

LOCATION: Brent Cross Cricklewood Regeneration Area
North West London

REFERENCE: 20/5690/RMA **Received:** 09/12/2020
Accepted: 09/12/2020

WARD: Golders Green **Expiry:** 10/03/2021

APPLICANT: BXS Limited Partnership

PROPOSAL: Reserved Matters Application in respect of Plot 14 and 17, adjacent tertiary street and area of public realm, within Phase 2 (South) (Plots) pursuant to Condition 1.3(ii) and 2.1 of planning permission F/04687/13 (dated 23rd July 2014) for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Area. The application seeks approval of details relating to layout, scale, appearance, access and landscaping for the residential led mixed use development of Plot 14 and 17, comprising 281 residential units, flexible retail (Use Classes A1/A3), basement car parking, cycle parking, refuse storage, plant, and communal amenities, to be provided within two buildings (3 blocks) ranging from 1 to 12 storeys arranged around a private residential garden, together with a north-south publicly accessible tertiary street to the west, and public square to the north of the building. Application is accompanied by an Environmental Statement of Compliance.

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).

1. APPLICATION SUMMARY

This report relates to a Reserved Matters Application for Plot 14 of the Brent Cross Cricklewood ('BXC') Regeneration Scheme, comprising a housing-led mixed-use development, new public square and single tertiary street. It has been submitted as part of a suite of applications in relation to development within Phase 2 (South) (Plots) of the BXC regeneration which includes Reserved Matters for the adjacent Plot (Plot 15), and for new roads and public realm serving the wider Phase 2 (South) area. Together, these form part of the second phase of development within the southern part of the BXC regeneration being delivered by the joint venture between Barnet Council and Argent Related. This phase will provide the second instalment of the new homes as well as uses that will form part of the new town centre.

The proposal for Plot 14 comprises 281 residential units, flexible retail (A1 and A3 uses) on the ground floor. The development comprises two principal buildings formed from three blocks, arranged around a central podium residential courtyard which provides private amenity and a communal outdoor amenity space for residents. The development also provides a residents swimming pool and gym.

The application site includes a tertiary street to the west of the plot and new area of public realm directly in front of the plot referred to as 'Neighbourhood Square'. This is a public space providing a variety of seating and landscaping features as well as accommodating neighbourhood events, forming part of the vibrant and active character for the Market Quarter Zone of the masterplan.

The submission provides details of layout, scale, appearance, access and landscaping for the proposed building and areas of highway and public realm. It conforms with the general parameters and principles relevant to these development plots. There is a limited breach of parameter height in relation to the north east corner of the development (Block B) however this breach has been assessed in townscape and amenity terms and found to be acceptable whilst also being deemed not to give rise to any new or different significant environmental effects from those reported in the Environmental Statement supporting the S73 Permission for the BXC development.

The application is therefore recommended for approval.

2. BACKGROUND

2.1 Outline Consent

The proposed RMA is submitted in association with the delivery of the Brent Cross Cricklewood ('BXC') regeneration scheme, in particular, the delivery of a residential led mixed-use development plot within the Market Quarter Zone. The BXC regeneration 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).”

2.2 Phasing of the BXC Regeneration Scheme

The 2014 S73 Permission for the comprehensive redevelopment of the Brent Cross Cricklewood ('BXC') regeneration area is a multi-phase scheme which is expected to be delivered over a period of at least 16 years. Phases 1 and 2 are proposed to be delivered in a number of sub-phases that are divided between the north of the A406 North Circular and south of the A406 North Circular. Phases 3 to 7 are proposed to be delivered entirely south of the A406 North Circular. Of particular relevance to this application are the sub-phases of Phase 2 which are as follows:

- Phase 2 (North) – means all Plot Development in relation to the Brent Cross West Development Zone and all other works forming part of the Northern Development outside of Phase 1.
- Phase 2 (South) Plots – this includes Plot Development for Plots 14, 15, 16 and 17 and items of Critical Infrastructure comprising; Claremont Park Road (Part 2), High Street South (Excluding High Street South (East Works)).
- Phase 2 (South) School – this comprises Plot Development (Plot 46) for the re-provision of Claremont Primary School and the School Green Corridor item of critical infrastructure;
- Phase 2 (South) (Thameslink Station Approach) – this comprises the Interim Transport Interchange (T1) item of Critical Infrastructure.
- Phase 2 (South) (Thameslink Station) – this includes Plot Development (Plots 3 and 62) the delivery of the New Train Station in addition to a replacement Waste Transfer Station and associated junction, replacement Rail Freight Facility and associated junction works, the New MML Train Stabling Facility and Bridge Structure B2 (A5 Link Bridge) to facilitate the delivery of the New Train Station.
- Phase 2 (South) (Thameslink Station Eastern Entrance) This comprises Plot Development (Plot 3) for the delivery of the Eastern Entrance

This Reserved Matters Application ('RMA') relates to the detail required in relation to the Phase 2 (South) (Plots).

3. DESCRIPTION OF THE SITE AND PROPOSED DEVELOPMENT

3.1 Site description and Surroundings

Brent Cross Outline permission

The Brent Cross Cricklewood (BXC) regeneration area is a 151 hectare development site. On the western side, the site is bounded by the Edgware Road (A5) and the Midland Mainline railway line; and to the eastern side by Hendon Way road (A41). The North Circular road (A406) which runs in an east west direction across the site separates the Northern and Southern development areas.

The Northern development area located north of the A406 consists of the existing Brent Cross Shopping Centre (BXSC) which is identified in the London Plan 2016 as a Strategic Regional Shopping Centre and will continue to be delivered by Hammerson and Standard Life.

The Southern development area to the south of the A406 is comprised of some large footprint retail, Hendon Leisure Centre, the Whitefield estate (of approximately 220 homes), parks and open spaces, Whitefield Secondary School, Mapledown Special School and Claremont Primary School and Claremont Way Industrial Estate.

The Templehof Bridge and the A41 flyover provide the only existing direct north-south links within the site which run across the A406 North Circular Road, and the River Brent which flows east to west and is located adjacent and south of the existing Shopping Centre.

The site is surrounded to the north, east and south by traditional low-rise suburban development, predominantly two storey semi-detached houses. Cricklewood Railway Station located to the west of the BXC site, lies on the Midland Mainline railway line which runs between London St. Pancras and the north of England. Brent Cross Underground Station, served by the Edgware branch of the Northern line, lies to the eastern boundary of the regeneration area. The existing Brent Cross Bus Station provides access to 18 bus routes (including Green Line).

Phase 2 (South) and Plot 14 application site

This application relates to Plot 14 within Phase 2 (South) (Plots) which is a sub-phase of the wider Phase 2 (South) phase. The area that the wider Phase 2 (South) sub-phase relates to is located entirely south of the A406, broadly occupying the western half of the now demolished Claremont Way Industrial Estate and also extending further to the west adjoining Brent Terrace North and the land adjacent to the Midland Mainline railway incorporating the existing Hendon Waste Transfer Station, the Jerich Shed and railway sidings. Phase 2 (South) (School) relates to the land on and within the vicinity of Claremont Primary School which is the most southerly part of the BXC outline permission curtilage.

The Plot 14 application site is located within the now demolished Claremont Way Industrial Estate, which is central to the broader Phase 2 (South) area defined above. The RMA curtilage measures 0.76 hectares. On its south east side, the RMA site interfaces with Claremont Way Open Space which is presently partitioned from the main Brent Cross South ('BXS') construction activities occurring on the demolished Claremont Way Industrial Estate through the erection of hording along the park edge.

In terms of the Plot 14 location within the BXC masterplan context, it is situated within the Market Quarter Development Zone, described within the Revised Development Specification and Framework ('RDSF'), as forming the heart of the BXC masterplan. The predominant land uses for the Market Quarter Development Zone are to be residential, supported by a range of non-residential ground floor activities. The principal areas of public realm, including High Street South, are expected to be enlivened by local shops and services that serve the day to day needs of the residential and working population. Development within the Zone is to be facilitated by the demolition of Claremont Industrial Estate, the Rosa Freedman Centre and removal of Clarefield Park. These demolitions form part of the approved outline permission.

3.2 Associated Applications Relating to Phase 2 (South)

This RMA forms part of a suite of applications which have been submitted in relation to development within Phase 2 (South) (Plots) of the BXC regeneration. In addition to this current RMA the associated applications are as follows:

- **Plot 15 RMA (LPA ref: 21/0070/RMA)** - residential led mixed-use scheme for Plot 15 and 17 comprising 279 residential homes with flexible retail units (Use Class A1 and A3) on the ground floor. The proposals for Plot 15 and 17 are being brought forward under a single RMA and is referred to in the submission documents as Plot 15.
- **Claremont Park Road (Part 2) and High Street South RMA (LPA ref: 20/5534/RMA)** – detailed designs for the new road network and public realm serving the Phase 2 (South) (Plots) sub-phase as well as wider connectivity within the Phase 2 (South) sub-phase, including providing vehicular and pedestrian and cycle connections to the new Midland Mainline Railway Station and Interim T1 Transport Interchange. Claremont Park Road (Part 2) is a westwards continuation of already consented Claremont Park Road (Part 1) (LPA ref: 18/6645/FUL) which acts as an east west link between Claremont Road and Spine road North. High street is a westwards continuation of High Street South (East Works), which acts as an east west link between the Market Quarter Zone and Station Quarter Zone.
- **Section 96a application to RMA for Plot 13 (Phase 1C) (LPA ref: 20/5693/NMA)** - relating to non-material minor amendments to the RMA for Plot 13 (LPA ref: 18/6337/RMA as amended by 20/1209/NMA) to make changes to the consented basement plan to enable connection with the proposed basement parking for Plot 14, thereby creating a larger shared basement parking area beneath all of the Plots.
- **Pre-Reserved Matters Applications ('Pre RMA'). Condition discharge applications to support the three RMA submissions for Phase 2 (south) (Plots) comprising Plots 14, 15 and the highways and public realm submission.** These are pursuant to the following Conditions: 1.13 (Affordable Housing Viability Testing Report), 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), 29.1 (Acoustic Design reports for plots 14), All of the above pre-RMA conditions, save for Condition 29.1 (Acoustic Design Reports for Plot 14), 7.1 Estate Management Framework. Further detail on the pre-RMA conditions is provided below.

3.3 Pre-RMA Conditions

The Section 73 Permission for the Brent Cross Regeneration includes a number of Pre-RMA conditions intended to establish key principles of the forthcoming development. The majority of these require submission prior to applications for reserved matters being submitted to the Council. Reserved Matters applications are required to accord with commitments and strategies approved under these conditions where relevant.

All of the relevant pre-RMA conditions applications have been submitted. However, there remain a number that are yet to be approved. The wording of these conditions does not specifically require their discharge prior to the approval of Reserved Matters. **Appendix 2** of this report shows those Pre-Reserved Matters Conditions of relevance to Plot 14 RMA and where relevant highlights where they are yet to be formally determined. In all instances relating to those Pre RMA applications that are yet to be formally determined, agreement has been reached on the content of the submission in relation to the Plot 14 proposals, but were 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 Plot 14 RMA have been confirmed in discussions between the LPA and the Developer to be acceptable.

As the relevant aspects of these conditions are acceptable to the LPA with regards to 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 papers to the Planning Committee in relation to those Pre-RMA applications that have been discharged since the publication of this report.

3.4 The Proposed Development

The proposed development is a residential led mixed-use scheme providing a total of 281 residential units. These homes are provided primarily on the upper floors whilst 3 maisonettes are proposed at ground level. The development is proposed as a purpose-built rental scheme referred to as Build to Rent (BTR) where the intention is to offer tenancies to residents for longer terms, typically 3 years or more.

The building provides a mixture of private amenity spaces for individual homes, and communal amenity areas for residents. The communal spaces are comprised of landscaped external spaces at podium level within the central courtyard space and at roof level, and a range of internal amenity spaces including resident's gym and a covered 25m swimming pool at ground level. The amenities provided are intended to be accessible by residents in the adjacent approved BTR development Plot 13 (LPA ref: 18/6337/RMA, as amended (LPA ref:20/1209/NMA)). Similarly, the shared amenities of Plot 13 are intended to be open to Plot 14 residents to access. Residents cycle parking is provided at ground floor level whilst residents car parking is provided at basement level at a ratio of 0.2. In terms of non-residential uses, the ground floor provides flexible retail uses (Class A1/A3).

The building itself is a perimeter style development comprised principally of two buildings further broken down into 3 blocks (A, B and C), arranged around a central

open courtyard space. The tallest parts of the development (exclusive of roof plant) range from; between 9 to 12 storeys on its western frontage (Block A), between 7 and 9 storeys on its southern frontage with Claremont Park (Block B), between 9 and 12 storeys on its eastern frontage (Block C) and between 9 and 12 storeys on the northern frontage (Blocks A and C) facing Neighbourhood Square. Breaks in the massing extending down to the first floor on the southern and northern side, and down to 6th floor on the eastern side are incorporated.

Beyond the building curtilage, the RMA relates to an area of public realm to the front of Plot 14. This is predominantly a hard-landscaped space but with extensive soft landscaping incorporated, providing a public square for the locality and wider development and also the interface with High Street South. The RMA also proposes a tertiary street to the west of the Plot providing two-way vehicular connection between Claremont Park Road at its southern end and High Street at its northern end.

The mix and tenure of the homes proposed for Plot 14 are as follows;

Table 1: Plot 14 mix of dwellings

	Studio	1 Bed	2 Bed	3 bed	TOTAL
Private Rent	53	100	79	24	256
Discount Market Rent	0	13	8	4	25
TOTAL	53	113	87	28	281

4.0 MATERIAL CONSIDERATIONS

4.1 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).

4.2 Pre-Application Public Consultation

The Applicant has undertaken pre-application consultation with residents and other stakeholders in the context of the proposed development and the wider BXS regeneration scheme.

This consultation has been undertaken in accordance with the spirit of the advice laid out in the National Planning Policy Framework (NPPF), and additionally in response to guidance published by Barnet Council itself. Section 4.1.2 of the Council's Statement of Pre-Application Consultation (2015) 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 (Argent, June 2002) provides details of consultation undertaken in relation to Plot 14 proposals specifically and also the ongoing wider phased delivery of the Brent Cross Outline scheme.

4.3 Public Consultations and Views Expressed

Adjoining occupiers

Following registration of the application 1,450 neighbouring properties were consulted by letter dated 10 February 2020. The application was advertised in the local press on 14th December 2020 and a site notice was put up on site on the 17th December 2020. The consultation allowed a 4 week period to respond. To date no representations have been received.

Consultation Responses from Statutory Consultees and Other Bodies

Consultation with Statutory Consultees and Other Bodies was carried out 10th February 2020. The following responses were received.

Historic England (Archaeology)

The Greater London Archaeological Advisory Service have confirmed that they do not consider that it is necessary for this application to be notified under the GLAAS Charter.

Metropolitan Police, Designing Out Crime Officer (DOCO)

The DOCO contact for Barnet has raised no objections 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. Further, concerns raised in relation to bollard lighting have been addressed through clarification from the Planning Agent that bollard lighting does form part of this application.

Counter Terrorism Security Advisor (CTSA)

The CTSA provided recommendations for a planning condition to secure: a dynamic vehicle assessment to determine the level of hostile vehicle mitigation that would be required for area of public realm referred to 'Neighbourhood Square'; a dynamic lockdown system for Plot 14 to respond to any hostile incidents.

Officer comment:

The Developer has responded to these queries by providing details of the physical barriers such as bouldering and cycle parking that are incorporated on the periphery and within 'Neighbourhood Square' which in their view provides sufficient and proportionate obstruction to potential hostile vehicles. In response to the recommendation for a dynamic lockdown system, the Agent acting on behalf of the Developer advised that the building will have an electronic access control system and the management of the building will carry out a suitable risk assessment to identify standard operating procedures required in the event there is a terrorist threat. These responses are considered proportionate to the scheme given the CTSA confirmation that there is no intelligence or information to suggest that this development, or any other such development within the local area is at risk from a terrorist attack.

Thames Water

Thames Water have advised that with regard to SURFACE WATER network infrastructure capacity, they would not have any objection to the submitted planning application based on the information provided. Thames Water have advised that with regard to FOUL WATER sewerage network infrastructure capacity they would not have any objection to the submitted planning application based on the information provided.

Lead Local Flood Authority

Initial response to consultation was to recommend that the determination of the application be postponed until what time that the LPA is provided with additional technical details relating to, inter alia, sustainable urban drainage, calculation of flow rates, greater clarity on how the Allowable discharge rates are established. Following

engagement with Officers where the context of the outline permission was provided, in particular existing pre commencement Conditions 1.27 and 44.4, the LLFA provided written confirmation that “ *the information requested in our reviews for these applications can be satisfied by Condition 1.27 at later stage and hence I am happy for the points listed in our reviews to be included in Informative section-as what we expect to see at later stage.*”

Transport for London

No objection to proposals. Observation provided regarding the design of footways, that they should maintain unimpeded minimum 2m width.

Officer comment:

The application proposes a single item of highways infrastructure and associated pavement comprising the tertiary street to the west of the development plot. For the avoidance of doubt, the highways and pavement associated with High street and Claremont Park Road are outside the red line curtilage of this application and are dealt with under the concurrent highways application (LPA ref: 20/5534/RMA). In relation to the western tertiary street, the detailed section drawings included within the Design Statement (Allies and Morrison, October 2020) show minimum footpath widths of 2m where loading and parking bays are located, increasing up to 5.6m in width outside of these vehicle bay points.

Consultation Responses from Internal Consultees

LBB Environmental Health (EHO)

The EHO has reviewed the Acoustic Design Report (ADR) submitted separately under Condition 29.1 and as part of the RMA submission. Concerns raised in relation to the ability of residential units to be adequately protected against airborne and structure borne noise arising from the licenced premisses (flexible retail units) on the ground floor and the residents gym, and the need for a noise report to be submitted to the LPA following the fit out of the gym, in particular to demonstrate that that noise levels in the nearest noise sensitive premises would be below WHO community noise BS8233 standards.

Officer comment:

In relation to the gym, Condition 29.8 of the s73 permission requires a scheme of detailed noise mitigation measures to be submitted to the LPA for approval prior to above ground works commencing, demonstrating compliance with the relevant internal noise standards set out within paragraphs 2.82 – 2.85 of the RDSF and Condition 29.4 which links to the above mentioned noise standard, BS8233:1999. Pursuant to this, Section 4.5 of the ADR provides consideration of the likely strategies to be adopted to safeguard the amenities of residents from the transmission of airborne and structure borne sound. This includes the installation of sound insulation for non-residential uses that adjoin residential uses that exceeds the minimum required for compliance with Approved Document E of The Building Regulations (ADE2003). Table 5 of the ADR provides some indicative specifications for typical floor build up to insulate residential uses between the retail, restaurants, swimming pool, residents gym and commercial gyms.

It is noted that these observations are illustrative given it is not a requirement of the RMA nor of condition 29.1 to provide such details at this stage. Notwithstanding this, given the mixed use nature of this plot, early consideration of these matters is welcome in order to ensure that the structural elements of the scheme are sufficient to avoid the adverse transmission of sound, and as clarified on page 9 of the ADR, specific noise mitigation designs will be developed and details submitted for approval in line with Planning Condition 29.8

LBB Transport/Highways team

The Transport Officer has reviewed the submitted RMA, the associated Reserved Matters Transport Report (RMTR) and other Pre-Reserved Matters details in relation to the car parking strategy and the servicing and delivery strategy. In relation to the RMA proposals specifically the following points were raised:

- the wheelchair bays in the basement should incorporate a 1.2m safety zone either side of the bay rather than on a single side pursuant to the requirements of Dft Inclusive Mobility;
- a visibility splay diagram should be provided in relation to the vehicular access/egress from 'Neighbourhood Square' onto High Street;
- details of cycle parking in accordance with the London cycle design standards should be provided;
- loading bays in the basement need to show swept path details.

Comments raised relating to the bus services and the interim interchange fall within the remit of the phase transport reports so are not relevant to this RMA determination.

Officer comment:

These points have been addressed by the Developer in turn as follows;

- *Hatching on only one side and/or shared between wheelchair parking bays was the approach approved for Plots 11, 12 and 13 and therefore was continued in the combined basement for these plots. Similar to Plots 11, 12 and 13, Plot 14 will feature adaptable dwellings (rather than accessible dwellings) and thus hatching on one side and/or shared between bays is considered appropriate.*
- *As illustrated in Appendix B of the RMTR, this route will be controlled and is only available for emergency vehicles and not day to day operation of the development. As it is not a vehicular route, rather an area a fire tender can pass through in an emergency, we have not provided the visibility splay. There is no junction provided to High Street South.*
- *Further details on the type of cycle stands, can be provided prior to the beginning of the plot development as per Condition 38.6 of the S73 Permission which states that: "Prior to the beginning of any Plot Development within any Phase or Sub Phase details of a scheme for the provision of facilities for the secure storage of cycles for that Plot shall be submitted to and approved by the LPA..."*
- *The bays referred to are not in fact loading bays but bays that can be used if someone is moving in. They will not be used as servicing or delivery purposes at all. Further clarification on this is within Section 3.1 of the combined basement parking note which states that "the loading zones are to be used for*

occasional move-in/move-out activity if required and due to the 2.6m clear height in these zones of the basement, vehicles using them will be equivalent in size to a large car or similar. Delivery vehicles would not be loading or unloading via the basement'. On this basis, swept path analysis would not be required.

These responses have been reviewed by the Councils Transport Officers and are considered acceptable.

LBB Trees and Landscape

Provided comments highlighting the need for a landscape management covering the proposed landscaped areas, principally the public square referred to as 'Neighbourhood Square'.

Officer comment:

Condition 27.9 of the S73 Permission requires a Landscape and Ecology Management Plan (LEMP) to be submitted and approved by the LPA for each phases or sub-phase of the development. This includes long-term design objectives, proposed management responsibilities and draft maintenance schedules for all landscaped areas (except privately owned domestic gardens).

Ecology

Comments provided confirm that the planting is adaptive to the current strategies of adaptive planting for climate change, and provides adequate enhancement for wildlife and planting choices reflecting consideration of wildlife interest. Therefore, the Planning Ecologist has no reservations and supports the current design proposals.

5.0 PLANNING APPRAISAL

The main areas for consideration are set out in the below table. This section of the committee report is structured to deal with each consideration in turn.

Table 2: Matters to be addressed in Committee Report

5.1 Principle of development	Reserved Matters Details Parameters of the S73 Permission
5.2 Landuse	Mix of uses Development Quantum Market Quarter Zone Obligations
5.3 Housing	Residential Mix Principle of Build to Rent Affordable Housing Residential Density
5.4 Design	Layout Scale and Massing Elevation Design Treatment Landscaping Flood Risk and Drainage
5.5 Residential Amenity	Communal Space Standards (Internal) Housing Space Standards External Amenity Play Strategy Daylight and Sunlight Assessment Wind Assessment Noise Assessment – Plot 14 Proposals Air Quality Assessment Construction Management
5.6 Transport and Highways	Car and Cycle parking Transport Considerations Residential Refuse Collections Refuse and Recycling Storage Servicing and Delivery Management Strategy Pedestrian and Cycle Strategy Individual Travel Plan
5.7 Other material considerations	Estate Management Safety and Security Access and Inclusivity Sustainability

5.1 Principle of Development

Reserved Matters details

The principle of submitting residential led mixed-use development in this part of the BXC masterplan is established by Section 73 planning permission F/04687/13 which was approved on 23 July 2014 (the 'S73 Permission').

The RMA has been submitted pursuant to the following conditions:

- 1.3(ii) relates to timescales for the submission of RMA's in All Phase 2 (South) Plots and Bridge Structures in Phase 2 (South) 10 years from the date of 28 October 2010;
- 2.1: relates to documents and topics covered that all RMA's must be accompanied by.

Pursuant to condition 1.3(ii), the RMA for Plot 14 was received by the LPA 26 November 2020 and validated 9 December 2020. The deadline for submission of reserved matters in respect of Phase 2 (South) is 10 years from the date of 28 October 2020 (hence 28 October 2030) and therefore the RMA was received by the LPA after this deadline. Notwithstanding this, the outline approval for Brent Cross is subject to the emergency Business and Planning Act (2020) introduced by Government in response to the Corona Virus pandemic. The effect of this legislation as clarified in MHCLG guidance (July 2020) is that;

“any deadline for the submission of applications for the approval of reserved matters under an outline planning permission which would otherwise expire between 23 March 2020 and 31 December 2020 is extended to 1 May 2021.”

As such the RMA has been received by the LPA in accordance with the necessary timeframes.

Pursuant to condition 2.1, the Explanatory Report (Table 2: Condition 2.1 Requirements) submitted with the RMA sets out structure of the submission, providing details of the documents submitted under the relevant material consideration headings. Condition 2.1 states that such documents shall be required by the LPA to consider the proposals. 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.

Parameters of the Section 73 Permission

The S73 Parameter plans (Appendix 2 of the Revised Development Specification Framework (RDSF)) establishes a series of principles and guidelines to help shape the future of the Brent Cross development, determining for example the location and maximum and minimum controls in relation to the built forms, land uses, height levels and access arrangements.

The approved Parameter Plans need to be read in conjunction with the other control documents approved under the S73 Permission, in particular: the Revised Design Guidelines (RDG) and the Revised Development Specification Framework (RDSF) which the Parameter Plans are appended to. For information, the key parameter plans of relevance to this RMA, as identified on pages 11-12 of the submitted Explanatory Report, are outlined below:

- *Parameter Plan 001: Development Zones (Rev 16)*: This plan identifies development zones across BXC that reflect specific areas of character.

- *Parameter Plan 002: Transport Infrastructure (Rev 19)*: This plan identifies a range of transport infrastructure requirements to facilitate the comprehensive redevelopment of BXC.
- *Parameter Plan 003: Public Realm & Urban Structure (Rev 19)*: This plan identifies the network of new and existing public spaces and routes between them for pedestrians and cyclists. The development parameters specify the limitations for projecting balconies on key frontages, namely that they may project beyond the façade to a depth no greater than 6m, and shall retain a minimum clearance from finished ground level of no less than 6m.
- *Parameter Plan 002 Parameter Plan 002 (Rev 19) (Transport Infrastructure)*: This plan identifies various transport infrastructure elements proposed as part of the comprehensive development.
- *Parameter Plan 004: Ground Level Land Uses to Frontages (Rev 16)*: This plan identifies the describes the land uses on principle ground floor frontages.
- *Parameter Plan 005: Upper Level Land Uses to Frontages (Rev 17)*: This plan identifies the general geometry and use of upper floor frontages.
- *Parameter Plan 006: Proposed Finished Site Levels (Rev 17)*: This plan identifies finished site levels above ordinance datum (AOD) for infrastructure and public realm.
- *Parameter Plan 007: Maximum Building and Frontage Heights (Rev 15)*: This plan identifies the maximum building and frontage heights permitted within different building zones.
- *Parameter Plan 008: Minimum Frontages Heights (Rev 12)*: This plan identifies the minimum frontage heights permitted within different building zones in order to define key public spaces and routes.
- *Parameter Plan 009: Basement and Service Access (Rev 14)*: This plan identifies the building zones where basements are, or are not, permitted and those frontages that can incorporate direct carpark or service yard entrances.
- *Parameter Plan 014: Floorspace Thresholds (Rev 15)*: This plan and supporting text identifies floorspace thresholds for Building Zones within their respective Development Zones, listing the Primary Use and Remaining Floorspace.
- *Parameter Plan 015: Indicative Layout (Rev 7)*: This plan illustrates one layout which the BXC development could be constructed.

- *Parameter Plan 020 – Parameter Plan 28: Indicative Zonal Layout Plans (Rev 7):* This plan illustrates one way in which the development zones could be implemented.
- *Parameter Plan 029: Indicative Phasing Plan (Rev 6):* This plan illustrates the staging of each phase of the overall BXC scheme under the s73 planning application.

Details submitted with this RMA for Plot 14 demonstrate conformity with the parameters of the outline consent with some exceptions. These are addressed in more detail in the relevant subsections of this report. In terms of deviations from parameters, a summary is set out in the below table, including the relevant sections of this report where these deviations have been assessed. In summary the deviations are considered to be minimal and lead to an improved scheme.

Table 3: Deviations from Parameter Plans:

Parameter Plan	Deviation	Impact, consideration
<i>Parameter Plan 002 (Rev 19) (Transport Infrastructure):</i>	The Plot 14 western tertiary street is proposed a through route, which is a deviation from PP002 which identified this route as a no-through route for vehicles.	Transport Considerations EIA Assessment
<i>Parameter Plan 004: Ground Level Land Uses to Frontages (Rev 16):</i>	South eastern frontage facing Claremont Park incorporates a terrace area for the resident's pool and retail unit on frontage designated for residential uses.	Layout EIA Assessment
<i>Parameter Plan 007: Maximum Building and Frontage Heights (Rev 15):</i>	Block B (12 storey element) has a maximum height of 41m from ground level. This is within the zonal height limit of 45m but exceeds the frontage limit of 33m. Parameter Plan 007 allows the frontage height to be exceeded up to the zonal limit for no more than 30% of the frontage. The parameter breach occurs as a result of this building mass occupying 41% of the north eastern frontage with neighbouring Plot 14.	Design Wind assessment Daylight and Sunlight Assessment EIA Assessment
<i>Parameter Plan 008: Minimum Frontages Heights (Rev 12):</i>	The height of single storey element on south east corner of building is 5.5m, which is below the minimum frontage height of 12m in this location.	Design EIA Assessment

With regard to the impact of these deviations in Environmental Impact terms, namely whether or not the changes would render the conclusions of the s73 ES valid or warrant

the submission of the further Environmental Statement, paragraph 1.8 of the RDSF states:

“Wherever parameters and principles are referred to in the planning permission sought, the design and other matters subsequently submitted for approval will be required to comply with such parameters and principles, unless any proposed departures would be unlikely to have any significant adverse environmental impacts beyond those already assessed.”

Therefore, in environmental impact assessment terms, deviations from the parameters and principles referred to in the S73 Permission may be considered acceptable providing the proposals have no adverse environmental impacts. A Plot 14 Environmental Screening and Statement of Compliance Report (Arup, November 2020) has been submitted with this RMA and responds to the question of Environmental Impacts associated with the development more generally and also specifically in relation to the abovementioned parameter plan breaches, concluding that no additional significant environmental impacts, in comparison to those already identified in the s73 ES, would arise as a result of the development. This is dealt with more in Section 6 (Environmental Impact Assessment) of this report.

5.2 Landuse

Mix of uses

The landuse expectations for different parts of the BXC development are set out within the S73 Permission documents, principally the RDAS and RDSF along with appended Parameter Plans. The S73 Permission divides the BXC site into a series of Development Zones (as shown on Parameter Plan 001) based on different character areas. Plot 14 is located within the Market Quarter Development Zone and Building Zone MQ3. The RDAS establishes a vision for Market Quarter as an area home to a diverse mix of uses with a vibrant and dynamic town centre character.

The proposals for Plot 14 comprise a residential led mixed-use development, the residential component of which is specifically built for the rental market (Build To Rent) providing a range of on-site amenities that are proposed to link with the BTR accommodation approved on the neighbouring development Plot 13. The non-residential uses comprise flexible retail (Class A1 and A3) on the ground floor. As such, the mix of uses is consistent with the character aspirations for the Market Quarter Zone as set out within RDSF and RDAS, and more specifically with Table 8a where the Anticipated Primary Use for Plot 14 and 17 are listed as ‘Residential and Retail.’ A more detailed discussion around the layout of the uses and how they relate to their surroundings is set in in the ‘Layout’ section of this report.

Development Quantum

The RDSF through a series of schedules provides a hierarchal breakdown of floorspace by use and Development Zone as follows:

- Table 1 ‘Development Floorspace’ provides the overarching

- consented quantum for each landuse in the BXC;
- the 'Zonal Floorspace Schedule' (contained in Appendix 5 of the RDSF), sets out how the consented floorspace under Table 1 'Development Floorspace' may be distributed across the BXC within the respective Development Zones.
- the 'Floorspace Thresholds for Building Zones' table, included within Parameter Plan 014, divides the floorspace quantities within each Development Zone further into Building Zones, listing the Primary Use and Remaining Floorspace. The Primary Use is specified whilst the Remaining Floorspace comprises all other uses consented within the Development Zone as set by the 'Zonal Floorspace Schedule'.
- The Indicative Plot Schedule (Table 8a), which forms part of supporting text to Parameter Plan 029: Indicative Phasing, provides further controls by way of setting out the primary landuse for each development plot.

Further to controls regarding floorspace, Condition 36.1 of the s73 permission requires compliance with the Zonal Floorspace Schedule (Appendix 5, RDSF). Condition 36.1: states the following;

'The total quantum of built floorspace for the Development across the Development Zones shall not exceed the gross floorspace for individual land uses set out in the Zonal Floorspace Schedule (revision 2) and be in general accordance with the Indicative Plot Schedule set out within Table 8a of DSF Appendix 2 (and with the Table 1 of the Development Specification & Framework) and the Floorspace Thresholds for Building Zones Schedule (revision 2) set out within Table 6 of DSF Appendix 2'

Pursuant to the above, the following table copied from page 24 of the submitted Explanatory Report shows; firstly the development quantum for Plot 14; secondly the floorspace limits for MQ3 provided by the 'Floorspace Thresholds for Building Zones' table included within Parameter Plan 014, thirdly the cumulative floorspace to date in the Market Quarter Development Zone inclusive of Plot 14, and fourthly the Market Quarter permitted floorspace quantum.

Table 4: Floorspace Thresholds (all measurements provided in sqm GEA)

	Plot 14 Proposed	MQ3 Building Zone Permitted Quantum	Plot 14 + Cumulative Consented Floorspace in Market Quarter	Market Quarter Permitted Quantum
Residential	27,438	63,098	127,265	170,752
Retail	858	1,138	2,723	6,735
Other	0		2,025	21,829

The above table demonstrates that the proposed Plot 14 development considered on its own and cumulatively with consented development in the Market Quarter to date is within the floorspace thresholds.

5.3 Housing

Residential Mix

The residential mix of homes provided within Plot 14 range between 1 and 3 bedroom properties and are either private tenure (BTR) or provided at a discount to market rent fulfilling the intermediate affordable housing obligations for the sub-phase. Discussion on the quantum and tenure of affordable housing proposed across the sub-phase, which is inclusive of Plot 15 RMA (not the subject of this application), is set out below in the Affordable Housing section of this report.

In terms of mix of dwellings, the S73 Permission provides a site wide target mix, represented as percentages between the different unit sizes. For private housing this is provided in paragraph 2.23 of the RDSF (Table 2) and comprises 35% 1 bed, 47% 2 bed, and 18% for 3 and 4 beds. Similarly for intermediate dwellings, this is provided in paragraph 2.25 of the RDSF (Table 3) and comprises 36.8% 1 bed, 46.6% 2 bed, and 16.6% for 3 and 4 beds. Given the mix expectations for the Brent Cross development are expressed as site wide targets, it is appropriate to consider the mix of dwellings both in terms of the individual RMA and also in a cumulative fashion having regard to the consented development to date. This is set out in the below tables;

Table 5: Plot 14 Private Housing Mix

	No. of units	% of Plot 14 Private Units	RDSF Site Wide Target Private Mix
1-bed	153	60%	35%
2-bed	79	31%	47%
3-bed	24	9%	18%

Table 6: Cumulative Private Housing Mix

	No. of units	% of Plot 14 Private Units	RDSF Site Wide Target Private Mix
Studio/1-bed	376	36%	35%
2-bed	545	52%	47%
3-bed	127	12%	18%

Table 7: Plot 14 Intermediate Mix

	No. of Intermediate units	% of Plot 14 Intermediate Units	RDSF Site Wide Target Private Mix
1-bed	13	52%	36.8%
2-bed	8	32%	46.6%
3-bed	4	16%	16.6%

Table 8: Cumulative Intermediate Mix

	No. of Intermediate units	No. of Intermediate units in Plot 12	% of Plot 14 Private Units	RDSF Site Wide Target Private Mix
1-bed	13	0	36.6%	36.8%
2-bed	8	8	46.2%	46.6%
3-bed	4	2	17.3%	16.6%

As can be seen from the above tables, there are departures from the RDSF site wide target mix which are more notable in relation to the Plot 14 proposals specifically. At Plot level, the Explanatory Report (DP9, November 2020) states that;

“Plot 14 will be delivered in the early stages of BXS and will be key to establishing BXS as a new place in this part of north London. Market analysis shows that the first plots to be delivered will be more appealing to single people and small households, with less demand for family sized housing within the early phases whilst the new development becomes established. Plot 14 will be Build to Rent, with high demand for rental units from single people and young professionals.”

Further to this, it should be noted Plot 14 is intended as part of the early provision of purpose-built rental accommodation for the BXS site, complementing the approved neighbouring Plot 13 BTR development. The Plot 13 scheme similarly had a housing mix more heavily favoured toward smaller units although less so than Plot 14. The intention is for these two neighbouring developments to share amenities within the plots providing a cohesive residential environment conducive to supporting longer tenancies typically associated with BTR developments. The mix of homes is therefore deemed appropriate for this type of development noting the site wide target mix is an ongoing obligation that will be expected to be fulfilled over the course of the phased delivery of the Brent Cross regeneration. Taking into consideration the fact that this plot is part of the early phases of the development and will enable a range of housing types to be delivered, the mix is considered acceptable for the Plot 14 proposals.

Principle of Build to Rent accommodation

As reflected within the details submitted with this application, the Developers intention for Plot 14 is to construct a purpose built to rent (BTR) development. This is to tie in with the consented Plot 13 development directly adjacent to Plot 14, which was approved in 2019 and provides a BTR development of 356 homes.

It should be noted that, as was the basis for approving Plot 13 RMA, the scheme will not be restricted by way of a covenant to be occupied on a BTR basis, meaning the Developer would be able to occupy the private housing in Plot 14 on a for sale basis. Notwithstanding this, for the avoidance of doubt, the affordable housing component of Plot 14 to be formally approved through the AHS for Phase 2 (South), will, by virtue of the provisions within Schedule 2a of the s73 Section 106 Agreement, be required to remain as the specified affordable housing units in perpetuity irrespective of how the private units are managed in the future.

In terms of considering the principle of BTR, these are developments purposefully built for renters and for longer rental tenancies, typically a minimum of 3 years. The apartment blocks are professionally managed with high quality customer services and often include additional on-site facilities. BTR is not the same as Private Rental Sector (PRS) accommodation which is typified by investors buying individual or groups of flats in a regular market sale housing development which they then rent out. This leads to multiple landlords and no unified management regime for the building as a whole.

BTR is attractive to institutional investors seeking long-term income stream. For this reason BTR does not operate the same financial model as conventional for-sale housing where the Developer takes a risk on the property market and where return is dependant on the speed at which they can sell the new homes. Conversely, entire blocks of BTR accommodation will be sold, but the Developer's investment is tied up for longer. BTR offers a reliable long-term income stream by avoiding downturns in the property sale market. Including BTR as part of a mix of housing in a development alongside private sale homes, can accelerate speed of delivery overall because the Developer is not restrained by the market absorption rate when it comes to selling individual flats.

Because BTR is a relatively recent product in the UK housing market, the S73 Permission for BXC does not recognise it as a housing type within its control documents and Section 106 Agreement. However, BTR is now recognised within Chapter 3.3 (Build to Rent) of the Mayors Housing SPG (March 2016). Chapter 3.3 of the housing SPG has been updated through Part 4 of The Mayors Affordable Housing viability SPG (August 2017). This SPG recognises the role of the private rented sector in providing homes for Londoners, acknowledging that at the time of publication it accounted for 28% of all households in London. Pursuant to this, the SPG cites Policy 3.8 (B a1) of the 2016 London Plan in its recognition that the planning system should take a more positive approach to enabling this sector to contribute to the achievement of housing targets, and that positive support should be given for purpose built private rented homes through the land use planning system at the local as well as the strategic level.

In terms of the characteristics of BTR, Affordable Housing Viability SPG (August 2017) sets out that BTR housing shall:

- be a development, or block/phase within a development, of at least 50 units;
- hold its constituent homes as Build to Rent under a covenant for at least 15 years;
- provide units that are all self-contained and let separately;
- operate under unified ownership and management;
- offer longer tenancies (three years or more) to all tenants, with break clauses that allow the tenant to end the tenancy with a month's notice any time after the first six months;
- offer rent certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is

signed, including any annual increases which should always be formula-linked;

- include on-site management, which does not necessarily mean full-time dedicated on-site staff, but must offer systems for prompt resolution of issues and some daily on-site presence;
- be operated by providers who have a complaints procedure in place and are a member of a recognised ombudsman scheme; and
- not charge up-front fees of any kind to tenants or prospective tenants, other than deposits and rent-in-advance.

In addition to the above criteria, BTR developments also typically provide shared amenities beyond the “front door” of individual homes such as a large entrance lobby and concierge, gym or other sports facilities, hireable meeting rooms, bookable dining and entertaining suites, shared internal and external amenity spaces, gardening facilities, cycle maintenance workshops etc.

In the case of Plot 14, all of the homes have been designed to the same standards as market sale homes with the same approach to amenity space provision. The housing is therefore acceptable in terms of quality of accommodation as either rental or sale properties (See Residential Amenity below). The impact of providing the residential units on Plot 14 as BTR accommodation has also been tested as part of the viability assessment for Phase 2 (South) and does not alter the viability and trigger for further Affordable Housing requirements (See Affordable Housing below). It is therefore not required to secure the units as BTR for a covenanted period in this instance.

In the context of the adjacent consented Plot 13 BTR development in Phase 1 South, it is considered that the Plot 14 BTR proposals have the potential to provide a wider mix of housing products and a further choice for future occupiers in the BXC in line with London Plan policy 3.8 which advises that: *‘Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments’*. In the case of Phase 2 (South), which is comprised of development Plots 14 and 15, delivering a proportion of the units as BTR in Plot 14 would allow the Developer to construct and deliver homes on concurrent plots at the same time by not being restricted to sales absorption rates which in turn enables a critical mass to be established more quickly in this early phase of the regeneration. This means that a sense of place is able to be created promoting place making and stewardship at an early stage in the scheme.

Affordable Housing

Phase 2 (South) Affordable Housing Viability Testing Report

The Section 73 Permission requirements for affordable housing are contained within Schedule 2a of the Section 106 Agreement and this sets a minimum requirement of 15% of all housing within phase to be affordable housing, with a target of up to 30%. The affordable housing is required to be provided on the basis of 60% affordable rent and 40% intermediate affordable housing. The minimum provision is subject to a phase Affordable Housing Viability Testing Report (AHVTR) requirement pursuant to Condition 1.13 of the s73 permission and the obligations under Schedule 2a of the

Section 106 Agreement. The AHVTR obligations require the Developer to undertake a financial viability appraisal of the development proposed within a phase or sub phase in order to determine if any Additional Affordable Housing may be viably provided above the 15% minimum. Schedule 2A sets an Indicative Rate of Return (IRR) hurdle for the master developer of 20% which, if not exceeded, means the requirements for Additional Affordable Housing are not triggered.

The AHVTR for Phase 2 (South) pursuant to Condition 1.13 has been approved (LPA ref: 20/2789/CON). This assesses Phase 2 (South) as a whole encompassing all of the residential development within the sub-phase comprising Plots 14 and Plot 15, and the associated infrastructure. The AHVTR has been modelled on the basis of anticipated gross external areas (GEA) across both Plots 14 and 15. This has been weighted 60:40 in favour of rented product as per the S106 requirements, with all Affordable Rented homes required from both plots delivered in Plot 15 and the intermediate as Discount Market Rent in Plot 14. The exact details of the affordable housing provision for the phase including tenure, type and mix of affordable housing units, is covered in the Phase Affordable housing Scheme (see section below).

The AHVTR has been independently appraised by the Councils appointed professional advisors the District Valuation Service (DVS) which is part of the Valuation Office Agency. The DVS concluded that for Phase 2 (South) the 20% hurdle would not be reached and therefore the 15% affordable housing provision is the maximum level that this phase can provide. The AHVTR in relation to Phase 2 (South) has therefore been approved by the LPA.

Affordable Housing Scheme

The details of affordable housing for a given phase are required to be set out in an Affordable Housing Scheme (AHS) which needs to be approved by the LPA via condition prior to commencement of the relevant Phase in question. Therefore the actual provision of affordable housing units within a phase or plot is not secured by way of approval of reserved matters applications, but instead is secured when AHS is approved prior to the commencement of the development of the relevant Plots where housing is being provided. This is controlled through Condition 1.12 of the S73 Permission. Officers have engaged in pre-application discussions with the Developer and the Council's Housing Team in relation to the draft Phase 2 (South) AHS. The proposals set out within the Plot 14 submission documents are consistent with the details provided as part of the draft Phase 2 (South) AHS.

Phase 2 (South) fulfils the obligation to provide 15% affordable housing through the provision of intermediate rented homes in Plot 14 (25 in total) and also through the provision of intermediate shared ownership homes in Plot 12 (Phase 1B (South) (10 in total) acting as an Affordable Housing Credit to be counted toward the Phase 2 (South) total provision. In terms of the Affordable Rent requirements for the sub-phase, this is being met through the provision of 50 affordable rent homes in the adjacent Plot (Plot 15) falling within the Phase 2 (South) sub-phase and which is currently under consideration by Officers (LPA ref: 21/0070/RMA). Together Plots 14 and 15 (yet to be determined formally), as well as the additional 10 shared ownership units for Plot 12, equates to 15% affordable housing provisions, and is aligned to the 60% affordable

rent and 40% intermediate tenure requirements. This is outlined in the below table for information:

Table 9: Affordable Housing provision, Phase 2 (South), inclusive of 10 Shared ownership units in Plot 12 (Phase 1B (South))

	Development Plot	Total units	Total number Affordable Units	% affordable housing	% tenure
Intermediate	Plot 12	10 ¹	10	6.2%	41%
	Plot 14	281	25		
Affordable Rent	Plot 15	279	50	8.8	59%
Total		570	85	15%	100%

Residential Density

The proposal has an approximate residential density of 369 units per hectare, based a plot size of 0.76 hectares. Table 3b of the RDSF outlines an illustrative residential density of 386 units per hectare (u/ha) for the Market Quarter Zone. The indicative densities were derived primarily from the parameter controls and thresholds identified in the RDSF in relation to building heights, floorspace and other standards. The London Plan density matrix under policy 3.4 'Optimising Housing Potential' outlines a maximum range of 215–405 u/ha, for central locations with between 4-6 PTAL levels.

The resultant residential density is slightly lower than that outlined within the RDSF for Market Quarter as a whole. Notwithstanding this, paragraph 2.28a of the RDSF identifies that density is not an assessment tool in its own right, and actual densities will be calculated at reserved matters stage as a derivative of various controls and standards including sunlight/daylight, private amenity space, building heights as well as the scale thresholds. These matters will be addressed in turn in this report. Moreover, the RDSF notes on page 54 that residential development will be provided at different densities across the site ranging from 100 up to 435 dwellings per hectare, and on this basis the principle of a slightly lower density that recommended for the Market Quarter is not at odds with the overall objectives of the outline permission to provide a range of residential densities across the site.

5.4 Design

This section of the report covers matters relating to the design of the Plot 14 application curtilage, focussing principally on the masterplan context, the approach to layout in terms of built form and location of different uses/activities, the approach to development plot massing and elevation design treatment and details concerning the

¹ Total number of homes in approved RMA for Plot 12 is 290 (LPA ref: 17/662/RMA, as amended by Non material amendment LPA ref: 20/1174/NMA). The figure of 10 homes in this table relates to 10 previously consented private homes in Block 12N of the Plot 12 being converted to intermediate shared ownership through this current set of proposals.

landscaping both within the plot and its environs, namely 'Neighbourhood Square' and the tertiary western street. Further, details concerning the highways activities and management of these ground level areas of public realm and highways infrastructure are covered within subsequent sections of this report.

Layout

Masterplan context

The indicative masterplan layout for BXC is shown on Parameter Plan 015 (Indicative Layout Plan). The parameters do not fix the layout or location of the development plots, rather they provide a general arrangement as one way in which the regeneration would be built out in accordance with the parameters. Accordingly, the parameters incorporate limits of deviation.

The S73 Permission incorporates a reconciliation process through Condition 1.17 (Illustrative Reconciliation Plan), that requires an up to date base plan to be submitted based on Parameter Plan 015 and containing the approved RMA proposals. The purpose of this is to reconcile the proposed RMA against extant RMA's and Parameter Plans, to demonstrate that the proposals are complimentary and as such demonstrate that comprehensive delivery of the masterplan is capable.

In this instance, the LPA has registered the IRP Condition discharge application (LPA ref: 20/5127/CON) in relation to; Phase 2 (South) (Plots), Phase 2 (South) (School), Phase 2 (South) (Station Approach) and Phase 2 (South) (Thameslink Station Eastern Entrance) which incorporates Plots 14. The plot details are shown in basic plan form comprising the Plot 14 building footprint, "Neighbourhood Square" and the tertiary street to the west. The application curtilage is shown within the context of the wider Phase 2 (South) proposals as well as the rest of the masterplan as approved to date and as anticipated to come forward in the future.

Of relevance to the Plot 14 RMA proposals are the following conclusions of the IRP process:

- Plots 14 and 17 have been designed as one plot (referred to as Plot 14): a residential development comprising three residential buildings around a courtyard with retail uses facing onto Neighbourhood Square. Similarly, Plots 15 and 16 are being designed as one plot (referred to as Plot 15), comprising four residential buildings around a podium courtyard, with some retail uses at ground floor.
- The provision of new, previously unidentified public open space, to the north of Plot 14/17 (referred to as 'Neighbourhood Square'). The provision of a public square in lieu of a development plot is further discussed in the layout section of this report.
- The Plot aligns itself with extant Plot 13 RMA curtilage, maintaining an appropriate width for the tertiary street between the two plots pursuant to Parameter Plan 002 (Highways Infrastructure).

- The Plot aligns itself with its local highways network pursuant to Parameter Plan 002 (Highways Infrastructure), namely 'Claremont Park Road' to the south, and 'High Street South' to the north.
- The kink in the High Street positioned to the north of Plot 14 beyond 'Neighbourhood Square' would be within the limits of deviation of up to 35m (Notwithstanding this is outside of the Plot 14 RMA site curtilage).
- Parameter Plan 015 incorporates an east west pedestrian route dissecting the development plots between Market Square to Station Square, broadly running parallel to High Street and Claremont Park Road. This is not featured in the current Plot 14 proposals, nor within the IRP. The previous IRP process in relation to Phase 1 (South) established that this was not intended to be brought forward by the Developer. Officers consider there is a rationale for this approach. Namely: High Street South under the current proposals is further south than originally envisaged reducing the development plot size and therefore reducing the feasibility of a route through the plots; the need for an alternative route in this location is diminished given the proximity of High Street the indicative pedestrian route; the current masterplan proposals facilitate better access between the north east corner of Claremont Park and Market Square through the provision of new, previously unidentified public open space between Plots 19 and 20; a combination of east west routes are still enabled through the BXS area, namely via Claremont Park Road, High Street and a route to the north of the flat iron building.

Layout – public realm and highways infrastructure

As identified in the Illustrative Reconciliation section of this report, Plots 14 and 17 have been consolidated into a single development Plot (Plot 14) and the area identified to accommodate Plot 17 is now occupied by the previously unidentified public open space referred to as 'Neighbourhood Square', with the building plot proposals fronting onto it. In masterplan layout terms, its provision does not prejudice the delivery of a development plot, as reflected in the Plot 14 proposals, and is compatible with the aspirations for activity and vibrancy for the Market Quarter Zone. 'Neighbourhood Square' also acts as a vehicular barrier to the tertiary street between Plot 13 and 14, approved as part of the Plot 13 RMA, reinforcing its use as a key part of the pedestrian orientated routes through the site. Emergency vehicles however retain access as shown in the Plot 14 RMTR, Appendix B (Highways Plans & Swept Path Analysis). This is consistent with the tertiary street designation as a no vehicular through route in Parameter Plan 002 (Transport Infrastructure). As such the provision of a public square in this location is acceptable in principle. The detailed design of the public square covering matters relating to landscaping, transport and site management are addressed in the relevant sub-sections of this report.

In addition to the provision of 'Neighbourhood Square' the application site curtilage includes a single item of highways infrastructure to the west of the plot. This takes the form of a tertiary street providing a north to south route between High street South and Claremont Park road. In terms of layout, the provision of this link through the plots is consistent with the Parameter Plan aspirations for this location. Notwithstanding this, the proposed use of the street as a vehicular through route is contrary to its

designation within Parameter Plan 002 (Transport Infrastructure) as a no vehicular through route. As such whilst the principle of the street provision in this location is acceptable in layout terms, the vehicular activities require further consideration. The detailed design of the street covering matters relating to landscaping, transport and site management are addressed in the relevant sub-sections of this report.

Layout - Plot details (uses)

The S73 Permission documents, namely the RDSF and appended Parameter Plans, RDAS and RDG, together create a series of development controls to secure the mixed-use development aspirations for this part of the Market Quarter Zone.

In terms of ground floor uses, the main guiding principle for Plot 14 is provided through Parameter Plan 004 (Ground Level Land Uses to Frontages). This Parameter control provides for predominantly retail, leisure or hotel uses facing onto High Street. This is aligned to the outline permissions aspirations for activity and vibrancy within this part of the masterplan area. This is contrasted by ground floor residential uses provided for on the southern and western frontages onto Claremont Park Road, and the adjoining Plots to the west, which aligns with the more residential neighbourhood feel to these locations.

The proposed building footprint occupies the southern proportion of the plot and addresses the High Street frontage in a staggered fashion, whereby Block B is set back providing a greater sense of enclosure to 'Neighbourhood Square' and Block A steps forward establishing a new building frontage line on High Street (South) that is continued westwards to Station Square within the IRP documentation. The flexible retail uses (Class A1 and A3) appropriately address the public square location and High Street aspirations more generally.

The ground floor uses on the remaining four frontages, addressing the proposed tertiary streets either side of the building and the Claremont Park Road frontage, are associated with the residential use of the building. These comprise of a range uses incidental to residential building including, lobbies, main reception areas, residential bicycle parking, refuse access, onsite management suites, and on the Claremont Park frontage the provision of three ground floor maisonette homes. The Claremont Park frontage in addition incorporates a terrace area associated with the residents swimming pool and retail unit on the south west corner. These are departures from Parameter Plan 004 for this location. Notwithstanding this, they are compatible with the residential character envisaged and therefore are not deemed to result in any harm to the residential character aspirations for this frontage.

In terms of the upper level uses, the building provides a range 1 – 3 bedroom homes across all levels, oriented principally around a central landscaped amenity space for residents as well as a roof top shared amenity space. The residential frontages at upper levels comply with Parameter Plan 005 (Upper Level Land Uses to Frontages). The homes maximise their orientation through careful design, maximising opportunities for natural light and outlook across Claremont Park and Clitterhouse Playing fields where possible. Further discussion on the quality of accommodation is set out in the relevant sub-sections of this report.

Scale and Massing

The main parameter controls relating to building height are: Parameter Plan 007 (Maximum building heights) and Parameter Plan 008: (Minimum Frontages Heights). These controls seek to regulate the height and form of buildings to secure a varied, high quality townscape whilst ensuring a good quality of amenity for residents and people moving through the public realm is provided for. The RDAS also recognises the perimeter block approach as an acceptable way for delivering residential led development plots in the BXC, given that it facilitates active frontages to streets and public spaces while situating private amenity spaces within a central open space.

The development responds to these principles through the provision of what the Design Statement (Allies and Morrison, October 2020) describes on page 31 as a *“family of buildings with shared characteristics for a cohesive identity that complement neighbouring blocks”*. Pursuant to this, Plot 14 massing is divided into two forms, a linear block to the west with one core (Block A) and another “C” shaped form consisting of two blocks (Blocks B and C) with their respective cores. The approach to the linear block is to step the entire built form beyond the otherwise defined perimeter established by the development. This is a deliberate feature of the overall design which results of a break in the massing on the south west corner facing Claremont Park, and conversely the stepping out of the linear block at the opposite end facing onto High Street. This results in a stepped building frontage onto High street and ‘Neighbourhood Square’. The different buildings range in height from between 1-12 storeys (exclusive of plant) and are arranged around a central open courtyard space.

In relation to height, this ranges from (exclusive of roof plant) between 1, 9, 10 and 12 storeys on the south west frontage (Block A), between 1, 7 and 9 storeys on the south east frontage with Claremont Park (Block C), between 9, 6 and 12 storeys on the north east frontage (Block C) and between 1, 9, 10 and 12 storeys on the north west frontage (Blocks A and B) facing Neighbourhood Square. The variation in height and breaks in the massing provides for a development with a good level of variety of built form between the distinct yet related elements.

In terms of maximum heights and compliance with Parameter Plan 007 (Maximum building heights) the development complies with the maximum frontage and zonal height restrictions, save for the 12 storey element to Block B which has a height from ground level of 41m. Its height increases to 45m inclusive of the roof pavilion however this is set back from the frontage so is not therefore the relevant height datum for this assessment of frontage height. Both the maximum height and frontage height are within the zonal height limit of 45m, but exceeds the frontage limit of 33m by 6m. Parameter Plan 007 allows the frontage height to be exceeded up to the zonal height limit for no more than 30% of the frontage. The parameter breach occurs due to the frontage height of 41m (6m above the maximum frontage height) occupying 41% of the north eastern frontage with neighbouring Plot 13. From a townscape perspective Page 31 of the Design and Access statement (Allies and Morrison, October 2020) states the following;

“The tallest heights of the massing are located towards the north by High Street South and neighbourhood square forming strong urban frontage. As a point of articulation, a

taller slender element has been incorporated on the north East corner to mark the primary route from High Street South to Claremont park.”

Further, the Design and Access statement (Allies and Morrison, October 2020) states, in relation to compliance with the RDAS Guideline 1: ‘Context & Streetscape’ that;

“Plot 14 complies with clearly delineating public and private realm. Buildings proposed clearly defined the blocks and St edges so the Claremont park, neighbourhood square and streets are legible. All elements relate well with the consented and emerging context as a family of elements.”

As demonstrated though the massing development and supporting rationale provided in the Design and Access statement (Allies and Morrison, October 2020), the height in this location and across the Plot more generally is considered and represents an appropriate response in massing terms to its immediate environs. The minor deviation is therefore considered acceptable in townscape terms.

Breaks in the massing extending down to the first floor on the south east corner and northern east facade, and down to 6th floor on the north east side are incorporated. In relation to the south east corner between Blocks A and B, this is 5.5m in height and represents a deviation from Parameter Plan 008 (Minimum Frontages Heights) which provides for a minimum frontage height of 12m in this location. This break in the frontage massing, as well as those which do not depart from parameters, do not in this instance detract from the defined building frontages and provide relief with associated benefits to the townscape and residential amenity within and outside the plot curtilage. As such this parameter deviation is considered acceptable.

Consideration of the parameter breaches in EIA terms is considered in the Environmental Impact section of this report.

Elevation Design Treatment

The S73 Permission contains various controls in relation to the appearance of the BXC development. Those of relevance to the proposed buildings at Plot 14 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.

Further, Section B4 (Component Materials) of the RDG provides guidance relating to different aspects of a façade composition. Sub section B4.2.1 provides examples of buildings where vertical and horizontal articulation, balconies and variety façade materials are incorporated. Sub section B4.2.2 goes on to provide series of elevation typologies with different approaches toward vertical articulation and the arrangement of front doors provided. It is noted that the elevation typologies are intended to provide

an illustrative, diagrammatic, summary of how a number of specified component elements could come together to make a building elevation.

The elevation design approach for plot 14 is set out within Section 4.5 of the Design Statement (Allies and Morrison, October 2020). The guiding principle for the development is to achieve a family of buildings on the plot, whereby common details such as the fenestration and detailed fine metal work for the windows, balconies and down pipes are prevalent across the facades, whilst maintaining distinction between the blocks through different heights and varying contrast of light and dark brickwork. Each facade is its own composition with a defined base middle and top. These distinct vertical elements are dealt with in the Design Statement (Allies and Morrison, October 2020), and summarised below.

The base level is treated as a distinct element from the upper floors. For the residential frontages this is achieved principally through the base level brickwork coursing changing to a vertical bond in contrast the running bond above. For the flexible retail frontages onto 'Neighbourhood Square', the brickwork stops and pilasters between large retail shop fronts are introduced. Further to this, figure 4.5d of the Design Statement (Allies and Morrison, October 2020) provides details of the ground floor elevation and building form. A robust and uniform ground level façade is achieved through the incorporation of plinths between units, pilasters, awning and fascia zones for front signage, corbel zones for side signage, and a cornice detail. Some examples of indicative shopfront types are shown within these building parameters. This is welcome level of architectural detail for the retail frontages.

At upper levels, the building facades across the development blocks utilise variety of complementary bricks with different colours and textures. Figure 4.6f of the Design Statement (Allies and Morrison, October 2020) provides details of the different brick types, including complementary choices of mortar, pre-cast concrete and metal work. This approach is successful in creating a cohesive palette of materials for each block whilst creating a distinction and reinforcing legibility between the different parts of the scheme. This variety is also successful in reducing the overall impression of scale across the development. Internally a light precast concrete skin is proposed across the facades facing into the courtyard. This creates a uniform internal environment for residents, whilst the lighter tone promotes greater natural light refraction.

In detailed design terms, the elevations are approached in an uncomplicated manor derived from the uniform arrangement of fenestration incorporating metal work, reveals and brick detail. The distribution of balconies is considered and not overly concentrated avoiding visual clutter at these upper levels. The overall impression is of a series of well-ordered facades that also incorporate sufficient variety through fenestration, balconies and massing form. Bronze metal pavilions adorn the top of each building, set back from the brick facades with access to terraces. These occur different heights. The pavilions are formed of textured bronze metal posts and beams in filled with a ribbed metal work and glazing. These structures have a lighter quality and contrast in composition with the brick building below.

As such the elevation design treatment for the scheme is considered acceptable. A condition is recommended to secure details of all external materials for approval by the LPA.

Landscaping

Condition 2.1 (g) of the s73 permission 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 for RMA applications to be supported with ecological enhancement, maintenance, and programme for commencing and completing planting.

Pursuant to the above the Plot 14 proposals are accompanied by a Landscape Statement (Andy Sturgeon Design, October 2020), which provides detail of the guiding principles, subsequent design development and final landscaped proposals for the scheme. These are centred on four areas principally which are listed below and dealt with in turn in this section of the report;

- 'Neighbourhood Square';
- The raised podium communal garden in the centre of the plot;
- communal roof terrace;
- tertiary street on the western side of the plot.

With regards to 'Neighbourhood Square', the Landscape Statement (Andy Sturgeon Design, October 2020) states that principle objective is to create a high-quality public space to the north of the plot ensuring successful integration with the wider public realm. Further, the intention is to ensure the space gives priority to pedestrians and cyclists, facilitates emergency vehicle access, provides spill out zones from surrounding retail and restaurants onto the square, establishes local landscape and open space links, and creates a definitive buffer between the street and pedestrian gathering areas. The precise layout of the square has been borne out of these guiding principles but also had regard to opportunities and constraints having regard to expected concentrations of natural light in the square which has influenced the choice of planting species. Page 17 of the Landscape Statement (Andy Sturgeon Design, October 2020) provides a detailed plan of the space. It is principally orientated around a central programmable space where neighbourhood events could take place such as a pop-up market, school events, charity shows or seasonal musical events. This is surrounded by a series of ancillary spaces identified through variations to the seating, paving materials and concentrations of landscaping and tree planting. Crucially, a buffer with High Street is reinforced through a feature stone wall for part of its length, planting of street trees and pockets of landscaping and seating. Two water features are incorporated as well as natural play which utilises the rock formations within the landscaped areas.

In terms of other operational requirements, access for emergency vehicles is facilitated by the provision of a north south controlled route adjacent to western façade of Plot 13. In terms of short stay cycle parking, this is provided on the north west corner with the western tertiary street. As such, the 'Neighbourhood Square' proposals are considered to be conducive to the neighbourhood aspirations in this location and though the extensive landscaping proposed contributes to the overall biodiversity of the scheme.

With regards to the remainder of the landscaped areas across the site, including the tertiary street and proposals within the plot at podium and roof level, the Landscape Statement (Andy Sturgeon Design, October 2020) similarly sets out the rationale in relation to the layout, choice of hard landscaping materials and the choice of plant and tree species proposed. These are well founded and appropriate to the contexts within which they are situated.

The details for the plot as a whole have been reviewed by the Council's Tree Officer and Ecology Officer who have not raised any objections, other than to highlight that 'Neighbourhood Square' will require landscape management in order for the quality to be maintained. This is secured through Condition 27.9 of the S73 Permission which requires a Landscape and Ecology Management Plan (LEMP) to be submitted and approved by the LPA for each phase or sub-phase of the development. In addition, details of planting and tree species, including plot sizing and tree pit details, will be secured through planning condition. As such, based on the details provided and forthcoming additional details secured through planning condition, the landscaping proposals across the plot is considered acceptable.

Flood Risk and Drainage

The submission includes a Drainage Statement in relation Phase 2 (South), Plot 14 and Public Realm (Arup, October 2020). The statement outlines that the outline permission included a Flood Risk Assessment (Volume BXC16) and therefore further flood risk assessments have not been sought to accompany individual RMAs. The drainage statement addresses the requirements for the plot and its environs responding to the s73 planning conditions 44.5, 44.9, 45.2 and paragraph 2.75 of the RDSF. The parameters relating to surface water runoff and discharge rates into statutory water infrastructure is enforced through compliance with the said conditions and these requirements reflect the conclusions of the original FRA for the Brent Cross Cricklewood Regeneration. Officers therefore agree that the submission of a drainage statement and an accompanying Stage 2 drainage report (AKT II, June 2020) addressing these matters is the correct approach for dealing with flood risk and drainage issues.

The proposed drainage strategy outlines that, through a variety of water attenuation methods, including SUDS features, the environment will comply with the s73 compliance conditions that relate to sustainable urban drainage, principally conditions 44.5, 44.9 and 45.2.

In terms of ground levels, Condition 45.2 requires that all finished floor levels (excluding car parks, service yards, customer collection areas, goods handling and ancillary basement activities) shall be set no lower than 300mm above the 1 in 100 year (+climate change) flood level. Page 8 of the Drainage Statement confirms that *"All FFLs are above this level (by minimum 300 mm) which therefore ensures compliance with S73 Permission Condition 45.2."* Therefore, in respect of flood risk, the proposed development is in accordance with the parameters and principles of the S73 Permission.

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 7.3.3 of the Drainage Statement (Arup, October 2020) states that for 'Neighbourhood Square' and the western tertiary street bioretention systems are proposed such as tree pits, planters and rain gardens, as well as slot drains to assist with the collection of water from the hard landscaping. Further it is stated that the features will help improve the water quality of the surface water runoff whilst also providing significant amenity and bio-diversity value to the wider area.

In relation to the plot itself, the Stage 2 Drainage Statement (AKT II, June 2020) confirms the most feasible disposal of surface water option for the site is to connect to the proposed sewers and to provide attenuation features in order to achieve the required discharge rate of 28 litres/sec. For the 1-in100-year (plus 30% climate change) storm event required storage volume will be 206 m³.

The attenuation storage will be provided / accommodated within a combination of blue roofs (permavoid system) on the podium deck which would allow a gravity discharge. This may need to be supplemented by attenuation tanks located inside the building high enough to achieve gravity discharge. The final drainage strategy will be defined at later stage.

Based on the details provided, the drainage strategy is considered to be acceptable. It should be noted that final details of drainage infrastructure are required to be submitted under Condition 1.27 of the outline permission.

5.5 Residential Amenity

This section of the report focusses on standard of housing and the residential amenity for ancillary spaces within the proposed scheme, focussed primarily on the conditions that would be experienced by future residents and also, where appropriate, the impact of the development upon the amenity of the users of surrounding public realm, neighbouring development plots and also existing residential properties in the vicinity of the development.

Communal Space Standards (Internal)

The development provides three main entrances to residential lobbies and cores serving Blocks A, B and C. A main reception space on the north east façade is also incorporated. For Blocks A and C, the maximum number of homes provided on a single floor and accessed by a single lift and stair well core is 14, and for Block B it is 8 homes.

The Mayors Housing SPG (March 2016), Standards 12, advises on the benefits of maintaining a reduced number of residential units per core in developments, not exceeding 8. The rationale is that this can help in creating a sense of community and ownership of communal corridor spaces, whilst physically reducing the distances residents will need to travel in corridors which often lack natural light and outlook owing to design constraints. For Plot 14, it is acknowledged that Blocks A and C would exceed the recommended level. In relation to BTR schemes, the GLA supplementary planning guidance 'Homes for Londoners, Affordable Housing and viability SPG' (GLA, August 2017) states in paragraph 4.33 that;

“When assessing a scheme in relation to design LPAs are encouraged to take into account the value of on-site management and purpose-built design in dealing with some of the challenges that would otherwise arise were it a build for sale scheme. This may therefore allow flexibility on some design standards, such as the number of homes per core per floor, and number of single-aspect homes.”

The above principles are applicable to Plot 14 which provides in excess of the normal onsite amenities for residents. This includes high quality landscaped amenity provisions throughout the development above the minimum standards and amenity provisions beyond the building curtilage in ‘Neighbourhood Square’. Other provisions include a residents swimming pool on the ground floor, residents gyms on the first floor, plus access to the amenity spaces within Plot 13 and vice versa. In addition to this, the corridor widths will need to be designed to Building Regulations Part M4 (2) standards, as secured through planning condition attached to the S73 Permission, that requires communal parts of the approach route to dwellings including corridors to have a minimum clear width of 1200mm or 1050mm where there are localised obstructions. Further accessibility details are outlined under the accessibility part of this report.

As such, having regard to the overall amenity provisions within the scheme and the intended use as a BTR development, the shared circulation provisions are considered acceptable.

Housing Space Standards

Condition 36.10 of the S73 Permission requires all housing to meet the space standards set out in Policy 3.5 and Table 3.3 of the London Plan, (and having regard to any successor policy or guidance). The relevant standards are those contained within the DCLG ‘Technical housing standards – nationally described standard’ and is included below for reference:

Figure 1: DCLG ‘Technical housing standards – nationally described standard’

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

The submitted plans and accommodation schedule demonstrate that all flats proposed meet these minimum standards. Detailed flat layouts are provided on drawing titled 'TYPICAL FLAT LAYOUTS PLANNING (BXS-M3014-PRJ001-A-AAM-DR-07-P400-ZZ)' and for wheelchair units on drawing titled; 'TYPICAL WHEELCHAIR ADAPTABLE FLAT LAYOUTS PLANNING BXS-M3014-PRJ001-A-AAM-DR-07-P402-ZZ'. These provide details of the provision of typical items of furnishings as well as storage that is appropriate to the intended occupancy of these units. These details show compliance with the Mayors Housing SPG which states that, in line with the Nationally prescribed space standard highlighted above, schemes should provide dimensions for key parts of the home, notably bedrooms and storage to demonstrate that the homes are capable of providing these basic amenities.

A further assessment of quality of outlook and natural light for the development, including the individual dwellings, is set out below under the 'Daylight and Sunlight' section.

External Amenity

Section A2.6.4 of the RDAS sets out that the strategy for the provision of private amenity space for residential development in the BXC. This is to provide a variety of private amenity space typologies in the form of balconies, terraces, communal courtyards and private gardens. The relevant RDAS standards are set out in the table below for reference:

Table 10: Section A2.6.4 of the RDSF, S73 external amenity space standards

Unit Type	Minimum private amenity space per dwelling (m ²)	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*
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

*30% of units required to have a minimum 3sqm balcony or terrace

In line with the RDAS guidelines, the development provides a mixture of both private and communal amenity space. The communal spaces are principally within the central podium level gardens which incorporates a variety of landscaped and sitting areas with elements of natural play. Two wheelchair units provided at this level within Block A also benefit from private gardens around the periphery of the podium space. On upper floors, the private amenity space requirements are provided through projecting balconies for many of the flats. A communal landscaped roof area is also provided.

In terms of the quantum of external amenity space, Section 5.3 of the Design Statement (Allies and Morrison, October 2020) provides a schedule of how this is provided, firstly in terms of the private amenity provisions for an individual unit, and then the residual communal amenity space requirements. This is copied below for information.

Figure 2 Section 5.3 of the Design Statement (Allies and Morrison, October 2020)

PLOT 14 PRIVATE AMENITY SPACE (PAS)				
Unit Types	No. of units	Units with PAS which comply with minimum requirement	Units with no PAS as set out in RDAS	Required communal amenity space provision
STUDIOS	53	0	53	265 sqm
1 BED	113	44	69	345 sqm
2 BED	87	78	9	45 sqm
3 BED	28	27	1	8 sqm
TOTAL	281	144	137	663 sqm

The above table illustrates that over half of the homes are provided a private balcony or terrace. Of the total 253 1 bed homes (including studios) and 2 bed homes, 122 are provided with a private balcony, equal to 48% of the 1 bed and 2 bed homes which significantly exceeds the 30% minimum. Moreover the balconies provided in all cases are no less than 5sqm. There is a single 3 bedroom dwelling that would not have its own private amenity which the Design Statement states is due to the choice to provide no balconies at first floor level facing 'Neighbourhood Square' to enhance the pedestrian experience. The residual communal amenity space requirements are for 663sqm.

Section 5.4 of the Design statement (Allies and Morrison, October 2020) outlines that in order to meet the residual communal amenity space requirements of 663sqm, the scheme provides in excess of this at 1,310sqm of shared outdoor amenity space. This is provided through the communal roof terrace and Courtyard Gardens, which provide 240sqm of doorstep informal play for children (further discussed below). A surplus of 417sqm of outdoor amenity space above requirements is therefore provided.

Play Strategy

Section A2.6.3 of the RDAS sets out the broad play space strategy for the BXC. A hierarchal approach is set out. This is of comprised of: 'Doorstep Play' to be provided within communal courtyards and the public realm within 125m walking distance of the front door; 'Neighbourhood Play Space' including play equipment, sports facilities and social spaces within 400m walking distance, and 'Community Play Space' characterised as a destination play space for both formal and informal play including equipment and sports facilities.

For plot developments, condition 46.6 is of particular relevance which requires residential development to provide on-site under 5 play space in accordance with the

GLA SPG 'Shaping Neighbouring hoods: Play and Informal Recreation' (September 2012). In addition, Section A2.6.3 of the RDAS states that where 'Doorstep Play' is required, it needs to be at least 180sqm. A summary of the estimated child yield for Plot 14 and associated play space requirements for all age groups including under 5 years old using GLA's Play Space Calculator (as updated 23 October 2019) is summarised below. The GLA's benchmark standard is a minimum of 10sqm of dedicated play space per child.

Table 11: Playspace requirements for Plot 14 based on the GLA's Play Space Calculator (as updated 23 October 2019)

	Building 12N	
Age group	no. children	Playspace requirement (m2)
under 5	24	240
5 to 11	16	160
12 +	4	40
16 and 17	2	20
Total	45	460

Based on the GLA calculator, the development needs to provide 'Doorstep Play' provisions for a minimum of 24 children under the age of 5, equal to a provision of 240sqm. Page 74 of the Landscape Planning Report (Andy Sturgeon Design, October 2020) illustrates how the 240sqm provision is laid out. Whilst a specific area is identified, the provision is across a mixture of natural play features and lawn spaces both within this zone and spread more widely.

In terms of the wider provision in line with the open space hierarchy, other parks in the regeneration area in close proximity to Plot 14, namely Claremont Park and Clitterhouse Playing Fields, provide Neighbourhood and Community play space to accommodate for the needs of older age groups.

Daylight and Sunlight Assessment

Assessment Criteria

Page 48-49 of the RDSF requires buildings to be designed to meet best practice standards, that is 'Site Layout Planning for Daylight and Sunlight, a guide to good practice' (Second Edition, BRE).

The application is accompanied by a Daylight, Sunlight and Overshadowing Assessment prepared by appointed consultants GIA. In undertaking the assessment, the report has made baseline assumptions around the built environment surrounding Plot 14, namely using the consented built form for Plot 13 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.

The BRE also provides guidance on measuring sunlight 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 to reach a view overall as to whether a satisfactory natural lighting environment is being provided.

- Average Daylight Factor (ADF) - Is the amount of daylight received inside a habitable room and is the principle indicator of daylight. The BRE provides minimum ADF values for specific rooms in dwellings which is; 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. In assessing the combined living / kitchen / dining (LKD) spaces within the development, whilst there is an aspiration to achieve 2% (as per kitchen), given these rooms are inherently larger than either a standalone kitchens or living space, 1.5% ADF is considered an appropriate minimum target value for these spaces.
- 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.
- No Sky Line (NSC) – is the percentage of floorspace within a habitable room where, at a working plane height of 0.85m, there would be no view of the sky. The BRE guide recommends that this area should not exceed 20% of the floor area.
- 'Annual Probable Sunlight Hours (APSH) – is the form of measurement for the calculating amount of sunlight reaching an individual dwelling. It is only applicable to homes that contain windows within 90 degrees of due south as these are likely to receive sunlight. For those dwellings, the BRE advises they will receive reasonable levels if the centre of the main living room can receive at least 25% APSH, including at least 5% APSH in winter months between 21 September and 21 March.
- 'Annual Probable Sunlight Hours (APSH) – is the form of measurement for calculating the amount of sunlight within external amenity areas. The BRE advises in paragraph 3.3.17 that for areas to appear to be adequately sunlit throughout the year, at least half of the area should receive at least two hours of sunlight on 21 March.

Plot 14 Assessment (Daylight/Sunlight/Overshadowing)

The full results of daylight and sunlight modelling are set out within the appendices to the Daylight and Sunlight Report (GIA, October 2020). The conclusions drawn from these models are set out in Section 5 of the GIA report, specifically Chapter 5.1 in relation to daylight/sunlight for individual dwellings in Plot 14, Chapter 5.2 in relation to

APSH for external amenity areas, and Chapter 5.3 in relation to impacts upon daylight and sunlight levels to the neighbouring approved Plot 13 development. These are addressed in turn

In relation to daylight for individual dwellings, the main conclusion drawn from the report is that overall, 73% of habitable rooms would meet ADF minimum requirements. Other indices relating to daylight covering NSL and RDC are also set out however ADF is considered to be the most important of these values. Figure 4 of the GIA report on page 12 plots the RMA scheme in terms of its average ADF compliance against other consented developments at Brent Cross to date, and other large regeneration schemes in London. This indicates a broad alignment with other schemes at Brent Cross and others regeneration schemes across London. It is also recognised as set out in Chapter 5.1 of the GIA report that in light of the Plot 14 mix being more heavily weighted to smaller units given the BTR mix, there is a higher prevalence of LKD windows in comparison to bedroom windows, the former having a higher expectation in terms of ADF therefore making the attainment of a higher average level of compliance more challenging.

Focussing on the LKD's, Chapter 5.1 of the GIA report states 72% of these would meet or exceed 2% ADF (minimum recommended for kitchens) therefore receiving good levels of daylight. It is further set out that 15 of the 30 LKD's falling short of the 2% ADF recommendation still achieved the 1.5% ADF which is the minimum suggested for living rooms. The GIA report states that such results are typical of contemporary living, where open plan layouts are preferred with kitchens located to the rear of the room, where they inevitably receive less natural light. As mentioned above, Officers consider that given the living room nature of these LKD spaces principally, it is reasonable therefore for the minimum ADF requirements relating to living rooms of 1.5% to be applicable, and in doing so would mean that 86% of LKD's perform well in terms of daylight ingress.

In terms of APSH, the supplementary information provided by GIA (17 February 2020) confirmed that a total of 178 living rooms and LKD's would have an orientation within 90 degrees of due south and therefore have an expectation for some levels of sunlight. This accounts for 63% of the living spaces across the scheme which is positive given the challenges associated with perimeter style developments. The supplementary information provided by GIA (17 February 2020) outlines that overall, 71.3% would have compliant APSH levels. This is increased to 82.1% for LKD's. For homes where the compliant APSH levels are not achieved, it should be noted that these properties have access to extensive external amenity spaces across the scheme which receive good levels of sunlight. In addition, for those homes falling short of APSH levels with balconies, the GIA report points out that the balconies act as a shading device, intercepting high-angle summer sunlight and letting sunlight penetrate within the rooms in winter, when solar gains are more appreciated. Moreover, in the summer months the intercepted sunlight will be transferred onto the balconies and residents will be able to enjoy direct sunlight on their balconies.

In terms of APSH levels afforded to external amenity spaces, the overshadowing test shows that 99% of the roof terrace area would receive at least two hours of sunlight on 21st March, far exceeding the 50% minimum as recommended by the BRE. For the raised podium courtyard, this level is reduced to 37%. As set out in the report, the

assessment revealed that approximately 1 month later (20th April) the 50% minimum would be achieved. Moreover, it should be noted that overall, 53% of the combined communal external amenity areas would receive direct sunlight for two hours or more on the equinox, therefore exceeding the suggested 50% threshold.

In terms of assessing these results together for natural light, focussing primarily on those units with living rooms or L/K/D's with ADF deficiencies, the GIA report sets out that additional compensating factors have been incorporated for these units comprising; maximising window area, placing bedrooms in areas receiving less light, incorporating light veneer to internal floors and optimising the layout to have the living area closer to the window, and dividing the kitchen area from the living room. It is also acknowledged that in some instances the positioning of balconies has a negative impact on natural light levels, but as discussed above brings other benefits. As such, having regard to all of these characteristics together, it is considered the natural lighting environment for residents is acceptable.

Daylight/sunlight Assessment - Neighbouring Plots

Section 5.3 of the GIA report evaluates the Plot 14 proposals in relation to the extant RMA scheme for Plot 13 and the rest of the masterplan, principally Plot 15 to the west. Firstly, in relation to Plot 13, the GIA reports that the ADF compliance for Plot 13 would be reduced from 79% to 75%, a total of 45 rooms. This is regrettable however it is also appreciated that the nature of the phased delivery of the masterplan plots is that deficiencies upon extant plots are likely to be incurred as new plots are brought forward. In addition a 75% compliance rate is still comparable to the Brent Cross plots approved to date. In relation to APSH, similarly some minor reductions are caused however these are marginal and do not undermine the overall amenity for the Plot which would still attain 83.6% total compliance for those windows with a southerly orientation.

Secondly, in relation to Plot 15, an assessment of VSC in relation to the entire façade was undertaken. Given the absence of an extant scheme in this location that could provide fixed details of windows, an ADF assessment has not been chosen. The VSC assessment indicates that values range from approximately 10% on the lowest floors to in excess of 27% on the upper floors. The GIA report states that such levels of daylight potential are typical for any urban environment and in line with those seen in other areas of the master plan.

Wind Assessment

Condition 34.1 requires any RMA that includes a building of more than 4 storeys in height which abuts any principal open space or public realm or any pedestrian route to be accompanied by a wind tunnel or other assessment which demonstrates that appropriate levels of amenity, as set out in the Lawson Criteria for Distress and Comfort, which are summarised in Table 7 of the DSF, can be met.

Condition 34.5 requires all RMAs to demonstrate that mitigation measures (such as recessing of entrances, entrance screens, softening sharp building corners, canopies above entrances, localised shelter to create pockets for outdoor sitting) have been

considered in order to alleviate adverse wind conditions in accordance with the mitigation proposed in the ES of the S73 Permission.

Pursuant to this, the application is accompanied by a Pedestrian Wind Comfort assessment for Plot 14 proposals, dated November 2020 prepared by AKTII. The conclusions of this assessment confirm trends of acceptable pedestrian wind comfort across the external environs of the scheme, including the central podium garden, communal roof terrace, individual balconies and 'Neighbourhood Square', with some minor exceptions recorded on the communal roof terrace in winter months. In relation to this minor departure, this is experienced at the northern and eastern corners and can be reasonably mitigated through balustrades in these locations.

In Environmental Impact terms, where these minor exceptions are recorded, which would fall under the 'Microclimate' topic of the original ES, based on the findings of the submitted wind comfort analysis these would be unlikely to result in any new or different significant effects related to wind from those reported in the original ES. As such the proposals are acceptable with respect to wind comfort.

Noise Assessment – Plot 14 proposals

Condition 29.1 requires, prior or coincident with Reserved Matters Applications submissions, an Acoustic Design Report that describes the design features that have been used to achieve good internal noise standards with reference to BS8233 as also referred to in Paragraph 2.82 of the RDSF. The report is required to demonstrate that a hierarchy of noise mitigation measures has been considered so that the use of noise insulation, whilst necessary in some areas, is minimised.

An Acoustic Design Report ('ADR') pursuant to Condition 29.1 in relation to Plot 14 has been submitted and approved (LPA ref: 20/5529/CON). Based on an assessment of the external traffic noise and sound insulation performance of the building façade, the report confirmed the predicted noise levels within the proposed development are acceptable and that good internal noise standards with reference to BS8233 can be achieved for all proposed units through the adoption of acoustically rated glazing and either high performance acoustic passive ventilation or mechanical ventilation. The Council's Environmental Health Officer has reviewed the submitted documentation and raised no objections in relation to above assessment based on traffic borne noise sources.

Concerns have been raised by Environmental Health Officers in relation to the ability of the residential units to be adequately protected against airborne and structure borne noise arising from the licenced premisses (flexible retail units) on the ground floor and the residents gym, and the need for a noise report to be submitted to the LPA following the fit out of the gym, in particular to demonstrate that that noise levels in the nearest noise sensitive premises would be below WHO community noise BS8233 standards.

In response to this concern, it is highlighted that Condition 29.8 of the s73 permission requires a scheme of detailed noise mitigation measures to be submitted to the LPA for approval prior to above ground works commencing, demonstrating compliance with the relevant internal noise standards set out within paragraphs 2.82 – 2.85 of the RDSF and Condition 29.4 which links to the above mentioned noise standard, BS8233:1999.

Pursuant to this, Section 4.5 of the ADR (Sandy Brown, October 2020) provides some consideration of the likely strategies to be adopted to safeguard the amenities of residents from the transmission of airborne and structure borne sound. This includes the installation of sound insulation for non-residential uses that adjoin residential uses that exceeds the minimum required for compliance with Approved Document E of The Building Regulations (ADE2003). Table 5 of the ADR (Sandy Brown, October 2020) provides some indicative specifications for typical floor build up to insulate residential uses between the retail, restaurants, swimming pool, resident's gym and commercial gyms.

It is noted that these observations are illustrative at this stage given it is not a requirement of the RMA nor of condition 29.1 to provide such details at this stage. Notwithstanding this, given the mixed use nature of this plot, early consideration of these matters is welcome in order to ensure that the structural elements of the scheme are sufficient to avoid the adverse transmission of sound, and as clarified on page 9 of the ADR (Sandy Brown, October 2020), specific noise mitigation designs will be developed and details submitted for approval in line with Planning Condition 29.8

In relation to noise generated from the mechanical plant to meet the demands for comfort cooling and heating and plant extraction for the licenced premises, residents gym and swimming pool, the submitted Retail/amenity Ventilation and Extraction Statement (Sweco, October 2020) provides calculations of the likely demands arising from the mixed uses in the building. Indicative details of the types of rooftop plant and extraction routing through the building to facilitate the M & E equipment are provided. Early consideration of these matters is welcome and it is noted that Condition 29.5 of the s73 permission sets the maximum noise levels for plant operation.

Air Quality

The outline permission is subject to pre commencement conditions that aim to secure an acceptable air quality environment during the construction phase and for the lifetime of the development. Condition 30.6 requires that no less than 3 months prior to the commencement of construction works south of the A406, details of the type and location of equipment to monitor the levels of nitrogen oxides (NOx) and particulate matter (PM10) need to be agreed with the Councils Scientific Services. This has taken place and the necessary monitoring stations are in place. Further, Condition 30.1 requires a scheme for pollutant and dust management to be submitted to the LPA prior to the commencement of works within a sub-phase identifying the arrangements for monitoring dust and pollutants over the construction period in relation to the nearest sensitive premises. These obligations are required to be fulfilled for the duration of construction works for the regeneration and so is a long-term objective. In addition, these activities are required to be in accordance with the approved Code of Construction Practice (COCP) (LPA ref:18/2380/CON).

Further to assessing air quality for the Plot 14 proposals specifically, 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. This will include details of any flues and odour filtration systems for the A3 units to ensure that odour can be adequately controlled.

Construction Management

In terms of construction management, the COCP stipulates requirements for further strategies to safeguard the amenity of the local environment and of nearby residents during the construction period. These are principally: the Construction Environmental Management Plan (CEMP) requirements under condition 8.3 and 28.1, detailed construction traffic management (DCTMP) requirements under Condition 12.1b and noise and vibration monitoring requirements under Condition 29.2. It should be noted that the DCTMP requirements relate primarily to ensuring construction activities do not negatively affect the continued flow of vehicles on the local and strategic highway network. Details of these strategies will be submitted in due course and will be required to be discharged prior to the commencement of works.

5.6 Transport and Highways

This RMA application is supported by a series of interrelated Transport strategies. These are submitted under separate Condition discharges and are required to be submitted to the LPA prior to the registration of the relevant RMA they support. They provide the relevant transport principles and detail which the respective RMA is required to be aligned with. These strategies are as follows;

- Phase 2 (South) (Excluding Thameslink sub-phase) Transport Matrix pursuant to Condition 37.1 (LPA ref: 20/2951/CON – approved 23 October 2020;
- Phase 2 (South) (Excluding Thameslink sub-phase) Phase Transport Report (PTR) pursuant to Condition 37.2 (LPA ref: 20/4811/CON) – approved 11 February 2021;
- Plot 14 Reserved matters Transport report (RMTR) pursuant to condition 37.5 (LPA ref: 20/5529/CON) – pending determination;
- Car Parking Standards and Standards and Strategy (PCPSS) pursuant to condition 1.22 (LPA re: 20/4806/CON) – pending determination;
- Servicing and Delivery Strategy (SDS) pursuant to condition 1.22 (LPA ref: 20/4807/CON) – approved 16 November 2020;
- Pedestrian and Cycle Strategy (PCS) pursuant to condition 2.1(a) (LPA ref: 20/4805/CON) – pending determination.

Accordingly, the Plot 14 RMA submission has been prepared in line with the conclusions and proposals set out within these strategies, and whilst the RMA secures the relevant physical transport infrastructure such as; the layout and design of streets and public realm; and basement and on street parking bays, the transport operations are required to align principally with the wider strategy documents. This section of the report evaluates the relevant transport elements for the Plot 14 RMA proposals, drawing on the detail contained within the relevant pre-RMA strategies where necessary.

Car and Cycle Parking

Details of the parking proposals for Plot 14 are contained within the Plot 14 RMTR and the PCPSS. The latter provides the overarching strategy for cycle and car parking within the Phase 2 (South) (Plots) sub phase, as well as the sub-phases of Phase 2

(South) (School), Phase 2 (South) (Station Approach). Of relevance to this RMA are the conclusions in relation to Phase 2 (South) (Plots) and Plot 14 in particular.

In terms of on street visitors parking, the PCPSS indicates that 8 visitors bays and two blue badge bays will be provided on the proposed western tertiary street, forming part of an on-street visitors parking strategy across the wider Phase 2 (South) area as indicated in Table 4:3 of the PCPSS. The provision of visitors parking and blue badge bays aligns with the expected provisions outlined in (Paragraph 6.3.1 Brent Cross Redevelopment Site) of S73 Transport Assessment which states the following:

“Some limited on-street parking provision will be made available on the access roads to the office and residential developments. Primarily this will be used for setting down/picking up and loading/unloading. It may also be desirable to allow some short stay parking or waiting areas in the vicinity of appropriate land uses such as neighbourhood retail outlets. In addition some on-street parking may need to be allocated for specific purposes such as blue badge holders and resident visitor parking. This will need to be identified in marked bays and controlled by the issue of permits to the intended users.”

Residents parking for Plot 14 RMA is provided at basement level only. A total of 56 spaces are provided which equates to a ratio of 0.2 spaces per home. Of these 56 spaces 9 are provided as wheelchair accessible spaces from the outset of the development, equal to 3% of the total number of dwellings in the Plot 14 (281 homes). This is in accordance with Policy T6:1 (Residential Parking) of the Publication London Plan (December, 2020). The submitted drawing entitled ‘Combined Basement GA, Option 5.2, P14 Parking 10% disabled Spaces’ included in Appendix D of the Plot 14 RMTR, illustrates how the wheelchair parking provision could increase to a total of 29 spaces, equal to 10% of all dwellings in the scheme, aligning with the minimum provision of 10% Wheelchair adaptable homes for plot development in accordance with Condition 36.6 of the s73 permission.

In terms of electric changing facilities, the Plot 14 RMTR sets out that a total of 20% of car parking spaces will be provided with an electric charging facility with the infrastructure included to provide for a further 20% to be connected. These details are subject to detailed approved under Condition 39.7 of the outline permission, and as such the final provision will be secured through the approval of the condition.

The provision of 56 spaces for Plot 14 is enabled through a combined basement strategy linking with Plots 12 and 13, also serving Plot 15. The planning procedure for securing this shared basement is through the current RMA proposals for Plots 14 and Plot 15, and through the currently registered non-material amendment applications to Plot 12 and Plot 13 in order to allow the extension of the consented shared basement beneath Plots 12 and 13.

The plan overleaf forms part of the NMA proposals for Plot 12 and Plot 13 and shows illustratively how the parking spaces within the shared basement are intended to be distributed between the different development Plots. It should be noted that this plan is shown for information purposes and members are asked to consider the proposals that fall within the Plot 14 application curtilage only, whilst having regard in particular to the additional spaces for Plot 14 provided beneath adjacent Plot 13 facilitated

through non material application (LPA ref:20/5693/NMA). Further it should be noted that the operational details of parking are to be secured through the PCPSS for the sub phase and RMTR for Plot 14, as well as the NMA proposals for Plots 12 and 13, rather than through the Plot 14 RMA proposals themselves.

In considering the parking ratio of 0.2 for Plot 14, as an overarching principle for the Brent Cross Regeneration, the Section 73 permission proposed that residential car parking provision within the BXC would be staggered, with the higher maximum ratios of 1:1 provided for the earliest plots, reducing in subsequent phases when the rail station, bus station and improved walking and cycling routes are in place. The approved Transport Matrix for Phase 2 (South) (Excluding Thameslink Station sub-phase) (LPA ref:20/2951/CON) sets out that due to the delivery of Thameslink Station considerably earlier than originally proposed in the Section 73 Permission, revisions to the transport mode splits have been incorporated to reflect a higher proportion of trips using public transport and less car reliability than originally assumed for these early phases.

Further to public transport accessibility, the Plot 14 RMTR outlines the different committed public transport improvements including the Brent Cross Bus Station and earlier delivery of the train station, and the effect this is expected to have upon public transport accessibility level (PTAL) for the Phase 2 (South) area. The analysis of the WebCat data sourced from TFL provides a comparison of current PTAL levels in relation to forecasted years of 2021 and 2031, showing a 3% increase in bus frequency across all services, plus an additional 16 trains per hour on the Northern Line in the AM peak at Brent Cross LUL Station by 2031. The WebCat PTAL forecasting does not include developer funded schemes such as those related to BXC unless they have already been implemented and as such the Plot 14 RMTR anticipates the Phase 2 (South) site will have an increased future PTAL of between 4/5.

From a policy standpoint, the reduced ratio would align with the most up to date objectives within the Mayors Transport Strategy, the London Plan (Publication London Plan December 2020), and Healthy Streets guidance. In addition it should be noted that the Barnet's draft Regulation 18 Local Plan provides for residential parking ratios of up to 0.5 for PTAL 4 areas and car free to 0.5 for PTAL 5 areas. The upper level PTAL's are anticipated for the regeneration area and therefore the proposals align with Barnet's emerging policy on residential parking.

Further to promoting non-car modes of travel, in terms of cycle parking, the Plot 14 RMTR (Table 4.4) outlines that the scheme will provide both long stay secure parking and short stay visitors parking for the residential and non-residential elements of the scheme in accordance with the London Plan standards (Publication London Plan, December 2020). The location of secure cycle parking for the residential and non-residential uses are shown on drawing titled 'Plot 14 Cycle Parking' provided in Appendix C of the Plot 14 RMTR. Details of secure cycle parking for Plot 14 will be secured through Condition 38.6 of the S73 Permission which states that: "Prior to the beginning of any Plot Development within any Phase or Sub Phase details of a scheme for the provision of facilities for the secure storage of cycles for that Plot shall be submitted to and approved by the LPA.

In terms of wider pedestrian and cycle infrastructure, the early phases of the regeneration pay particular attention to facilitating pleasant and convenient journeys both on foot or by bicycle. This is through the delivery of a well-considered and accessible public realm and extensive bicycle infrastructure by way of segregated and integrated cycle lanes where appropriate, and improvements to facilitate routes outside of the regeneration area as outlined within the Area Wide Walking and Cycling

Strategy (AWWCS). Additional crossings across the A41 are also being explored to improve the wider connectivity. The AWWCS improvements are summarised in the below table.

Table 12 – proposed pedestrian and cycle improvements as identified within the Area Wide Walking and Cycling Strategy:

Location	Proposals
Purbeck Drive leading to Clitterhouse Playing Fields	To install pedestrian and cycle directional signage including cycle warning signage
Purbeck Drive between Clitterhouse Playing Fields and Pennine Drive	To install CCTV at the entrance of the playing fields, to install dropped kerbs and tactile paving at the Purbeck Drive and Gotsworld Gardens approaches to the junction and to provide cycle symbol road markings and re-lining
Cheviot Gardens between Pennine Drive and Cheviot Gardens	To install cycle symbol road markings and cycle warning signage
Cheviot Gardens between Purbeck Drive and Mendip Drive	To install cycle directional signage and relining
The Vale	To install cycle directional signage, cycle warning signage, re-aligning and advanced stop lines and feeder lanes on the Vale approaches to junctions

In terms of wider cycle parking provisions, the Plot 14 RMTR refers to the intended provision of cycle hire services. There are no details provided at this stage regarding the specific nature of cycle hire services although it is noted that the establishment of a site wide Cycle Hire Club prior to the occupation of 200 dwellings in the development is a requirement of Condition 39.1 of the s73 permission. The definition of Cycle Hire Club in the s73 permission is:

“Cycle Hire Club” means the organisation to be procured or established by the developer(s) of the Northern Development and / or Southern Development jointly and severally in accordance with Paragraph 15 of Schedule 3 and Condition 39.1 of this Permission and Schedule 3 to the S106 Agreement to provide, operate and manage the hire of cycles across the Development;”

The Section 106 obligations in relation to the Cycle Hire Club under Schedule 3, Section 15 (Green Travel Measures) further sets out that the detailed operational funding mechanisms concerning the Cycle Hire Club, as well as their location and management, shall be consistent with the relevant Phase Transport Reports. In this instance neither the approved Phase Transport Report for Phase 2 (South) (Excluding Thameslink Station sub-phase) (LPA ref: 20/4811/CON) or the Plot 14 RMTR provide details in relation to the Cycle Hire Club other than reporting on the absence of such facilities in the borough as a whole. The PCCSS in relation to Phase 2 (South) similarly does not provide any specific details other than to say that the provision of cycle hire

facilities forms part of the proposed transport improvements for the BXS development. Notwithstanding this, for the avoidance of doubt the Section 106 obligations and Condition 39.1 requirements relating to Cycle Hire Club remain applicable.

In terms of car ownership, as set out with the PCPSS which covers Phase 2 (South) (Plots), the 2011 census for car ownership in Barnet (more specifically the area covered by BXS) demonstrated that for the residential typologies envisaged as part of the regeneration within the BXS area and its environs, namely flats, maisonettes and apartments as defined in the census data (LC4415EW), the expectation was for a ratio of between 0.45 and 0.54 vehicles per household. Whilst this is greater than the average ratio proposed, the PCPSS for Phase 2 (South) goes on to provide a commentary of part of the evidence base supporting the London Plan (Publication Version, December 2020) which outlines the downward trend in car ownership across London, particularly in contexts that are more densely developed and with good PTAL levels such as proposed with the BXC redevelopment.

In terms of mitigating any impact associated with 'overspill' parking, as part of the wider BXC development, and as outlined in the approved site-wide Car Parking Management Strategy (LPA ref: 14/08109/CON), the Council will consider the implementation of Controlled Parking Zones (CPZs) funded in part by BXC in the wider area. Restrictions on existing residents parking will safeguard existing spaces for residents in the area, whilst also discouraging those who do not have access to one of the BXS car parking spaces to own a car.

Lastly, further to discouraging car ownership, as is required through Condition 39.2 of the s73 permission, no more than 200 residential units shall be occupied before a site-wide car club is established and the PCPSS for Phase 2 (South) acknowledges this requirement with future provision planned as the plots come forward. Similarly, to the Cycle Hire Club requirements, Schedule 3, Section 15 (Green Travel Measures) of the Section 106 Agreement outlines requirements in relation to the provision of a site wide car sharing club which shall remain applicable.

Transport Considerations

The RMA proposes a tertiary street to the west of the plot. The detailed designs present a street that is residential in terms of its scale and character, although it is intended to allow two-way car movements between High street and Claremont Park Road. Parameter Plan 002 (Transport Infrastructure) identifies this road as a 'No through minor street'. Further, Parameter Plan 003 (Public Realm & Urban Structure) identifies this road as a 'Tertiary Pedestrian and Cycle network' location. The proposals are therefore contrary to Parameter Plan 002 (Transport Infrastructure) and potentially undermine the objectives of Parameter Plan 003 (Public Realm & Urban Structure) given the vehicle presence on this road. The Plot 14 RMTR evaluates the impact of this change in transport terms upon the local and wider network stating the following;

"Whilst it is acknowledged that the tertiary street was identified as a no-through route on the Transport Infrastructure Parameter Plan 002 due to its location within the Masterplan's highway network, it is not envisaged that the street will provide a convenient alternative to the available primary roads, nor induce rat running. As such, it is estimated that only servicing vehicles and residents will be using the road... It is

also noted that the Plot 15 western tertiary street was anticipated as a through route in the s73 but is not coming forward as such, aside from servicing activity thus the overall impact of the revision is considered negligible.”

As set out above, the two-way traffic movements are acceptable from a transport perspective. This should not however prejudice its ability to fulfil the ‘Tertiary Pedestrian and Cycle network’ designation pursuant to Parameter Plan 003 (Public Realm & Urban Structure). The Landscape design report (Andy Sturgeon, November 2020), states that it has been designed as a comfortable and safe green street with minimal traffic, cycle stands, street tree planting and an attractive seasonal planting palette of shrubs and perennials. Minimum footpath widths of 2m are proposed where loading and parking bays are located, increasing up to 5.6m in width outside of these vehicle bay points.

Further to cycle movements on this street, the Plot 14 RMTR states that cyclists are expected to use the carriageway, given the low volume of traffic expected to use these streets. In addition, referring to the submitted Pedestrian and cycle Strategy (PCS) for Phase 2 (South) currently registered (LPA ref:20/4805/CON), this route is not intended as a principle north south route for bicycles. Segregated lanes on High Street (South) and a dedicated route on Claremont Avenue to the east fulfil this function. As such, this potential conflict with parameters has been considered through the different submission documents covering Phase 2 (South) and crucially the provision of pedestrian and cycle routes has been accounted for.

Residential Refuse Collections

In relation to residential refuse collections, drawing titled ‘Plot 14 Waste Operations’ included in Appendix C of the Plot 14 RMTR shows the location of the residential refuse store at the south west corner of plot facing onto the western tertiary street, and the adjacent 23m long dedicated servicing bay. The size of the store and approximate number of bins has been prepared in accordance with the London Borough of Barnet guidance, ‘Information for developers and architects – Provision of Household Recycling and Waste Service’. The Plot 14 RMTR, Appendix B (Highways Plans & Swept Path Analysis) provides details of the expected servicing vehicle movements based on a London Borough of Barnet Waste Vehicle with an overall length of 9.190m, showing an ability for these vehicles to access and undertake the proposed collections at the designated locations. The details have been reviewed by the Councils Highways and Transport consultee and no issues were raised with the operations. It is noted that final details relating to the refuse store provisions are required to be submitted to the LPA for approval prior to the commencement of the development pursuant to Condition 40.1 of the s73 permission.

Servicing and Delivery Management Strategy

The servicing and delivery requirements for the S73 Permission, covering all servicing matters save for residential refuse collections, are outlined at a site wide level under the Framework Servicing Delivery Strategy (FSDS), approved under condition 1.21. Beneath this, it is a pre-RMA requirement pursuant to condition 1.22 for a Servicing and Delivery Strategy (SDS) to be submitted prior to the submission of any RMA under

a particular phase. This has been provided as referenced at the beginning of this section of the report (5.6 Transport and Highways).

The SDS provides details of the estimated demand for all types of servicing that would be typically associated with a mixed development of this nature. The nature of delivery and servicing demand for both the residential and flexible retail uses is outlined in paragraph 4.14 of the SDS, falling into the following broad categories;

- *“Post and parcel deliveries;*
- *Food delivery (Deliveroo, etc.);*
- *Equipment and furniture deliveries (including home removals);*
- *Residential grocery deliveries;*
- *Service/maintenance engineer visits;*
- *Food and beverage supplies for commercial units (e.g. beverages, ambient, chilled and frozen food products, general goods); and*
- *Building services.”*

As set out within paragraph 4.4 of the SDS, Servicing and delivery trip rates have been determined using the TRICS database for both uses. Based on this methodology, the servicing and delivery trip generation for Plot 14 is set out in table 4 .3 ‘Estimated Daily Servicing and Delivery Trips’, amounting to 17 trips associated with the residential use and 16 associated with the retail uses. The servicing strategy for the Plot and wider Phase 2 (South) sub-phase has been prepared based on these assumptions, whilst also accounting for additional trips above these expected levels as clarified in paragraph 4.8 of the SDS.

The SDS provides an overview of the location of vehicular routing and dedicated bays within the proposed local highway network to accommodate these activities. Detailed drawings of the servicing bays are provided within Appendix C (Plot 14 Plans) of the RMTR, showing both retail and residential oriented servicing bays on the proposed western tertiary street, the consented tertiary street between Plot 13 and 14 and on the High street. The Plot 14 RMTR, Appendix B (Highways Plans & Swept Path Analysis) provides details of the expected servicing vehicle movements on the proposed western tertiary street, based on the different vehicle types including a 10m rigid HGV lorry and 8m box van, showing an ability for these vehicles to access and undertake the proposed operations at the designated locations. The details have been reviewed by the Councils Highways and Transport consultee and accordingly the SDS was approved 16 November 2020.

Pedestrian and Cycle Strategy

Pursuant to Condition 2.8(a) a Pedestrian and Cycle Strategy (‘PCS’) has been submitted for Phase 2 (South) which also covers the tertiary route to the west of Plot 14. This outlines the principle pedestrian and cycle requirements for the phase, to connect with site wide and wider reaching cycle networking outlined in the Area Wide Access and Cycle Strategy (AWACS). Pursuant to this, the proposed tertiary street provides pedestrian and cycle circulation on this side of the site, which as set out above under ‘Transport Considerations’ section of this report, is considered to be acceptable. The wider road and cycle lane infrastructure for Phase 2 (South) is outlined within the

Highways and Public Realm application subject to a separate current application (LPA ref: 20/5534/RMA). The details in relation to Plot 14 are therefore deemed acceptable.

Individual Travel Plan

The Individual Travel plan ('ITP') (Steer, November 2020) is a framework document for Plot 14 and will be populated with survey information once the site is occupied. The aim of the ITP is to minimise car use particularly for journeys that can reasonably be undertaken by sustainable methods of transport, and promote walking, cycling and public transport use.

The ITP will have objectives and targets which will need to be met. The first targets for the site will be set using the S73 permission modal splits for the different uses on site. Given the infrastructure improvements within BXC that will support walking, cycling and public transport use, it is expected that the Plot 14 targets will be exceeded, with lower car-based trips and higher sustainable mode trips.

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

5.7 Other Material Considerations

Estate Management

The Section 73 scheme is subject to an estate management framework condition (7.1) that will be required to be approved by the LPA well in advance of the streets and areas of public realm to be managed by the Developers Estate Management Company (BXS LP) coming into use. The condition sets out that the estate management details:

"...may include the establishment of an Estate Management Body for adopting managing cleansing maintaining repairing and/or renewing such areas of Public Realm and other parts of the Critical Infrastructure within the Development (as may be appropriate in respect of the relevant Phase or Sub-Phase)..."

With regards to "Neighbourhood Square", based on the details provided with this application which indicate a mix of activities including events, performances and markets, the management responsibilities for this space extend beyond the maintenance of the physical environment only. The parties ultimately responsible for managing this public square will need to ensure that any activities are appropriately managed so that the safety and amenity of those enjoying the space as well as neighbouring licenced premises and residents are adequately safeguarded. It is recommended therefore that a condition is attached requiring details of an events management plan to be submitted to and approved by the LPA prior to the staging of the first event in the public square.

Safety and Security

Section 6.11 – 6.12 of the submitted Design Statement (Allies and Morrison, October 2020) refers to Site Management and Secured by Design elements respectively. This section confirms the design team has met with the Designing Out Crime Officer (DOC) who made recommendations that will be addressed in the future specification of the buildings. In summary the recommendations cover topics such as Compartmentalization and Access (stair cores, front doors, lifts) Physical Security (doors, windows, post boxes, external intercoms, access control systems, fire exit overrides, CCTV); Landscaping (planting, street furniture including lighting and fencing, level changes); Visitor Accesses, and Basements (allocated parking, gates/shutter, fob in/fob out, induction loops, intercom). The DOC has reviewed the submission and raised no objections to the scheme following clarification that no bollard lighting is to be incorporated into the public realm owing to issues with vandalism potential. In response to the schemes attainment of Secure by Design accreditation as recommended by the DOC, a condition is recommended to be included to secure this.

Further to Safety, the application is accompanied by a Fire Strategy (Sweco, October 2020). It is set out in the Scope of the Sweco report on page 1 that the information contained within the document is intended to address the functional requirements of Part B1 – B5 of the Building Regulations 2010 only, and that the figures and drawings included within the strategy are for illustrative purposes only. The LPA consulted the London Fire Brigade 10th February 2020 and followed up 16th February 2021 but have not received a response to date. It should be noted that the matters covered in the Sweco report, as clarified in the Scope of the report on page 1, are Building Regulation matters and not therefore planning considerations. As such, whilst it is acknowledged that early consideration of the fire strategy is sensible, the matters will need to be addressed within any forthcoming Building Regulations Assessment.

Further to security, the Counter Terrorism Security Advisor (CTSA) for Barnet was consulted on this application and raised two comments principally in relation to the development. Firstly, in relation to incorporation of hostile vehicle mitigation (HVM) measures for 'Neighbourhood Square', and secondly in relation to management procedures for the building, specifically a dynamic lockdown system, for dealing with any hostile incidents. The Developer has responded to these queries by providing details of the physical barriers such as bouldering and cycle parking that are incorporated on the periphery and within 'Neighbourhood Square' which in their view provides sufficient and proportionate obstruction to potential hostile vehicles. In response to the recommendation for a dynamic lockdown system, the Agent acting on behalf of the Developer advised that the building will have an electronic access control system and the management of the building will carry out a suitable risk assessment to identify standard operating procedures required in the event there is a terrorist threat. These responses are considered proportionate to the scheme given the CTSA confirmation that there is no intelligence or information to suggest that this development, or any other such development within the local area is at risk from a terrorist attack.

Access and Inclusivity

The S73 Permission sets out strategies relating to access and inclusivity and requires the involvement of an access consultant to ensure that detailed design meets the required design standards, good practice guidance and Building Regulations access requirements. The application is accompanied by an Access and Inclusivity Statement: Plot 14 (All Clear Design, October 2020).

The statement confirms that the access consultant has been actively involved in the preparation of the submitted proposals to ensure 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. In relation to the design of homes, the statement outlines compliance with Conditions 36.5 and 36.6, which requires all housing to comply with the Part M4(2) of the Building Regulations with regards to adaptable housing, save for 10% of housing that is required to comply with Part M4(3) with regards to wheelchair adaptable housing.

In addition to the details outlined within the Access and Inclusivity Statement, the Southern Developer has engaged in pre-application discussions with the Consultative Access Forum (CAF) in the runup to the submission of applications for Phase 2 (South) comprising the plot proposals for 14 and 15 and the Highways and Public Realm application. The CAF has been set up at the outset of the BXC regeneration and is a group consisting of people with expertise in inclusive access and personal experience of disability issues drawn from the local and regional community including existing users of the local area and other facilities. Its formation is a planning obligation under Schedule 13 of the s73 Section 106 Agreement, with the subsequent terms of reference, insofar as regularity of engagement with the CAF and provisions for providing advice on development proposals, set out within Schedule 13 and also the CAF terms of reference document approved under ref:14/07957/CON.

A single meeting was held 24th February 2020 and covered the following topics: Phase 2 (South) street design falling within the concurrent highways planning application; Plot 14 public spaces including 'Neighbourhood square' and the western tertiary street; Plot 14 building proposals; and Brent Cross Station Entrance. A general Brent Cross South update was also provided as well as updates from the previous Brent Cross Station CAF meeting. Taking on board the advice provided through the CAF meeting, some of the key provisions within the scheme are outlined below:

- Compliance with Building Regulations Part M4(2) (Accessible and Adaptable Dwellings) which incorporates step free access throughout the development, including a lift access to the central courtyard;
- Maximum of 29 wheelchair accessible parking spaces can be provided at basement level to meet the 10% wheelchair units provision where there is uptake for these units by wheelchair occupants;
- cycle parking exceeds minimum standards providing space for further review of cycle parking layouts at detailed design stage to increase provision for larger and non-standard cycles while still providing cycle parking numbers at least consistent with current London Plan standards.

- 'Neighbourhood Square' design as an accessible space whereby the space is defined with planting and seating at the edges of areas, which will contain seating that has variable heights, depths, and a proportion of seating with back rests and arm rests. In addition, materials have been selected to complement the materials used through the rest of the public realm, while differentiating and defining the square itself and its facilities.

As such, the provision is considered to comply with the relevant policies and standards for provision of an inclusive and accessible scheme.

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 14 are explained and assessed in this section. An 'Energy and Sustainability Statement' (Sweco, October 2020) forms part of this submitted documentation for Plot 14.

Carbon Emissions

In line with the Revised Energy Strategy for Brent Cross approved (LPA ref: 14/08106/CON), Conditions 35.6 and 35.7 require a minimum reduction in terms of kg of CO₂ emitted of 40% for residential properties and 25% for non-residential uses, relative to Part L of the Building Regulations (2010). The Sweco report provides an executive summary of CO₂ savings anticipated to be achieved through the combination of lean, clean and green measures in accordance with London Plan (2016) Energy Hierarchy (policy 5.2). As agreed through a convening of the Brent Cross Energy Panel 20th October 2020, attended by representatives of the Developer, the GLA and the Local Authority, the presentation of this information is based on the most up to date Building Regulations, Part L (2013) as opposed to the 2010 standards referenced in the outline permission. Further, it was agreed that the incorporation of SAP10 Carbon Factors in conjunction with the Part L (2013) was appropriate given the update in the carbon factors and improvement in the energy centre mix with air source heat pumps (ASHP) becoming the primary source of heat in line with GLA recommendations to maximise the usage of renewable and green energy.

The results are summarised as follows;

- Regulated carbon dioxide savings of **39.5%** relative to a New-Build Part L1A 2013 compliant development for the residential areas, with SAP10 carbon factors;
- Regulated carbon dioxide savings of **45.8%** relative to a New-Build Part L2A 2013 compliant development for the non-residential areas, with SAP10 carbon factors;
- BREEAM New Construction 2018 targeting "**Very Good**" rating for the Retail areas "Shell only".

With regards to the carbon savings expressed as percentages, Officers are satisfied that these savings when translated to equivalent savings against Part L 2010 levels as per the outline permission requirements, would be greater than the 40% for residential

and 25% for non-residential required. This is based on the GLA guidance on preparing energy assessments (2015) advice that, a 35% improvement on New-Build Part L1A 2013 compliant development for the residential areas is equivalent to 40% improvement against Part L 2010. Further, in relation to non-residential, the Developers consultants Buro Happold have provided details to confirm that a 17.6% improvement on New-Build Part L2A 2013 compliant development for the non-residential areas is equivalent to 25% improvement on 2010 standards. The details are therefore considered acceptable.

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. The Revised Energy Strategy approved under the S73 Permission provided for a main energy centre located in Plot 59 which is anticipated to be operational from 2025 onwards. Before that time, the district heating network will be served from the Heat Plant Room of Plot 12, and then additional heat may also be provided from a Heat Plant Room located in Plot 19. Once the Main Energy Centre at Plot 59 is operational these Heat Plant Rooms will be kept as back-up plant and to meet peak demand on site.

Water Efficiency

Paragraph 2.63 of the RDSF requires commitment to reduce water use in residential development to 105 litres/person/day. The Energy and Sustainability Statement submitted also incorporates water use assessment confirming the residential dwellings have been designed achieve a water usage of 105 litres per person per day.

In terms of rainwater harvesting, Paragraph 2.71 of the RDSF sets a site wide target for 10% rainwater falling on the site to be harvested for irrigation and cleansing use. The Energy and Sustainability Statement also confirms that rainwater harvesting has been designed to capture 10% of rain falling on the site for irrigation and cleansing use, and 'grey' water will be recycled from commercial buildings, if that proves necessary to meet demand. These provisions satisfy the RDSF requirements.

The Conclusion of the Energy and Sustainability Statement submitted confirm compliance with all energy and sustainability requirements stated above. Therefore, in respect of all energy and sustainability requirements the proposed development is in accordance with the parameters and principles of S73 Permission.

6. 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.

Accordingly, Table 10 (Content of the Explanatory Report within Section 6 the RDSF states that the explanatory report shall "*confirm that a Screening Opinion (where appropriate) has been issued (and that a further ES is not required) and to set out the scope of environmental information, if any, to be submitted.*"

The Plot 14 RMA proposals are accompanied by an Environmental Screening and Statement of Compliance (Arup, November 2020) herein referred to as EIA screening (Arup, November 2020). In terms of Parameter Plan compliance, the EIA screening (Arup, November 2020) sets out that consideration has been given to whether the proposed development would give rise to new or different significant environmental effects that were not previously assessed at the outline stage. This is based upon compliance with parameter plans and the development specification and an examination of additional or revised aspects of the development that could give rise to new or different environmental effects.

In terms of parameter plan compliance, Table 3 of the EIA Screening (Arup, November 2020) provides a summary of each parameter plan and where deviations are observed, the reasoning why these would not result in additional significant environmental effects. These deviations are described within Table 3 of this report and cover the following parameters;

- Parameter Plan 002 Transport Infrastructure (Rev 19):
- Parameter Plan 004: Ground Level Land Uses to Frontages (Rev 16):
- Parameter Plan 007: Maximum Building and Frontage Heights (Rev 15):
- Parameter Plan 008: Minimum Frontages Heights (Rev 12):

The deviations are addressed within the relevant sections of this report and found to be acceptable in planning terms. The EIA Screening (Arup, November 2020) provides a reasoning within Table 3 of the EIA Screening (Arup, November 2020) as to why these deviations would be unlikely to result in any additional significant environmental

effects. This is supported by further review of the relevant environmental topics contained within the Section 73 ES that, due to these specific deviations, require further assessment to fully determine the environmental impacts. Consideration has been given therefore to the following environmental disciplines; 'Townscape and Visual', 'Microclimate' and 'Air quality'. The LPA agree with this selection criteria in order to determine the environmental effects, pursuant to The Town and Country Planning Environmental Impact Regulations (2017), Schedule 3 'Selection Criteria for Screening Schedule 2 Development.' These are addressed in turn.

In terms of 'Townscape and Visual' the EIA Screening (Arup, November 2020) states that the townscape and visual impact assessment (TVIA) prepared as part of the BXC ES assessed the impact of BXC on the visual amenity of receptors (including residents introduced by BXC during early phases of development) from a series of viewpoints. A snapshot of the S73 ES viewpoint plan showing the views relevant to the proposed development is shown in Figure 6 of the EIA Screening (Arup, November 2020). Given the proposed development does not exceed any of the overall maximum height parameters, the proposed deviations are not likely to be visible from additional sensitive receptors beyond those already identified and assessed within the BXC ES. In addition, given the location of the proposed deviations, these are unlikely to be visible from any additional locations outside the BXC site.

In terms of Microclimate (wind), the EIA Screening (Arup, November 2020) states that the results of the wind assessment undertaken by AKT II demonstrate all assessed areas fell within the necessary Lawson Comfort Criteria (pedestrian sitting, walking and / or standing) for their relevant use, with the exception of the Level 12 Roof Terrace on Block B2, in the winter (windiest) months. The inclusion of a balustrade around the terrace and placement of a solid parapet mitigated the windier conditions and ensured it was suitable for its year-round intended use. In terms of microclimate (daylight and sunlight) the EIA Screening (Arup, November 2020) sets out that overall, the proposed development is compliant with BRE guidance and no new or different significant adverse microclimate effects are anticipated.

In terms of air quality, the EIA Screening (Arup, November 2020) states that an Air Quality Neutral assessment has been undertaken in line with adopted London Plan 2016 Policy 7.14 (Improving Air Quality). The full assessment prepared by Arup is enclosed within Appendix E of the EIA Screening (Arup, November 2020). The Air Quality Neutral benchmarks for Plot 14 have been calculated and compared with the planned emissions and trip rates. The total emissions for Plot 14, for nitrogen oxides (NOx) and particulate matter (PM10), are below the benchmarks (there will be no PM10 emissions from the gas-fired plant). The total emissions for transport are above the benchmarks. However, the overall difference of total emissions from buildings and transport are below the total emissions benchmarks. Therefore, the site is considered to be air quality neutral and to comply with the air quality neutral policy. No further mitigation is required.

Additional topics that did not form part of the s73 ES but are now defined topics of the Environmental Impact Regulations (2017) are considered. These are 'Climate change', 'Human health' and 'Major accidents and disasters'. In all three disciplines the RMA proposals, and deviations from parameters in particular, were not considered result in significant additional environmental effects. Further, cumulative environmental effects

have been considered with regard to additional developments within proximity to BXC and applications submitted pursuant to the BXC outline permission and overall no new or different cumulative or in-combination significant environmental effects are anticipated as a result of the proposed development.

As such, taking account of the criteria set out in Regulations 6 (3) of the EIA Regulations and all other relevant factors, including schedule 3 criteria insofar as they are relevant to the proposed development, it is considered that the development described in the information accompanying the EIA Screening (Arup, November 2020) would **NOT** be likely to have significant effects on the environment, in the sense intended by the Regulations. Therefore, further environmental impact assessment (EIA) to accompany the reserved matters application (20/5690/RMA) is **NOT** necessary and an Environmental Statement, in line with the Regulations, is **NOT** required to be submitted in connection with the application.

7. 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 Reserved Matters approval for this proposed development will comply with the Council’s statutory duty under this important legislation.

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site. 10% of the homes will be wheelchair accessible and/or able to be modified to accommodate a wheelchair occupier. The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all

occupiers and visitors of the development can move freely in and around the public and private communal spaces. Within the Plot 14 curtilage two blue badge parking bays are provided, located on the tertiary street to the west of the Plot. The Southern Developer has also engaged in pre-application discussions with the BXC Consultative Access Forum (CAF) in the lead up to the submission of applications for Phase 2 (South).

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

8. CONCLUSION

The proposal seeks approval for this first development plot within Phase 2 (South) (Plots) of the Brent Cross Cricklewood development. The reserved matters have been considered against the parameters and controls captured within the S73 Permission. Principle reserved matters issues relating to Landscape, Access, Appearance, Layout, Scale, and Landuse have been demonstrated to comply with the S73 Permission, with the exception of minor deviations to parameters as set out within this report which have been assessed in planning terms and also in terms of the Environmental Impact Assessment Regulations (2017) and found to be acceptable on both counts.

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 departures have been identified these have been demonstrated to be acceptable.

The plot will provide a car parking ratio of 0.2 spaces. 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.

Overall, officers find the proposals acceptable and accordingly **APPROVAL** is recommended subject to conditions as set out in Appendix 1 of this report.