorn and Blackthorn.

In areas where rear Gardens back onto Clitterhouse Crescent screen planting is proposed.

## **5. MATERIAL CONSIDERATIONS**

### **5.1 Key Relevant Planning Policy**

In this case, the Development Plan comprises the London Plan (Consolidated with Further Alterations since 2011) (March 2015) at the strategic level and, at the local level, Barnet's Local Plan (Core Strategy (2012)) and the Saved UDP Policies GCRICK and C1-C11, which apply to the application site and are supplemented by the Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework (2005).

The Council's 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 unless and until the Core Strategy is reviewed in accordance with Policy CS2 and Section 20:13 of the Core Strategy.

Detailed consideration of the application against key London Plan and London Borough of Barnet policies can be found in **Appendix 2**.

#### National Planning Policy Framework

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

### **5.2 Public Consultations and Views Expressed**

#### Public Consultation

**746** local residents were consulted by letter. The application was advertised in the local press on 12<sup>th</sup> February and 6 site notices were put up on site on 12/02/2015. The consultation letters allowed a 4 week period to respond with the consultation period expiring on 10/03/2015.

77 Letters of objection were received in response to this initial consultation.

Following the receipt of amendments and clarifications to the submitted plans 753 local residents were re-consulted by letter on 23/03/2015. The 6 site notices were updated accordingly on 23/03/2015. The letters allowed a 3 week period for the re-consultation period expiring on 13/04/2015.

2 Letters of objection were received in response to this second consultation process.

A summary of the objections received and officer comments in response can be found under **Appendix 4** of this report.

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

The S73 Consent includes a requirement under Condition 1.23 for submission of a Public Consultation Strategy This was submitted to the Council and considered under planning reference 14/07891/CON. It was approved on 31 March 2015. The developer's own consultation process are detailed in the Statement of Community Involvement submitted with the Phase 1A (North) Reserved Matters Submission and accorded with the requirements of the approved strategy.

#### Consultation Responses from Statutory Consultees and Other Bodies

**Environment Agency:**

No objection raised.

**London Fire Brigade:**

No objection raised subject to the inclusion of a condition requiring the installation of dry risers within 18 Meters of the main vehicular access points of each site or the inclusion of a domestic sprinkler system.

**Highways Agency:**

No objection.

**Transport for London:**

No Objection

**Brent:**

No Objection Raised

In addition, the following consultees were notified of the application but have not responded at the time of writing the report: London Borough Of Camden, GLA, Met Police

#### Internal Consultation responses

**Environmental Health:**

No concerns raised following resolution of potential noise issues associated with the Combined Heat and Power Plant Proposed details of which have been submitted separately against condition 29.1 confirming that noise levels would be 5dB below background levels at 1m from windows for both new and

existing residential units.

**Highways team:**

Recommends appropriately worded conditions in respect of details of car parking management and bicycle stand and storage design.

**Trees and Landscape:**

In addition, the following consultees were notified of the application but did not respond: Green spaces, and Policy.

## **6. PLANNING CONSIDERATIONS**

### **6.1 Assessment Against Parameters of the 2014 Section 73 Consent**

The section 73 consent ('S73 Consent') 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 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 Consent 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 revised Development Specification and Framework (the 'DSF (2013)') 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 Consent. The DSF (2013) identifies aspects of the proposed scheme that fall within the parameters and principles approved under the S73 Consent, and those that do not (the Reserved Matters) which are therefore subject to obtaining Reserved matters approval.

As with other large-scale redevelopment schemes, the need for flexibility was anticipated in framing the 2010 Permission in a way which was specifically designed so as to allow the BXC Development to evolve and respond to market forces and opportunities as well as to enable improvements to be made to the design and delivery of the development in accordance with relevant development plan policies and other guidance.

It is considered that the proposed development of Plots 53 and 54 conforms with all the Parameter Plans except for the Scale Thresholds within Appendix

10 of the Revised Development Specification and Framework. A table demonstrating this conformity can be found in **Appendix 5**.

## **6.2 Application Under Condition 2.4 for the variation of the width parameter associated with plots 53 and 54 within the DSF**

An application has been submitted under condition 2.4 to vary the width parameter associated with Plots 53 and 54 (15/00834/CON).

The buildings proposed under reserved matters application 15/00720/RMA for Plots 53 and 54 have a maximum width of 24m which exceeds the maximum width threshold of 12m contained within the Scale Thresholds table contained within Appendix 10 of the Revised Development Specification Framework (October 2013).

The acceptability of such a variation from the approved parameters must be considered in terms of the acceptability of the proposed buildings when assessed against material planning considerations as well as any relevant standards or guidelines. If it is concluded that the development is acceptable in these terms and that it does not raise significant impacts relating to the Environmental Impact Assessment submitted with the S73 application or have implications relating to the comprehensive delivery of the Brent Cross Cricklewood Regeneration Project, then through Condition 2.4 a variation can be agreed to this parameter in line with the flexibility inherent in the S73 Consent.

### **Assessment of the variation in the context of the proposed scheme as submitted under application 15/00720/RMA**

'Width' as a parameter is defined within the RDSF as: "The shortest elevation (defined by reference to the dimensions of the smallest cuboid which can contain the proposed building) of any proposed building within a building zone."

Blocks A, B and C (which are of a similar form to one another) have a maximum 'width' of 24m. The remaining residential buildings (Terrace 1 and Terrace 2) do not exceed the 12m width Parameter.

In considering the extent of the deviation from the parameter, for 54% of their length the proposed buildings are within the 12m width parameter; a further 21% of the length of the buildings measure between 12m and 13m in width with only the remaining 25% of the buildings' length exceeding 13m in width.

The blocks are designed to respond to the triangular shape of the plots. As a result the depth of the blocks decreases where the plot depth is narrowest. The deepest part of the blocks are contained in the centre of each plot where the overall depth of the plot is the greatest and is considered to be able to accommodate a building of the depth proposed. At this point the blocks maintain a minimum distance from the boundary of 9.7m.

The proposed variation to the width threshold in the Scale Thresholds table is considered to be acceptable for the following reasons:

- The Council's 21m privacy distance between windows to habitable rooms as set out in the Sustainable Design and Construction SPD, is still complied with;
- The distance from boundaries of adjoining properties is considered to be acceptable;
- Scale and relationship of proposed buildings to surrounding context is considered acceptable and the appearance is retained of a 3 storey terrace presenting to the Brent Terrace elevation;
- An acceptable residential environment will be provided that meets the relevant standards. The proposed development meets and achieves amenity space standards for future residents as specified in the Design and Access Statement for the S73 Consent and is higher than London Plan amenity space standards, and meets or exceeds the London Plan internal space standards;
- Doorstop playspace is provided on site for Plot 54 in accordance with London Plan;

A full assessment of the buildings proposed under this RMA application is provided under the relevant headings in the remainder of Section 6 below.

It should be noted that the proposed variation has been assessed on the basis of the submitted proposals for Plot 53 and 54 under application 15/00720/RMA. The acceptability of the change to the width threshold is therefore directly linked to the proposed design and layout of this scheme. Any subsequent reserved matters applications or proposals for these plots would still be required to accord with the original width threshold of 12m as contained in the RDSF and any deviation would be required to be assessed afresh against the relevant material considerations and standards.

## **6.2 Principle of Development**

The residential redevelopment of Plots 53 and 54 has been clearly established within the S73 Consent (F/04687/13) within parameter plans 04 and 05 which identify them as housing development sites.

The proposal to re-house residents of the Whitefield Estate within Plots 53 and 54 is necessary to enable the delivery of early phase highways infrastructure.

The principle of the loss of these informal open spaces has previously been assessed and found acceptable as is established within the S73 Consent.

### Density

The proposal has a density of 236 habitable rooms per hectare which is below the indicative density of 298 habitable rooms per hectare established for the

Brent Terrace Zone within which the Plots 53 and 54 are located (set out in table 3B of the revised DSF).

### Floor Space Thresholds

Parameter Plan 14 (Floor Space Threshold Building Zones) includes within its supporting text a table (Table 6 Floorspace Thresholds for Building Zones) fixing the maximum level of residential floorspace within each Building Zone. For Plots 53 and 54 (Building Zone -BT1) this amounts to 5,575m<sup>2</sup> but can be subject to a further 15% increase at the cost of other building zones within the wider Brent Terrace Development Zone. The proposal equates to a Gross External Area of 5,456m<sup>2</sup> which is within the parameter for floorspace on these plots.

### Landuse mix

The landuse mix accords with the S73 Consent which identifies Plots 53 and 54 as a residential (Class C3) phase.

It is therefore considered that the principle of development is supported in terms of the S73 Consent.

## **6.3 Housing Quality**

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. This is implicit in London Plan, Barnet Core Strategy Policies and the UDP saved Policies

### Unit mix

Schedule 24 of the S106 agreement provides details of the Whitefield Estate Existing Units (Part 1). This schedule includes a breakdown of secure tenants and leaseholders including a prediction of the number and size of units that may be required.

An assessment of the housing need of the Council tenants within the Existing Whitefield Estate Residents (Part 1) has indicated that their current housing need does not match their existing accommodation. The assessment of housing need of the Whitefield Estate Residents has informed the specific mix of units proposed for Plot 53 and 54 and has resulted in a greater number of larger units being provided in response to the Council's Housing Officer requirements to rehouse the secure tenants.

The following housing mix for Plots 53 and 54 was derived following the Needs assessment of Council Tenants and the existing accommodation of resident freeholders/leaseholders:

<b>Unit Size</b>	<b>Number of Units</b>	<b>Percentage Unit Mix</b>
2 Bed Flat	20	42.6%
3 Bed Flat	15	32.6%

3 Bed House	7	15.0%
4 Bed House	4	8.5%
<b>Total</b>	<b>46</b>	

The increase in the number of larger units would meet the needs of the secure tenants and is considered to be an acceptable response to the needs of the residents to be decanted.

The proposal also includes one additional 2 Bed Flat in excess of the requirements of the Relocated residents within the Existing Whitefield Estate Units (Part 1).

Given the outcome of the needs assessment the proposed mix is considered to be acceptable.

### Internal Space Standards

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which 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)	Gross Internal Area Standard (m2)
Flats	2 bedroom 3 person	61
	2 bedroom 4 person	70
	3 bedroom 5 person	86
Houses	3 bedroom 5 person (2 Storey)	96
	3 bedroom 5 person (3 Storey)	102
	4 bedroom 6 person (3 Storey)	113
(Units of this type are not included on table 3.3 of the London Plan, however the necessary GIA has been extrapolated and is in line with the	4 bedroom 7 person (3 Storey)	122



Housing SPG)		
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The submitted plans demonstrate that all flats and houses 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.

Lifetime Homes and wheelchair housing standards

Condition 36.5 of the S73 Consent requires all residential properties to be constructed to meet lifetime Homes. The proposed development accords with this requirement.

Condition 36.6 of the S73 Consent requires at least 10% of housing constructed to be constructed or adaptable to meet the needs of Wheelchair users in accordance with standards detailed within the Design and Access Statement.

3 wheelchair adaptable units are proposed equating to 6.4% of the development. This exceeds the existing requirements of the Whitefield Estate residents who it is proposed will be relocated to these dwellings.

The shortfall from the 10% requirement can be accounted for in an increased proportion of Wheelchair units in future residential development and this is therefore considered to be acceptable.

Amenity space and playspace provision

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

<b>Unit Type</b>	<b>Amenity Space Requirement</b>
2 Bed Flat on Ground Level	5m <sup>2</sup> Terrace, Minimum Depth of 1.5m
2 Bed Flat on Upper Level	5m <sup>2</sup> Terrace or balcony 1.5m deep
3 or 4 Bed Flat on Ground Level	14m <sup>2</sup> Terrace, Minimum Depth 1.5m
3 or 4 Bed Flat on Upper Level	8m <sup>2</sup> Terrace or Balcony 1.5m deep
3 Bed House	25m <sup>2</sup> Private Garden
4 Bed House	45m <sup>2</sup> Private Garden

All units are provided with private amenity space which accords with the requirements above. All of the houses and some of the ground floor flats have private back gardens which range in size from 45m<sup>2</sup> to 100m<sup>2</sup>. Most of the houses also have balconies or roof terraces on the upper floors. All other units have inset balconies of 7m<sup>2</sup> in the case of 2 bed flats or 8m<sup>2</sup> for 3 bed flats.

The proposal accords and often exceeds the required amenity space standards established in the S73 Consent.

Plot 53 falls within 100m of the proposed Claremont Park which includes play areas and open space facilities. This distance is in line with the London Plan Play Space Requirements and therefore no separate play provision is required on the northernmost plot.

Plot 54 is in excess of 100m from the proposed Claremont Park but is less than 400m from Claremont Park. In order to comply with the Mayor's standards the scheme includes within the area of Plot 54 180m<sup>2</sup> of doorstep play space. An illustrative layout is provided for this area and a condition has been applied to ensure satisfactory provision.

## **6.4 Design**

### Height, scale and massing

As stated above and demonstrated within **Appendix 6** the height of the proposed development accords with approved scale thresholds. Three storey buildings are permitted under the approved parameter for plots 53 and 54

The proposed development is of 3 storeys in height within the context of existing two storey pitched roof buildings to the east and west of the development site.

Buildings on Clitterhouse Crescent are well separated from the proposal by deep rear gardens. Levels rise towards these properties thereby reducing impact upon outlook.

Properties on Brent Terrace have a lower ridge line to that of the proposed development, however the distance between the main elevations of these is retained at 21m and the proposed grading of levels on the application site minimises any visual impacts along this street view.

Given the distance of separation between the existing and the proposed development the minor height increase between the pitched ridge of Brent Terrace and the flat roof of the proposed development is considered to be acceptable.

The proposal presents as a three storey terrace towards properties on Brent Terrace. The greatest unbroken length at 1<sup>st</sup> floor level is 44m, occurring at blocks A, B and C. This is significantly reduced from the unbroken lengths of Brent Terrace.

At the second floor towards Brent Terrace the blocks are broken by a roof terrace and two set back balconies which break down the scale of the proposed frontage and Provide Articulation.

When viewed from Clitterhouse Crescent the depth of the gardens and the increase in levels again reduce the apparent scale of the proposals. The roof terraces which extend through the depth of the blocks again break up the scale of the development. A setback has been designed into the rear

elevation to provide a further break to the overall scale of the development.

In terms of height scale and massing it is considered that the proposed development is acceptable in its context in the street scene and its impact upon the outlook of neighbouring properties.

### Layout

The layout of the proposed development responds to the roughly triangular form of the sites, maintaining acceptable privacy distances towards Clitterhouse Crescent to the east whilst presenting a terraced frontage towards Brent Terrace to the west.

The Centre of the two plots has in each case been reserved for the large areas of car parking required. This results in a level of overlooking to the car parking area from the proposed properties improving security whilst preventing views of a large area of car parking from the Brent Terrace Frontage.

The proposal is considered to satisfactorily to the application site and adjacent existing residential units in terms of its layout.

### Character, and appearance

The proposed development presents a modern response to the existing Victorian form of Brent Terrace and the 1930's terraced and semi-detached properties of Clitterhouse Crescent.

The rhythm of windows within the Brent Terrace frontage along with the spacing of balconies and roof terraces has been designed to respond to the rhythm of housing widths on the Victorian Terrace to the west.

A selection of materials has been made in response to Brent Terrace including a variegated red/brown brick reflecting the colours and tones of the railway cottages with reconstituted Portland stone for use on balustrades cils and lintels. Continuity of materials will provide a link between the existing terrace and proposed development.

Landscaping proposals, including the proposed 2m high hedge to the Brent Terrace Frontage and screening planting to the rear will soften the boundary to the proposed development whilst providing a degree of screening. Details have been provided of paving materials which combined with hardwood timber screens and brick retaining walls will ensure a distinct and bespoke quality finish to the resulting development.

The combination of materials, form of development and proposed soft and hard landscaping are considered to result in an acceptable development of plots 53 and 54.

### Safety and security

The existing properties in Clitterhouse Crescent have rear gardens which adjoin the existing informal open spaces. Their boundaries are therefore partly exposed to publicly accessible areas. The proposed development will provide private rear gardens which will back onto the Clitterhouse Crescent Properties in accordance with sound urban design principles. The development will therefore result in a level of security which these properties do not currently benefit from.

The proposed development provides secure facilities for the provision of cycle parking spaces within the plots. Car parking is provided within the site in areas with significant levels of overlooking providing a high degree of security for vehicle owners.

The level of activity resulting from the development along with passive overlooking will improve security within publicly accessible open space to the north of plot 53 as well as to the pedestrian cut through to the south of plot 54.

The Csubmission is considered to accord with secure by design principles.

## **6.5 Impacts on Amenities of Neighbouring Occupiers**

### Privacy, overlooking and outlook

The S73 approval does not include any Brent Cross Cricklewood specific controls over privacy distances.

Barnet's standards are laid out in the Sustainable design and Construction SPD where it is stated that "in new residential development there should be a minimum distance of 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden."

The same standards are also captured within the Council's Residential Design Guidance with the proviso that shorter distances may be acceptable between new build properties where there are material justifications.

It is further stated that: "In higher density schemes such as in regeneration areas, where less distance is provided, innovative design solutions should be used so as to avoid overlooking, such as: angled windows, careful choice of window locations, obscured glazing, use of level changes, staggering of windows, screening and single aspect dwellings (only where the above cannot be applied)."

Plots 53 and 54 fall within a regeneration area where local policy accepts breaches of a strict window to window distance of 21m for habitable rooms and overlooking from habitable rooms into gardens of 10.5m from habitable rooms can be accepted subject to material justification.

In relation to Clitterhouse Crescent the proposed development meets the boundary with private rear gardens or car parking. A strip of Native Structure

Planting between the private gardens and Plots 53 and 54 would help to reduce the impact of any privacy concerns.

A significant level change occurs between the properties on Clitterhouse Crescent and Plots 53 and 54. Proposals include the grading of Plots 53 and 54 to reduce the final floor level of the proposed blocks and houses to up to a storey in height below the houses on Clitterhouse Crescent.

In all instances the distance between Windows to habitable rooms on Clitterhouse Crescent and Plots 53 & 54 would achieve a distance of at least 21m. The large depth of many Clitterhouse Crescent gardens results in a significantly greater depth in the majority of locations.

There are instances where the distance of habitable rooms to gardens does fall below 10.5m, however in these cases screening from existing trees/hedges to be retained or from proposed planting is considered to overcome any concerns raised. The reduction in distance is not in excess of 1m at second storey height or 1.5m at the 1<sup>st</sup> floor and is only occasional with the majority of windows achieving the required privacy distance.

It is considered that there is no significant overlooking that would result from ground floor windows due to the level change between Clitterhouse Crescent and Plots 53 & 54 combined with the proposed fencing and planting to the rear of the sites.

The planting proposed to the boundary includes a variety of native trees to supplement existing vegetation in the rear of Clitterhouse Crescent properties combined with shrub species to provide a robust screen. Wildflower plugs and understorey species will also be planted to improve the biodiversity of the site.

A list is provided below of the habitable rooms that breach the 10.5 m privacy distance, with a description of existing screening to be retained or any proposed planting.

#### Plot 53

Units	Distance to the Boundary	Screening
Block A unit 12 (1 <sup>st</sup> Floor) and unit 16 (2 <sup>nd</sup> floor)	9.7m	Retained trees: Lawson Cypress, Silver Birch and Hawthorne
Block B Unit 12 (1 <sup>st</sup> Floor and Unit 25 (2 <sup>nd</sup> Floor)	9.8m	Planting of 3 x Wild Service Trees
Block C Unit 31 (1 <sup>st</sup> Floor)	9m	Retained Trees: Apple, Holly, mixed shrubs and London Plane.
Terrace 2 Unit 47 (1 <sup>st</sup> Floor)	9.5m	Retained: Leyland Cypress Planted: Common Oak and Field Maple

A number of balconies and roof terraces have the potential to cause privacy issues to Clitterhouse Crescent Properties. The proposed plans and elevations have demonstrated that screening will be used in these locations to prevent loss of privacy. A condition has been applied to the submission to ensure that such provisions are acceptable both in terms of their screening and their impact upon the appearance of the development.

In relation to Brent Terrace these properties again back onto Plots 53 and 54 across the roadway.

The front elevation of the development is set 14m from the rear boundary of Properties on Brent Terrace. In some instances the rear yards of Brent Terrace properties are in use as amenity areas, elsewhere they are utilised for off road parking. Privacy distances from the proposed buildings are therefore acceptable in terms of habitable rooms overlooking amenity spaces as the distance to these properties is in excess of 10.5m.

At ground floor level single storey rear extensions from Brent Terrace extend to the rear of the properties narrowing the distance from elevation to elevation to 17.5m, however a 2m high 'instant' Hedge is to be planted to the western elevation of the plots to replace the existing hedge. This would prevent overlooking from facing ground floor windows to habitable rooms. At upper floors there is a 22m distance between the proposed elevations and those of existing Brent terrace properties, exceeding Barnet's privacy standards.

In terms of privacy it is considered that the combination of planting, level changes and the low frequency of windows to habitable rooms in elevations in the closest proximity to the boundary with Clitterhouse Crescent combined with the hedge planting to the western boundary result in a development which is acceptable in terms of its privacy impacts upon existing residents.

#### Daylight, sunlight and overshadowing

The application is supported by BRE daylight, sunlight and overshadowing assessments produced by 'GL Hearn Ltd.' and 'BMT Fluid Mechanics'

The GL Hearn assessment considered the potential for the proposed development to impact upon existing residents. The BMT report addresses the acceptability of the proposed development for future occupants.

The following tests were undertaken:

- 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;
- Daylight Distribution (DD) – A measure that calculates the amount of area of a habitable rooms which receives direct skylight and how much does not. The BRE guide recommends that the minimum DD values

should be achieved for bedrooms (1%), living rooms (1.5%) and kitchens (2%);

- 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;
- Average Daylight Factor (ADF) – Is a measure of the daylight received inside a habitable room. The BRE guide recommends that the minimum ADF values should be achieved for bedrooms (1%), living rooms (1.5%) and kitchens (2%); and
- Shadowing: The BRE guide recommends that at least half the area of an amenity space should receive at least 2hrs of sunlight on the equinox (21 March).

The GL Hearn report concludes that in terms of overshadowing the proposed development would accord with BRE Standards resulting in no significant overshadowing to properties on Clitterhouse Crescent or Brent Terrace.

Daylight and Sunlight Amenity were also considered by GL Hearn. It is identified within the assessment that windows in the ground floor rear extensions of 56 and 58 Brent Terrace would not accord with the 25 degree line test when considering the height and proximity of Block C. However acceptable levels are achieved in terms of the Vertical sky component assessment thereby making these windows BRE Daylight /Sunlight compliant.

In considering the amenities of future occupants of the plots the BMT assessment concludes that as regards Annual Probable Sunlight Hours although there are instances of recessed Ground level windows located Blocks A, B and C falling marginally below the guidelines this would not significantly impact upon the amenities of future occupants.

All amenity spaces achieved at least 2 hours of direct sunlight to 50% of their area on 21<sup>st</sup> March thereby meeting the standards.

The VSC assessment demonstrated that 89% of the windows achieved the standard required. Of the remaining 35 windows which failed to achieve this standard in 24 cases the value is not achieved due to the set back of windows from ground floor terraces or 1<sup>st</sup> floor balconies. In the absence of these necessary external amenity areas the windows to these habitable rooms would be flush with the main elevation of the building and would achieve the required standard.

7 of the remaining 11 windows which fail to achieve the standard are to rooms which include a second or third window which does achieve the standard.

Of the 4 remaining sub-standard windows two are to non-habitable rooms (bathrooms).

There are therefore only two windows to Habitable rooms (bedrooms in each case) which fail to meet the VSC assessment these both exceed a level which

is typically considered acceptable in a built up urban area.

Considering the findings of the Sunlight and Daylight assessments above the proposed development is considered to be acceptable both in terms of its impacts upon existing adjacent residents and upon the future occupants of the residential units proposed.

#### Noise and general disturbance

A detailed Acoustic Design Report was submitted and approved under planning condition 29.1 regarding the potential noise impacts upon Plots 53 and 54. This confirmed that noise levels within the proposed development were acceptable and that good internal noise standards with reference to BS8233 would be achieved for all proposed units.

Environmental Health officers have considered the potential for the proposed CHP plant to impact upon noise levels in adjacent existing properties. Details provided of the noise levels that would result from such plant are not considered to present a significant noise impact upon existing residents.

### **6.6 Transport, highways and parking**

The Phase 1 PTR has been submitted under Condition 37.2. (Ref: The PTR covers the entire Phase 1 area north and south of the A406 which extends to circa 370,000sqm of development floorspace which includes 1,840 residential units.

The 47 units proposed on Plots 53 and 54 represent a very small component of the development floorspace considered, and represent a replacement of existing premises in the Whitefield Residential Estate rather than additional homes within the regeneration area. Given the strategic nature of the PTR it does not deal with Plots 53 and 54 in great detail. Thus the conclusions of the study are considered acceptable in the context of this RMA.

The RMTR sets out in more detail the specific transport characteristics of the Phase 1A North RMAs.

In respect of Plots 53 and 54 it explains that pedestrians and cyclists will be able to access the plots from the north via the new Claremont Park or Brent Terrace North which both provide access to the frontage of the plots on Brent Terrace South.

Cyclists would also be able to access the development plots from the A41 Hendon Way to the east by travelling along The Vale and then Brent Terrace South from the southern end or via the new segregated route across Clitterhouse Playing Fields and through Clitterhouse Crescent as a more direct route from the east.



Pedestrians would be able to access the development plots from the north via Clarefield Park and from the east and south via Clitterhouse Road and Clitterhouse Crescent/Brent Terrace South.

Two areas of cycle parking will be provided within Plot 53 and one area of cycle parking will be provided for Plot 54 to accommodate residents who wish to cycle to / from the development. One cycle space will be provided for each two bedroom unit, and two for each three or four bedroom unit, resulting in a total provision of 73 cycle spaces.

The RMTR explains that there are a number of bus stops located on Claremont Road which can be accessed from the development plots. Two bus stops are situated within an approximate 400m walking distance of Plot 53 located close to the northern junction with Clitterhouse Road and a further two bus stops are situated within an approximate 200m walking distance of Plot 54 in the vicinity of the southern junction with Clitterhouse Road. These bus stops are served by bus routes 102, 189 and C11.

The RMTR describes that vehicles will be able to access the development plots via Brent Terrace South, with a total of 47 parking spaces provided across the two plots. There will be two vehicle access points into Plot 53 which will accommodate 30 parking spaces in total with a main parking area in the centre of the site (22 bays) and a smaller parking area to the south (eight bays). There will be three vehicle access points into Plot 54 which will accommodate 17 parking spaces in total with a main parking area in the centre (twelve bays) and additional areas to the north (three bays) and south (two bays). The main parking area provided for Plot 53 will allow vehicles (including servicing and emergency vehicles) to turn around.

An all mode trip generation has been derived for the development plots using all mode trip rates. The mode share has been based on the existing travel patterns of residents living within the Golders Green ward where the development plots are located using the 'Method of Travel to Work' dataset within the 2011 Census database.

The RMTR shows that the development plots would be expected to generate approximately 28 all mode trips during the weekday AM peak, 19 all mode trips during the weekday PM peak and 11 all mode trips during the Saturday peak period. It is noted that these trips are not new to the network as they will replace those originally generated by the Whitefield Estate dwellings.

In light of the above the transport characteristics of the RMA for Plots 53 and 54 as set out in the RMTR are considered to be acceptable.

#### Servicing and parking provision

All houses will have their own refuse / recycling bin store, however some are located more than the 10m accessible distance from an entry point to Brent terrace. Site management will need to ensure that these bins are collected and placed in an accessible location within 10m of the carriageway to allow collection from Brent Terrace.

The apartments each have their own communal bin store adjacent to the car park areas. These stores are within 10m of the Brent Terrace carriageway.

Plot 53, the northernmost of the Triangles includes an entranceway which will allow refuse vehicles to undertake a three point turn. As well as bringing the vehicle to a position immediately adjacent to the Refuse stores of Blocks A and B this provides a turning point which will significantly improve the accessibility of Brent Terrace to refuse and other long vehicles.

Refuse vehicles currently have to reverse over 800m to reach all residential properties the introduction of the turning circle at plot 53 would reduce this to little over 80m.

Swept Path Analysis has been undertaken to demonstrate the usability of this turning head.

Parking provision is provided on a 1:1 ratio in accordance with the levels of parking captured under paragraph 2.40 of the DSF.

In terms of servicing and parking provision the proposal is considered to be acceptable.

## **6.8 Energy, Sustainability, and Resources**

The proposed development is required by condition 35.6 of the S73 Consent to comply with the approved Revised Energy Strategy.

A condition has been applied to the reserved matters application for compliance to be demonstrated. This condition allows a degree of flexibility subject to the development continuing to accord with the requirements of the Revised Energy Strategy given the proposed development will be constructed by an Affordable Housing Provider who was not involved in the detailed design of the proposal.

Subject to the inclusion of this condition the proposal is considered to be acceptable in this regard

## **6.9 Landscaping and biodiversity**

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2011 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity.

### Ecology

Improvements to the ecological value of the existing site are proposed. The current site includes a poorly maintained area of grassland with intermittent tree and scrub planting to the western boundary of Brent Terrace.

Proposals create new opportunities for local wildlife on the site as part of a green corridor within the local area. Including: use of predominantly native replanting including fruit and flower trees; retained and replanted hedging to the western boundary; provision of a tiered woodland/hedge habitat to the eastern boundary including shade tolerant ground flora; inclusion of green roofs to provide foraging habitats for birds, bats and invertebrates; Placement of Bird and bat boxes in identified locations and the creation of Insect Hotels/log piles within the eastern boundary planting.

Whilst the existing hedge is proposed for removal to the western frontage of Plots 53 and 54 it is retained between the sites. Where removed it will be subject to replacement with a 2m high 3m deep hedge with a more diverse make up in terms of native plant species including: Hornbeam, Dogwood, Hazel, Hawthorne and Blackthorne. Intermittent planting of larger 'Callery Pear' trees would provide a distinct visual feature within the hedge to the plot frontage and this will be combined with a hedgerow Wildflower mix at the margins.

It is considered that the proposed planting strategy and wider approach to biodiversity proposed responds appropriately to the retention of the site's value as a green corridor along Brent Terrace and improves upon the diversity of existing plant life adding to the overall biodiversity of the plots.

## **6.10 Relationship to Delivery of Open Space Improvements**

The London Plan contains revised policies relating to London's open space network, including Policy 2.18 (Green infrastructure: the network of open and green spaces), Policy 3.6 (Children and young people's play and informal recreation facilities) and Policy 7.18 (Protecting local open space and addressing local deficiency).

The Mayor published the 'Shaping Neighbourhoods: Play and Informal Recreation SPG in September 2012. The guidance supports the implementation of the London Plan Policy 3.6 on 'Children and Young People's Play and Informal Recreation Facilities,' and other policies on shaping neighbourhoods (Chapter 7 of the London Plan), in particular Policy 7.1 on Lifetime Neighbourhoods.

Policy CS 7 of Barnet's Core Strategy (adopted September 2012) aspires to create a greener Barnet. The policy aims to meet increased demand for open space through:

- Securing improvements to access, children's play and sports facilities.
- Maintaining and improving the greening of the environment through protection of green space, trees, hedgerows and watercourses and enabling green corridors to link green spaces.
- Ensuring development protects existing site ecology and makes the fullest contributions to enhancing biodiversity, both through on-site measures and by contribution to local biodiversity improvements.

### **Phased delivery of Open Space**

The outline Master Plan for the BXC development approved in 2010 and amended by the Section 73 application in 2014 will result in an increase (from the existing amount of open space) of approximately 9 ha at the end of the development period.

It was recognised that a number of existing parks would be lost to development (e.g. Clarefield Park) as well as a number of informal open spaces such as the Brent Terrace Triangles. New parks will be created such as Eastern Park and Brent Terrace Park (the new park closest to the Brent Terrace Triangles).

### **Open Space in Phase 1 North**

The various Reserved Matter Applications for Phase 1 North will result in the loss of Clarefield Park and the loss of the Brent Terrace Triangle informal open space. Clarefield Park will be lost to enable the construction of highways infrastructure as will a number of properties on the Whitefield Estate.

Condition 20.20 of the S73 consent requires that Clarefield Park cannot be closed to the public or for any part of the park to be redeveloped unless and until the practical completion of Claremont Park and Clitterhouse Playing Fields (Part 1) in accordance with reserved matters currently under consideration under application 15/00769/RMA and other relevant and necessary consents. This will ensure the early delivery of the improvement works to these parks it would not however ensure their delivery prior to the loss of the informal open space at the Triangles.

The early development of housing on the Brent Terrace triangles in order to provide housing for the Whitefield Residents is anticipated in Condition 4.2 attached to the Section 73 permission. This change in phasing was approved on 2nd February 2015.

New and improved open spaces will also be provided as part of the Reserved Matter Applications for Phase 1A (North). These include the Brent Riverside Park and improvements at Clitterhouse Playing Fields and Claremont Open Space.

Open Space Improvements currently under consideration within Reserved Matters application 15/00769/RMA include:

#### Clitterhouse Playing Fields (Part 1)

- Pavilion including Café, Changing Rooms, Store and public toilets.
- Maintenance Store and Offices for Council's Green Spaces team to manage the improved Playing fields and other nearby facilities.
- Car Park & Cycle Parking
- Recreation and Leisure Facilities: to include Green Corridors, Sports Pitches, Play Provision, Public Gardens and Informal Recreation Facilities

- Biodiversity improvements
- Network of Pathways and Gateways.
- Sports Pitches: Sports pitch provision including the provision of 3 x Senior and 2 junior, 4 formal mini soccer pitches + 3 informal mini soccer pitches; six tennis courts/MUGA
- Play Provision: Provision of a “destination play area” to be a minimum of 5,000 m2 in total with facilities for all age groups.
- Public Gardens: Provision for public gardens to provide space for quiet recreation, separate from intensive sports provision. To include areas of seasonal and attractive planting, trees for shelter, pathways and seating.

#### Claremont Park Open Space

- Green Corridor: Provision of planting to the southern boundary of the park to form a screen between existing residential properties and the new park area. To be a maximum of 5m width of native hedge planting along the boundary.
- Network of Pathways: Provision of a clear network of pathways through the park to link park entrances and key facilities.
- Play Provision: Provision of a Neighbourhood Play Area to be a minimum of 2,000m2 in total. For all age groups
- Planting, landforms and picnic area (minimum 200 m2) with picnic tables and benches.
- Informal Recreation Facilities.

Officers recognise that residents of Brent Terrace will lose the informal open spaces on the Triangles relatively early in the overall development and are recommending that a condition be imposed on this application to make sure that the qualitative improvements at Claremont Park and Clitterhouse Playing fields are delivered at the same time as the proposed housing development on the Brent Terrace Triangles.

## **7. ENVIRONMENTAL IMPACT ASSESSMENT**

The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the ‘Regulations’), EU Directive 85/337/EEC (as amended), as well as the National Planning Practice Guidance (2014).

Regulation 8 of the Regulations requires local planning authorities to consider whether or not the environmental information already before them (i.e. the ES submitted with the 2013 hybrid application F/04687/13 and any additional environmental information) is adequate to assess the environmental effects of the development:

To demonstrate the continued acceptability of the ES associated with

F/04687/13 in the context of the detailed reserved matters applications for Phase 1a (North) an Environmental Statement Further Information Report (the 'ES FIR') has been submitted.

Within the ES FIR it is necessary to consider the impact of all relevant aspects of Phase 1a (north). The report therefore considers all of the Reserved matters submissions to date and their individual and cumulative effects.

The information assessed within the ES FIR is based upon the proposals within the Reserved matters submissions made to the Council in February, including those withdrawn prior to registration. The changes currently being made to Infrastructure and Central Brent Riverside Park Reserved Matters applications will necessitate an update to the ES FIR in order to reflect any changes in Environmental Impacts arising.

The amendments and additional information submitted against the reserved matters application for the Brent Terrace Triangles do not have any new or different significant effects so as to warrant changes to the relevant parts of the ES FIR.

The existing Environmental Statement associated with the S73 Consent supplemented by the ES FIR and the other additional environmental information previously submitted satisfactorily assess and address the impacts of the development for the purposes of determining the Plots 53 and 54 Reserved Matters application.

## **8. EQUALITY AND DIVERSITY ISSUES**

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

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

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

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

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

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

3 of the flats will be wheelchair accessible and/or able to be modified to accommodate a wheelchair occupier. Whilst this is at a lower level than required under the S73 Consent it exceeds the identified need from the relocated Whitefield Estate units and the shortfall can be made up in future residential development.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

3 dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

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

## **9. CONCLUSION**

The proposal represents the first reserved matters application for consideration by the Planning Committee for the Brent Cross Cricklewood Regeneration Scheme, in providing housing for the Existing Whitefield Estate residents it unlocks the delivery of infrastructure to be delivered in Phase 1A (North) of the development.

The development of Plots 53 and 54 has been considered against the parameters and controls captured within the S73 Consent. Whilst exceeding a Scale Threshold parameter it has been demonstrated that this would not result in a materially unacceptable proposal and given the flexibility inherent in the outline consent the variation of this parameter can be allowed through the submission against condition 2.4 of the S73 Consent. In all other regards the details submitted are considered to be in accordance with the parameters established by the outline consent including the EIA. The submission is also assessed against relevant policies where applicable to the scheme.

The design would provide a high quality residential environment responding to the character of existing surrounding residential properties. No significant new, additional or cumulative impacts are identified including any potential

impacts to the amenity neighbours or future occupiers. Nor are there any significant impacts identified in transport and parking terms.

The scheme makes provision for waste and recycling, as well as energy efficiency/sustainability and landscaping/biodiversity. The application is recommended for approval subject to appropriately worded conditions.



## LIST OF APPENDICES

APPENDIX 1 – CONDITIONS

APPENDIX 2 – POLICY COMPLIANCE

APPENDIX 3 – PRE RESERVED MATTERS CONDITIONS

APPENDIX 4 – OBJECTIONS AND OFFICER RESPONSES

APPENDIX 5 – CONFORMITY WITH REVISED DEVELOPMENT  
SPECIFICATION AND FRAMEWORK

# SITE PLANS AND CGI

## Plot 53 Ground Floor Plan



## Plot 54 Ground Floor Plan



CGI Street View of Plot 54 from Brent Terrace

