

LOCATION: Brent Cross Regeneration Area

REFERENCE: 15/00664/CON **Received:** 02 February 2015
Accepted: 02 February 2015

WARD: Childs Hill, Golders **Expiry:** 30 March 2015
Green, West Hendon

APPLICANT: Brent Cross Development Partners

PROPOSAL: Submission under conditions 2.4 and 2.5 for revision of the Development Specification and Framework and Design and Access Statement attached to Section 73 permission reference F/04687/13 for the Comprehensive mixed-use redevelopment of the BXC Regeneration Area. Changes relate to proposals for Clitterhouse Playing Fields and Claremont Open Space.

APPLICATION SUMMARY

Application has been made under Conditions 2.4 and 2.5 to vary the Development Specification and Framework and Design and Access Statement as approved under S73 application F/04687/13.

The Development Specification and Framework (DSF) relating to the controls applied therein to delivery of Clitterhouse Playing Fields and Claremont Park. Furthermore and update to the a number of parameter plots 53 and 54 in the event that these sites are developed in accordance with reserved matters application 15/00720/RMA.

Justification for the variation proposed is established within the assessment of the acceptability of Reserved Matters application.

RECOMMENDATION

Approve.

4. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

4.1 Site Description and Surroundings

The 151 hectare application site is 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. The application site includes parts of Cricklewood Lane, including the open space in front of the B & Q store.

The variations proposed against condition 2.4 relate to DSF changes relating to Clitterhouse Playing Fields and Claremont Park.

Both parks are located in the southern development area of the proposed Brent Cross Regeneration development site. The two parks are divided by Claremont Road which runs south to north; Claremont Park runs east to west to the north west of Clitterhouse Playing Fields northern entrance. The realignment of Claremont Road will result in minor changes to the northern entrance of Clitterhouse and eastern entrance of Claremont parks. A new Claremont Park Road will form the northern boundary of Claremont Park.

Changes to The DAS under condition 2.5 relate to the change of phasing phasing of plots 53 and 54, two triangular areas of open space located to the east of Brent Terrace.

PROPOSAL

The 2014 Permission is supported by a suite of documents which together provide the parameters and principles, as well as the framework of controls, for the realisation of the Brent Cross Cricklewood development. The 2014 Permission is also subject to a S106 Agreement which, along with Planning Conditions, provides a further layer of control for the implementation of the development.

Condition 1.16 requires all RMAs to be in accordance with the parameters and principles contained in the DSF, the DAS and DG. However, it is recognised that as detailed designs are developed in the form of RMAs, it may be necessary to make minor revisions to these documents, subject to obtaining approval from London Borough of Barnet ("LBB").

Conditions 2.4 and 2.5 are structured to specifically enable changes to the DSF, the DAS and the DG subject to confirmation that the proposed amendments will not give rise to significant adverse environmental effects.

The exact wording of conditions 2.4 and 2.5 can be found in Appendix 1.

The design and layout of Clitterhouse Playing fields and Claremont Park have been subject to an extended period of pre application discussion with the Council regarding the design approach and the best use that can be made of this valuable open space.

The following amendments to the Development Specification and Framework are proposed under Condition 2.4:

Variations relating to Clitterhouse Playing Fields and Claremont Park

Parameter Plan 006 – Proposed Finished Site Levels (Appendix 2 DSF)

Parameter Plan 006 details the proposed finished site levels for the Brent Cross Cricklewood Development. To the North of Claremont park Claremont Park Road is Proposed in Phase 1a (South). This will run between the Claremont Road Junction to the east and the Spine Road Junction in the west. In order to achieve a uniform gradient along the road and to facilitate DDA Compliant access to Claremont Park whilst reducing the gradient of graded routes between the northern entrances of Claremont Park and Brent Terrace. The Parameter Plan allows a level of deviation of +/-1m from that shown on the Parameter Plan. An AOD of 49.51m is proposed thereby exceeding the allowed deviation by +0.51m. A variation is proposed to a spot level to the western end of Claremont Park from 48.00m to 49.00m (detail of this change and its location can be seen in Appendix 3.)

Parameter Plan 012 – Clitterhouse Playing Fields (Appendix 2 DSF)

Parameter Plan 12 controls the layout and features within Clitterhouse Playing Fields. The following Changes are proposed:

1. Amendments to a zone for the provision of synthetic turf pitches to the south west of the playing fields to provide 6 no. tennis courts/MUGAs. These courts/MUGAs are proposed to extend further to the east than the synthetic turf pitches were previously proposed.
2. The zone within which the Natural Grass Playing fields would be provided is reduced.
3. The Car Parking Zone is relocated from its proposed location to the south of Hendon Football Club to the east of the Hendon football Club site.
4. Proposed new ground levels would be subject to minor changes to allow the provision of sports pitches to Sport England Standards.
5. The Clitterhouse Farm Buildings are shown as retained where previously demolition had been proposed.
6. The location for the Maintenance store and Office which was previously located to the south of the Hendon Football Club site has been relocated to the retained farm buildings. A level of deviation of up to 50m is retained.
7. The location of the proposed play facilities is moved from the north of the Hendon Football Club site to the east of this site into an area previously identified as a zone for the Natural Grass Playing Fields.
8. The explanatory text to Parameter Plan 12 is also amended to incorporate the proposed changes. Appendix 2 to the report pro

(A Comparison between the approved Parameter Plan 012 and the Amended Parameter Plan 012 following changes under condition 2.4 is located in appendix 2)

Parameter Plan 016 (Appendix 2 DSF)

Parameter Plan 016 identifies buildings to be retained or demolished.

The submission varies the parameter plan to retain the Farm buildings which were previously identified for demolition.

Table 1 (p18 DSF)

Total development floorspace is captured within Table 1 of the DSF broken down by use classes.

Social & Community Infrastructure is increased by 74m² from 34,615m² to 34,689m² to accommodate additional floorspace proposed within the Pavilion building.

Table 6 (Appendix 2 DSF– Parameter Plan 014)

Table 6 presents floorspace thresholds for the Brent Cross Cricklewood Building Zones. Clitterhouse Playing Fields (Building Zone CPF) has a floorspace threshold for its primary use of 251m². It is proposed to increase this to 325m² in accordance with the 74m² increase of the Pavillion Building. This table appears as accompanying text to Parameter Plan 014.

Zonal Floorspace Schedule (Appendix 5 DSF)

The Zonal Floorspace Schedule identifies the use class for development areas within the Building zones. The proposed uplift of 74m² is incorporated to bring the floorspace in D1 usage within Clitterhouse Playing Fields up to 325m².

Tables 11 and 11a

Tables 11 and 11a detail the proportions of floorspace anticipated within the primary development package and have been updated in accordance with the uplift of 74m² to the Pavilion Building within Clitterhouse Playing Fields.

Building Scale Threshold (Appendix 10)

Appendix 10 of the DSF provides a scale Threshold for buildings within the Clitterhouse Playing Fields Development Zone. In order to accommodate the increase in size of the proposed Pavilion a minor increase of the maximum length parameter allowed within the Clitterhouse Playing Fields Development Zone is proposed from 30m to 31.5m.

Variations Proposed relating to Plots 53 and 54

Changes to Tables 11, 11a and 11b of the DSF resulting from the variation in Phasing of plots 53 and 54 from 1C to 1A (North) under application against condition 4.2 (F/05552/14 approved on 2 February 2015) and the fixing of Residential Floorspace within Reserved Matters Application 15/00720/RMA approved 9 June 2015.

Changes under Condition 2.5

Update to Appendix 2 of the Design and Access Statement of indicative sub phase 1 Plans to account for the phasing change to Plots 53 and 54 as approved under Application F/05552/14 on 2 February 2015.

MATERIAL CONSIDERATION

When considering submission against conditions 2.4 and 2.5 for variations to the DSF or the DAS the key determining factor of acceptability is to ensure that such changes are likely to materially affect the findings of the October 2013 s.73 ES submitted with the 2014 Permission F/04687/13.

It is considered unlikely that the deviations as listed within this Condition 2.4 and the 2.5 Explanatory Report, will result in any significant environmental

effects not previously identified in the s.73 nor would the changes materially affect the outcome of the assessments or mitigation measures presented in the s.73 ES.

The deviations have will be described and considered as part of the Phase 1A (North) RMA ES Further Information Report as they are inherent to the detailed design. The following deviations in particular, although not considered to give rise to significant impacts not identified in the s.73 ES, are considered further within the technical EIA studies:

- The retention and refurbishment of Clitterhouse Farm Buildings will be considered within the Archaeology and Cultural Heritage, Landscape and Visual and the Ecology chapters. Any changes to potential effects identified in the s.73 ES however are likely to be beneficial since Clitterhouse Farm is considered to be of some historical interest (although not a listed or locally listed building) and supports a bat roost. The s.73 ES assumed that the farm buildings would be removed as part of the Development;
- The change of synthetic pitches at Clitterhouse Playing Fields to tennis courts and MUGA courts will be considered within the Water Resources and Flood Risk and Landscape and Visual chapters in regards to potential changes in drainage and visual impacts, although it is considered unlikely that these would be significant;

All other deviations have been reviewed and are not considered to be significant in terms of the findings of the s.73 ES which therefore remain valid.

This conclusion is made with reference to the EIA Regulations in terms of changes to an already authorised development as well as subsequent applications and on the basis of considering the impacts of the whole Development as updated with these deviations and not just considering the changes in isolation.

The submission against conditions 2.4 and 2.5 are therefore acceptable as they will not materially affect the findings of the October 2013 s.73 ES.

In considering the acceptability of the changes in terms of their impact upon the design of the Clitterhouse Playing fields and Claremont Open Space consideration must be had of the Reserved Matters submission under consideration by the Committee under Planning Application 15/00769/RMA.

In relation to the changes associated with the phase changes to plots 53 and 54 and the fixing of floorspace through the approval of reserved matters such issues have been considered against Reserved Matters Application 15/00720/RMA and changes are responsive to the approval of this application. Proposed variations do not materially affect the findings of the October 2013 ES.

CONCLUSION

It is not considered that the proposed variations under conditions 2.4 and 2.5 will materially affect the findings of the October 2013 s.73 ES. The changes proposed result from extended pre submission engagement between the Council and the developer to achieve the best layout for the widest group of users within these valuable open spaces. The proposed changes are therefore recommended for approval in line with the recommendation for approval of the Reserved Matters for Open Space improvements to Clitterhouse Playing Fields and Claremont Park open space under application '15/00769/RMA'.

APPENDICIES:

1. WORDING OF CONDITIONS 2.4 AND 2.5
2. COMPARISON OF APPROVED PARAMETER PLAN 012 AND CHANGES PROPOSED
3. EXTRACT OF PROPOSED AMENDMENT TO PARAMETER PLAN 006 LEVELS