

LOCATION: Brent Cross Cricklewood Regeneration Area
North West London

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): 1,355m2 and Neighbourhood Police Unit*: 94m2 Total: 1,449m2	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 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 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