

**B&Q CRICKLEWOOD,  
CRICKLEWOOD LANE, NW2 1ES**

**PROOF OF EVIDENCE ON BEHALF OF THE APPLICANT IN RELATION TO  
TOWNSCAPE AND URBAN DESIGN MATTERS**

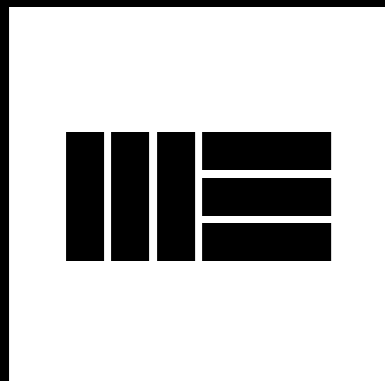
**DR CHRIS MIELE IHBC MRTPI**

**PLANNING INSPECTORATE REFERENCE: APP/N5090/V/22/3307073**

**LB BARNET PLANNING REFERENCE: 20/3564/OUT**

**JANUARY 2023**

**APP/2/A**



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# **1.0 SUMMARY**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

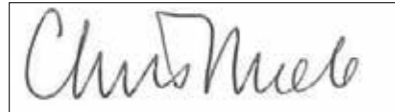
# SUMMARY

- 1.1 My name is Chris Miele and I am a partner at Montagu Evans' Central London office. I am a Chartered Town Planner (MRTPI) and a Member of the Institute of Historic Building Conservation (IHBC).
- 1.2 This is my summary evidence combined with my conclusions. I set these out first to aid the Inspector and Secretary of State ('SoS') with the consideration of my evidence on matters relating to the historic environment, townscape and visual matters.
- 1.3 I begin with a summary of my understanding of the Local Plan designations for the site and how these create the lens through which new development in the area should be considered.
- 1.4 Cricklewood is located in the Brent Cross and Cricklewood Opportunity Area. The structure and formulation of the local plan policies demonstrates the potential identified for the area based on the availability of land and the sustainability of the site.
- 1.5 The adopted policies for the area anticipate major change in Cricklewood.
- 1.6 The emerging site allocation and the emerging designation of Cricklewood separately as a 'Growth Area' consolidate and strengthen the Council's assessment of this potential opportunity.
- 1.7 The emerging allocation for the Application site identifies the site as having capacity for 1,007 homes as well as commercial and community provisions. The delivery of over 1,000 homes on this site will require dense and tall development. It is made explicit in the wording of the site allocation that this is envisaged, referring specifically to 'Good public transport access, proximity to town centre facilities and the potential for tall buildings mean that significant intensification of the site is possible.' (page 304).
- 1.8 I note that there is a second site allocation next to the appeal site (Site No.7 Beacon Bingo (Cricklewood Growth Area) which is identified for 132 new homes and new leisure space.
- 1.9 If these two sites were to come forward together, they would create a distinct new townscape area in this part of Cricklewood. Practically what this policy means is that the character and appearance of the site and its environs will change materially.
- 1.10 Taking all this into account, I find the LPA's Reason for Refusal treating heritage and townscape to be surprising. This is a long-standing allocation, reflected in an emerging allocation seeking a considerable number of homes. That the result, developed against this background and in consultation with the LPA, should now be found excessive (with a less dense scheme than one previously considered acceptable) is surprising.
- 1.11 With this context now in mind I turn now to the townscape character in the immediate environs of the appeal site. This is varied. The appeal site is located in Character Area 1 as defined in the HTVIA my practice prepared. I do not think any party has criticised the characterisation work we carried out, and I believe also that the views are agreed as relevant to the receptors under consideration.
- 1.12 This covers the same area as the Local Plan Opportunity Area designation, reflecting, first, the fact that the character of this land is poor and, second, the fact that the development plan (existing and emerging) requires a new character.
- 1.13 Character Area 2 covers the Conservation Area (identified expressly in the RfR) and Character Area 3 the Cricklewood High Street or 'Broadway' which is a linear character area covering the commercial high street from north to south. Character Area 4 is a linear area characterised by the commercial premises along Cricklewood Lane, and Character Area 5 is to the south and west of the appeal site.
- 1.14 The visual impact of the proposals is greatest from this, character area, 5. It comprises Edwardian and Victorian terraced dwellings, with some later development of varying quality and scale.
- 1.15 The effects may be judged from five viewpoints, HTVIA views 7 to 12.
- 1.16 This area is not subject to any special designations, and to varying extents is character is affected by proximity to the main roads, the A5, the main north-south route, and the A407, which enters the area from the southwest, continuing east past the station.
- 1.17 The site itself lies in what the HTVIA identified as Character Area 1, essentially land whose appearance reflects its present and past use in association with railway infrastructure, and former goods yards which have been redeveloped as large format retail stores. This land has very poor amenity value. It is also contains land which successive development plans (existing and emerging) have identified for major change.
- 1.18 There is some more recent, denser development near to the site, and it figures in several of the views. This is the former Co-Op site at 1-13 Cricklewood Lane. This features in a number of the local views, and provides a transition in height from the west.
- 1.19 The change for the site which the development plan contemplates will necessarily introduce forms of development which are different to the C19 and C20 housing in Character Areas 2 and 5. The emerging allocation for c. 1,000 homes can only be accommodated in blocks of a certain scale and character.
- 1.20 The presented proposals are the subject of pre-application discussion and negotiation and further revision, leading to reduced parameters, with a consequently much reduced visual impact.
- 1.21 The Inspector and SoS can judge that reduction in impact from the material in the visual bundle, my **Appendix 2.0**.
- 1.22 That reduction should be seen as part of the design-led optimisation process supported by London Plan D3.
- 1.23 The proposals comprise tall development for the purposes of policy, and I understand the local authority accept the site is suitable for this form of development. I accept that what comprises a 'tall' building is, under the terms of the new London Plan, a matter of height in relation to context.
- THE CRICKLEWOOD RAILWAY TERRACES CONSERVATION AREA (THE CA)**
- 1.24 The CA comprises modest railway worker housing of the mid-Victorian period. Their association with the railway, an agent of change in the area, contributes to the asset's historic interest, an interesting instance of reformed housing for workers.
- 1.25 The architectural and spatial interest of the asset derives from the regular grid of streets, and the orientation of the properties, as well as the inclusion of a shared green space between two lines of terraces and oriented on the long axis.
- 1.26 The design of the buildings is plain and simple, their distinctive character generated by their attractive facing materials, distinctive orientation to streets and shared green spaces, their similar scale and their sheer repetition. That reinforces the regularity of the grid. The CA includes land comprising allotments. These are, I understand, not part of the original plan for the area, but came in the first part of the C20. Their presence complements the historic interest of the railway terraces.

- 1.27 Pretty well all of the houses within the CA are identified as locally listed buildings, so they are non-designated heritage assets. As such, they have a setting but this overlaps entirely with the character and appearance of the CA, so an effect on the one necessarily reads over on to the other.
- 1.28 At the moment, the site detracts from the setting of the CA by reason of its use and hard landscape car park; another retail shed to the north of the site, now a Jewsons, likewise detracts. The functional railway land to the east contributes to the historic interest of the CA but in townscape terms is likewise detracting.
- 1.29 Importantly, the CA is set at a higher level than the high street to the west, and on a similar level in fact to the Appeal site. This raised position reinforces the distinctive and well defined nature of the CA.
- 1.30 Verified views (wireline, 13, 14 15 and 16) have been prepared to test intervisibility from within the CA's boundaries. These demonstrate that the visual impact from the core of the area is limited, distant and peripheral. The ability to appreciate the strong spatial character of the grid is not reduced, or the ability to understand the architectural treatment of the groups. The long shared garden in the centre is well treed; again the impact is minor at most.
- 1.31 There is greater visibility from the eastern part, across allotments, but these are not particularly sensitive views, and the land is not laid out to any design who symmetry or character would be disrupted.
- 1.32 Overall, then, I conclude there is no harm to the ability to appreciate the historic or architectural interest of the asset. The character of the land in its setting is enhanced, and the proposed residential use is complementary. As a consequence, I identify a benefit to the asset.
- 1.33 The listed former Crown Public House on the A5, south and west of the site, is a strong, late Victorian/Edwardian period super-pub, richly modelled and having a strong colour palette. Its style is redolent of Elizabethan architecture (a common model for this kind of building). The building has been extended as part of a hotel conversion. It occupies a prominent location.
- 1.34 There is very limited visibility as between the taller part of the proposals and the pub, through a gap, and the impact has no real effect at all on the ability to appreciate the architecture of this listed building. See view 8.
- 1.35 That brings me to the impact on visual amenity of the residential areas south and west of the site.
- 1.36 The proposals will be very noticeable from the south, along Oak Grove and Elm Grove, HTVIA views 6 and 7 respectively.
- 1.37 The existing site figures in these views at the moment, as an unattractive element, a retail shed raised above an engineered bank and separated from the streets by the busy A407.
- 1.38 The change in scale has a significant impact, and assessed purely on that basis it is harmful by reason of bulk and scale. However, applying the design code (as illustrated in the AVR), the effect becomes neutral or beneficial by reason of the complementary palette of materials, the scaling devices of the elevations, the residential quality of the building and the proposed landscape.
- 1.39 The proposals have a modest impact on the long approach from the south west, filtered at first, then very prominently. Here again, assessing wirelines/bulk only, the effect is harmful, albeit the varied massing introduces a picturesque or varied skyline reducing bulk. The scale of the proposals also reflect the position of the railway and station, and broadly the cross roads (an important constituent townscape element).
- 1.40 Again, taking the design code into account, I conclude the proposals would have a beneficial effect, providing a landmark feature that is faced in complementary materials, and introducing something of evident quality that also signals the regeneration of the area.
- 1.41 Finally, is view 11, looking east along Ashford Road. Here there is a material change to skyline, but the spaces between the ranges reduce the impact of that bulk. The application of the design code to the scheme will result a beneficial effect, or at least no harm. It will be seen (on site and in the view) that this area includes a tall apartment complex, some 9-10 floors, and so the presence of another tall residential estate is not alien. The character of these streets is also influenced by the proximity of the high street and its mixed commercial character.
- 1.42 The HTVIA analysis demonstrates that there will be a significant change to skyline in the approach from the east, but this is an area of mixed townscape and the proposals are associated with the railway and the station, and will not be intrusive. Again, the design code shows how the resulting building forms can be attractive additions to the area.
- 1.43 The Council's RfR is expressed in emphatic terms, alleging the height, bulk, and scale of the proposals is 'excessive', and the resulting building form 'demonstrably' contrary to the 'established' character of the area.
- 1.44 I find these allegations hard to sustain in light of the following considerations.
- 1.45 First, these proposals have evolved in step with officer consultation and sign off, leading to an initial recommendation to grant (resolved, before called in), and those proposals in turn were reduced materially in height. There is no indication in the officer reporting or the GLA reports that the proposals are excessive.
- 1.46 In fact, in my estimation, the proposals are not intrusive, and sit comfortably within a generous landscape scheme, and do not immediately abut lower housing.
- 1.47 Second, the RfR's wording seems not to take into account there is an emerging allocation of some 1,000 homes, and that the proposals match that (more or less). 1,000 homes means a certain scale.
- 1.48 Third, there is nothing in the existing policy allocation or the emerging one to set any fixed design parameters or thresholds on the basis of some perceived or clearly identified sensitivity. The policy as drafted leaves matters of height, bulk, and scale, along with design, to an Applicant working with the Council's professional officers, and that is just happened in this case.
- 1.49 Fourth, the character of the area around the site is varied, and so I do not recognise that there is an established character. And even if a different view is taken on that point, then the development plan anyway requires a departure from traditional terraced housing density and form.
- 1.50 There is no conflict between buildings of this scale and the surrounding lower development provided that the proposed design draws on appropriate characteristics. The DAS and Design Code show how such an analysis has been undertaken. Hence, I conclude the proposals do meet the aspirations of the National Design Guide in all respects relevant to RfR1.

## THE EFFECTS OF THE PROPOSALS

- 1.51 I recognise that professional opinions on heritage matters will vary. If the Inspector and the SoS find differently to me and identify harm to the ability to appreciate significance of the CA, then this can only be less than substantial harm given the nature and scale of the impact, that is, limited. The impact does not come close to eradicating the core aspects of significance of the CA. The historical significance is unaffected, the architectural significance is unaffected. At most the proposals could be assessed as being a distracting feature within the setting of the CA and would not be of a high order. The harm could not reasonably be at the high end of the spectrum and should be considered under NPPF paragraph 202 and weighed in the balance against the public benefits of the proposed development which other witnesses will address in full.



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**Registered Office: 70 St Mary Axe, London EC3A 8BE**

Date: 17 January 2023



**2.0**

**INTRODUCTION TO THE WITNESS AND  
INVOLVEMENT IN THE PROCESS**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# INTRODUCTION TO THE WITNESS AND INVOLVEMENT IN THE PROCESS

2.1 My name is Chris Miele and I am an equity partner at Montagu Evans' Central London office. I am a Chartered Town Planner (MRTPI) and a Member of the Institute of Historic Building Conservation (IHBC).

## OUR PRACTICE

2.2 Montagu Evans is a leading firm of chartered surveyors, established in 1921. My partners and I employ more than 400 staff. Most are based in our office at 70 St Mary Axe.

2.3 We provide all areas of development surveying consultancy, from rating and valuation to management and investment advice. Our town planning consultancy has always been central to our business, and it is provided through our Planning and Development Department.

## PROFESSIONAL BACKGROUND

2.4 An overview of my background and experience is provided within my Curriculum Vitae at **Appendix 1.0**, which also includes a list of my publications.

2.5 As a partner in the Planning and Development Department I provide specialist advice on sites that involve development on/or adjoining sensitive land, and my particular work over many years has focussed on the historic environment. I also specialise in townscape and visual impact work and have developed expertise as a design assessor. I should say here I have no formal design qualification but have achieved this through experience, drawing on my training as an historian of C19 and C20 architecture.

2.6 I have contributed to best practice in visual impact assessment in London as a principal author of the London View Management Framework, SPD to the London Plan (2007 and 2012).

2.7 My public and charitable clients have included the Trustees of the British Museum, of the South Bank Centre, and many universities (Oxford, Durham, Leicester, Sheffield, Sussex, UCL and Kings).

2.8 Other current projects involving public or charitable clients include advice on the proposals for the conservation of Hammersmith Bridge and a new place of worship for 25,000 people in open countryside in central Beds (and featuring the largest clear span earth dome in Europe – resolution to grant received in April).

2.9 My main body of client instructions come from private companies, and I work for the leading ones in this country. These include: Delancey, Orion, Hammerson plc, Chelsfield Advisers LLP, CIT, London and Regional, Qatari Diar, Land Securities, Henderson's, Threadneedle and many of the major house builders including Fairview, Barratt, Berkeley, St William (a JV with National Grid), and Taylor Wimpey.

2.10 I have over the years come to specialise in expert witness work, appearing mostly for commercial developments at section 77 and 78 Appeals. I am approached regularly to act for local authorities but in all cases in the last years I was unable to act either because of conflict of interest (the Appellant was a client of the firm and identified a conflict) or because I could not support the proposals.

2.11 I have appeared at a number of high profile inquiries which have been called in by the Secretary of State. To name a few of these, they include the Citroen Garage site, the National Holocaust Memorial and Anglia Square in Norwich.

2.12 I and members of my team have worked with Montreaux as their heritage and townscape advisers on a number of their schemes in London. These include the outline planning permission granted for the redevelopment of the former Margarine Works in Southall which is now coming forward for Reserved Matters Applications.

## PAST EMPLOYMENT

2.13 Before joining Montagu Evans, I was a professional officer of English Heritage (now Historic England, "HE", 1991–98) advising in connection with

its statutory duties. I was then a Director at Alan Baxter and Associates (1998–2003) and Senior Planning Director at RPS (2004–05).

2.14 I joined Montagu Evans as Partner in 2005 and became a senior and owning partner in 2011.

## ACADEMIC QUALIFICATIONS AND CREDENTIALS/PUBLICATIONS

2.15 Before settling in the United Kingdom, and whilst completing my masters and doctoral work, I held several academic and museum appointments at Columbia University, New York University and the Metropolitan Museum of Art and Museum of Modern Art, all in New York.

2.16 I continue to work as an independent scholar and have published widely in my specialist area, C19 and C20 architecture and planning, and in recognition of this independent historical work, I have been elected a Fellow of the Royal Historical Society and of the Society of Antiquaries. I have two pieces this year appearing in major collections of essays on William Morris (one from Routledge and the other from the V&A/Thames and Hudson).

2.17 I am an Honorary Professor in the Social Sciences Faculty at Glasgow University, and outgoing Chair of the Board of the Centre for Urban History at Leicester University.

## INVOLVEMENT WITH THE PROPOSALS

2.18 I was first instructed to provide heritage and townscape advice in regard to proposals for this site in 2019, at which time the Applicant was working towards the preparation of an Environmental Statement ('ES') as part of an application for outline planning permission to develop the Site with up to 1400 residential uses and commercial floor space.

- 2.19 Our involvement (myself and my team) culminated in the preparation of the Heritage, Townscape and Visual Impact Assessment ('HTVIA') volume of the ES submitted alongside the application, which assessed an earlier, taller version of the proposals now before the Inspector and Secretary of State. After the early stages of the project, responsibility for the day-to-day management and running of this project passed to Ms Kate Falconer-Hall, a partner in my team. After then I was advised periodically of the scheme's progress and then reviewing the main findings of the HTVIA.
- 2.20 I also was consulted at the time that Citydesigner undertook its review of the scheme and the HTVIA. I read its report and agreed with that firm's recommendations.
- 2.21 These included the use of indicative renders and the testing of the proposals at some additional views. I understand the view set now presented reflects the original HTVIA views and those advised by Citydesigner.
- 2.22 I was not party to advising on the reduced parameters of the application proposals or current design code, though I have reviewed it in draft as I have prepared my evidence.
- 2.23 Subsequent to the Secretary of State's decision to call-in the application for determination, I was asked to supply a quote for expert witness services to provide expert evidence in support of Montreux' application.
- 2.24 Prior to preparing this proof, I commented on the Applicant Statement of Case which Mr Rhodes' team at Quod prepared.

#### **STATUS OF EXPERT REPORTING AND RECOGNITION OF EXPERT DUTIES**

- 2.25 In discharging this instruction, I have adhered to the RTPPI Code of Conduct and prepared evidence consistent with the terms of the guidance to Part 35 of the Civil Procedure Rules and which governs the work of expert witnesses. The required affirmation concluding this evidence sets out my understanding of those duties. This includes confirmation that I am not paid under any contingency or success-fee arrangement.



**3.0**

# **SCOPE OF EVIDENCE**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# SCOPE OF EVIDENCE

- 3.1 The appeal proposals comprise the redevelopment of a former retail store and accompanying land for a residential led mixed use scheme. The scheme seeks consent for buildings arranged in four blocks, referred to as blocks A to D and in buildings of up to 26 storeys in height, delivering upto 1,049 homes and re-landscaping the site to provide a new park.
- 3.2 The description of development is: 'Outline application (including access, with other matters reserved) for the demolition of existing buildings and phased redevelopment, including up to 1,049 homes and up to 1,200 sq.m. of flexible commercial/community floorspace in buildings of up to 18 storeys, and public open space.'
- 3.3 To assist in defining the key issues addressed in my evidence, I will very briefly set out the timeline and events of the determination of the planning application.
- 3.4 The application proposals were recommended for approval by officers of the London borough of Barnet ("the Council") following 18 months of pre-application and determination discussions. The proposals were debated at planning committee on 9 September 2021 and a resolution to grant planning permission was agreed.
- 3.5 The GLA issued their Stage 2 report in relation to the application, confirming their support for the proposals on 29 March 2022. The GLA stage 2 report is at CDB.02.
- 3.6 The Secretary of State issued a holding letter and eventually called in the application on 30 August 2022. The call-in letter is found at CDC.02.
- 3.7 This stated that he wished to be advised about three specific matters, namely design, scale, and massing, which I treat in this proof.
- 3.8 Since receiving the call-in letter, the Council has reconsidered the proposals and debated the scheme at planning committee on 8 November. The report prepared for the 8 November committee meeting

confirmed the officer's assessment of the scheme, concluding that the recommendations to the Strategic Planning Committee were to:

1. note the lack of material change in circumstances since the original resolution of the Committee was made in September 2021; and
2. authorise officers to represent the Council at the Public Inquiry on the basis of the original resolution and to present evidence to the inquiry in support of the application.

**THE COMMITTEE REPORT CONFIRMED THAT THE OFFICER RECOMMENDATION WAS TO GRANT PLANNING PERMISSION, WITH NOTE THAT THE INSPECTOR'S REPORT ON THE EMERGING LOCAL PLAN WOULD LIKELY HAVE BEEN RECEIVED BY THE DATE OF THE INQUIRY AND THAT IN THAT CIRCUMSTANCE THERE WOULD BE A CHANGE IN WEIGHT IN THE DETERMINATION PROCESS. IT WAS NOTED THAT IF THE INSPECTOR'S REPORT IS FAVOURABLE TO THE ALLOCATION AND IF THE SCHEME REFLECTS AND CONFORMS TO THAT ALLOCATION, THEN THE WEIGHT FOR THE POLICY WOULD INCREASE CONSIDERABLY AS TO BECOME THE STATUTORY STARTING POINT FOR THE ASSESSMENT OF IMPACTS.**

- 3.9 The Council reversed its previous resolution and resolved to refuse the application on the basis of a single reason, the scope of which falls entirely in my evidence.
- 3.10 For completeness I reproduce this here, below:
- 3.11 The proposed development and the parameters sought, by virtue of the excessive height, scale and massing would result in a discordant and visually obtrusive form of development that would demonstrably fail to respect the local context and its established pattern of development, to the detriment of the character and appearance of the area and the setting of the adjacent Railway Terraces Conservation Area. The proposal would therefore not create a high-quality development, not constitute a sustainable form of development and would be contrary to the provisions of the NPPF, Policies D3, D4, D9 and HC1 of the London Plan 2021 and Policies CS5, DM01, DM05 and DM06 of the Barnet Local Plan Core Strategy and Development Management Policies 2012.
- 3.12 To assist the Inspector and SoS I will comment on the terms of this RfR.
- 3.13 Its language is, in short, emphatic in relation to the three measures.

- 3.14 The proposals are likewise discordant and obtrusive to the extent that it demonstrably fails to respect the local content.
- 3.15 Finally, it is said that this discordance is all the more harmful because it fails to respect the established pattern of development in the area.
- 3.16 It is surprising first, for the Council to identify such a considerable magnitude of 'fail', given the proposals are pretty well in step with the number of new homes sought by an emerging allocation which officers, and I presume the Council corporately, supported.
- 3.17 That charge has to be made out in the context of a period of pre-application discussion with the officers of the Council.
- 3.18 To be clear, from July 2020 to November 2022, during the period before the application was considered afresh at committee, there was no real expression from the Council that the proposals were of excessive height, in relation to these proposals or the former ones which were materially larger. Officers of the Council and the GLA identified no real basis to support a charge of 'excessive' scale (which on any basis is quite a large measure of something).
- 3.19 There were some comments from LBB and the GLA which sought alterations and amendments, all of which were incorporated, but these were not fundamental expressions of concern with the principle of height in this location. Once the scheme revisions had been made by July 2021, the application was considered acceptable and written up with a recommendation for approval, once, and then again.
- 3.20 The second point in the reason, about demonstrably failing to respect local character, makes no sense in light of the development plan, existing and emerging. Their objectives can only reasonably be realised by a form of development which is different to the local context, which is exactly how we see London evolving all around us to meet the objectives of successive London Plans.
- 3.21 Third is the characterisation of the area as having an 'established pattern'. That is an overstatement or a mischaracterisation. The character of the area is varied, and set to change more through planned development supported in a statutory document.

- 3.22 I have an additional observation which reflects my long experience of advising on major, allocated sites across Greater London and in other plan areas.
- 3.23 One very often finds in such policies site specific criteria or limbs that reflect particular townscape, visual or heritage sensitivities. These might include the skyline silhouettes of old buildings, tree canopy lines, important views contributing to an understanding of the wider area, and so forth. Likewise such policies supporting major regeneration and transformational change often also identify particular proximities or points of transition.
- 3.24 The relevant site specific policies here are, by contrast, relatively loose and not proscriptive, which can only mean that this LPA was content to leave the formulation of an acceptable scheme to the pre-application design and optimisation process, operating with the support of the Council. That is what has happened here, as a matter of fact and as severally documented in the material before the Inspector and SoS. In my opinion, the absence of any restrictive guidance reflects that the townscape of the area has a relatively high capacity to accept major change without loss of character or unacceptable impacts on amenity.





**4.0**

# **STATUTORY PROVISION AND POLICY CONTEXT**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# STATUTORY PROVISION AND POLICY CONTEXT

4.1 In this section I treat the relevant planning policy context and outline the direction of my assessment against that policy.

4.2 Mr Rhodes treats the development plan as a whole and applies those policies in my topic area and on the basis of my findings.

4.3 I start with the more general provisions, then consider the site specific policies.

## THE PLANNING (LBCA) ACT 1990 AND THE NATIONAL PLANNING POLICY FRAMEWORK (THE “FRAMEWORK”)

4.4 The proximity of the proposals to the grade II listed Crown Public House engages section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“PLBCAA”). This requires the decision maker to pay special regard to the desirability of preserving, amongst other things, listed buildings and their setting. The courts have clarified that any harm attracts particular weight in the planning balance, engaging a presumption against the grant of consent. That presumption is rebuttable on the balance of benefits. See the cognate policies in NPPF 200–202.

4.5 I understand that the Inspector is familiar with this provision, and so my comments are brief. Essentially, I am advised that this provision, section 66(1), imposes a presumption against the grant of a planning permission that harms the setting of a listed building. ‘Harm to setting’ is a short hand for ‘harm to the ability to appreciate the special interest or significance of a listed building’ (which is cumbersome English – hence I will sometimes use the short hand form, ‘harm to setting’).

4.6 I am likewise advised that this statutory provision is reflected in the drafting of 199 of the Framework, which I discuss below.

4.7 The Framework approach is applicable also to assessing the impact on the Railway Terraces Conservation Area. Section 72(1) of the PLBCAA does not include a separate setting provision.

## THE NPPF ON HERITAGE

4.8 The Inspector and SoS will be familiar with the policies on the historic environment in the Framework and supporting guidance in the PPG. Instead of reciting them, I think it is more helpful here to set out the broad approach that flows from these documents.

4.9 The significance of the heritage assets affected should be identified and assessed (paragraph 194 NPPF). Heritage interest may be archaeological, architectural, artistic or historic (Glossary to the NPPF).

4.10 The impact of the proposed development on the significance of the identified heritage assets is then to be considered (paragraph 195 NPPF).

4.11 If the proposed development is held to cause harm to the significance of a designated heritage asset, such harm should be categorised as either less than substantial or substantial, and within each category the extent of harm should be clearly articulated (PPG paragraph 18). In this case, the Council identify a degree of less than substantial harm to the Railway Terraces Conservation Area. I discuss the implications of these allegations in the following paragraphs.

4.12 In either case, if a proposal would result in harm to the significance of a designated heritage asset, great weight should be given to the asset’s conservation (paragraph 199 NPPF).

4.13 Any harm to the significance of a designated heritage asset should require ‘clear and convincing justification’, as per paragraph 200 NPPF. A clear and convincing justification does not create a freestanding test requiring the demonstration of less damaging alternatives. To the extent that there is a test it is to be found in paragraphs 201 (in the case of substantial harm) or 202 NPPF (in the case of less than substantial harm).

4.14 In either case, and particularly looking at less than substantial harm, the clear and convincing justification the Framework requires are countervailing public benefits, including heritage benefits. Substantial harm’s justification on the facts of this case (accepting the allegation which I do not) is essentially on the basis of equally substantial public benefits. My Proof of Evidence considers whether the proposed development results in any harm to heritage assets, and if so the extent of such harm. Mr Rhodes’ evidence considers the public benefits of the proposals and the weighing exercise required to be carried out in accordance with the Framework.

4.15 In the Court of Appeal Judgment known as Bramshill, Lindblom LJ<sup>1</sup> explains the above approach, and also the interaction as between the NPPF, statutory provision, and the development plan.

4.16 The recent Edith Summerskill House Appeal decision<sup>2</sup> has made clear that when assessing a proposals impact on the setting of a designated heritage asset, it is only the significance that an asset derives from its setting that is affected. This approach is consistent with GPA3 (CDK.02), to which I refer below.

4.17 To assist the inquiry, the Inspector in that decision stated:  
*In cases where the impact is on the setting of a designated heritage asset, it is only the significance that asset derives from its setting that is affected. All the significance embodied in the asset itself would remain intact. In such a case, unless the asset concerned derives a major proportion of its significance from its setting, then it is very difficult to see how an impact on its setting can advance a long way along the scale towards substantial harm to significance. (Paragraph 12.50)*

4.18 The general heritage policies in the development plan comprise HE1 of the London Plan and DMO6 of the local plan. These conform broadly to the Framework provisions, on which I rely for my analysis, leaving the details of those policies to Mr Rhodes.

<sup>1</sup> City and Country Bramshill Limited v Secretary of State for Housing Communities and Local Government [2021] EWCA Civ 320.

<sup>2</sup> APP/H5390/V/21/3277137

**KEY POLICIES FOR THE ASSESSMENT OF HISTORIC ENVIRONMENT, TOWNSCAPE AND VISUAL IMPACT CONSIDERATIONS**

4.19 To assist the Inquiry and SoS, I set out below the specific development plan policies pertaining to my evidence and cited in the reason for refusal. I will assess the proposed development against these policies in the last section of this proof.

4.20 The statutory development plan for Barnet comprises the London Plan (2021), the Barnet Core Strategy (2012) and the Barnet Development Management Policies (2012).

**LONDON PLAN POLICIES**

- D3 (Optimising site capacity through the design-led approach);
- D4 (Delivering good design);
- D9 (Tall Buildings); and`
- HC1 (Heritage conservation and growth).

**BARNET LOCAL PLAN CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES**

- CS5 (Protecting and enhancing Barnet’s character to create high quality places);
- DM01 (Protecting Barnet’s character and amenity);
- DM05 (Tall buildings); and
- DM06 (Barnet’s heritage and conservation).

**POLICY DISCUSSION**

**PLANNING POLICY DESIGNATIONS AND EMERGING DESIGNATIONS**

4.21 I want to highlight here that the site is located within an area covered by planning policy designations insofar as they relate to my assessment of the proposed development.

4.22 Currently site falls within:

- Brent Cross Cricklewood Opportunity Area

4.23 I consider this here as I am of the view that the way the Council has designated this site and the surrounding area as appropriate for new development is relevant to my evidence.

4.24 London Plan Policy SD1 (Opportunity Areas) has clear implications for the main issues to be considered at this Inquiry.

4.25 It sets out the approach the Mayor intends to realise the growth and regeneration potential of Opportunity Areas.

4.26 Part B of the Policy is multi-limbed, and I cite only those which relate to my topic area:

*B Boroughs, through Development Plans and decisions, should:*  
 1) clearly set out how they will encourage and deliver the growth potential of Opportunity Areas

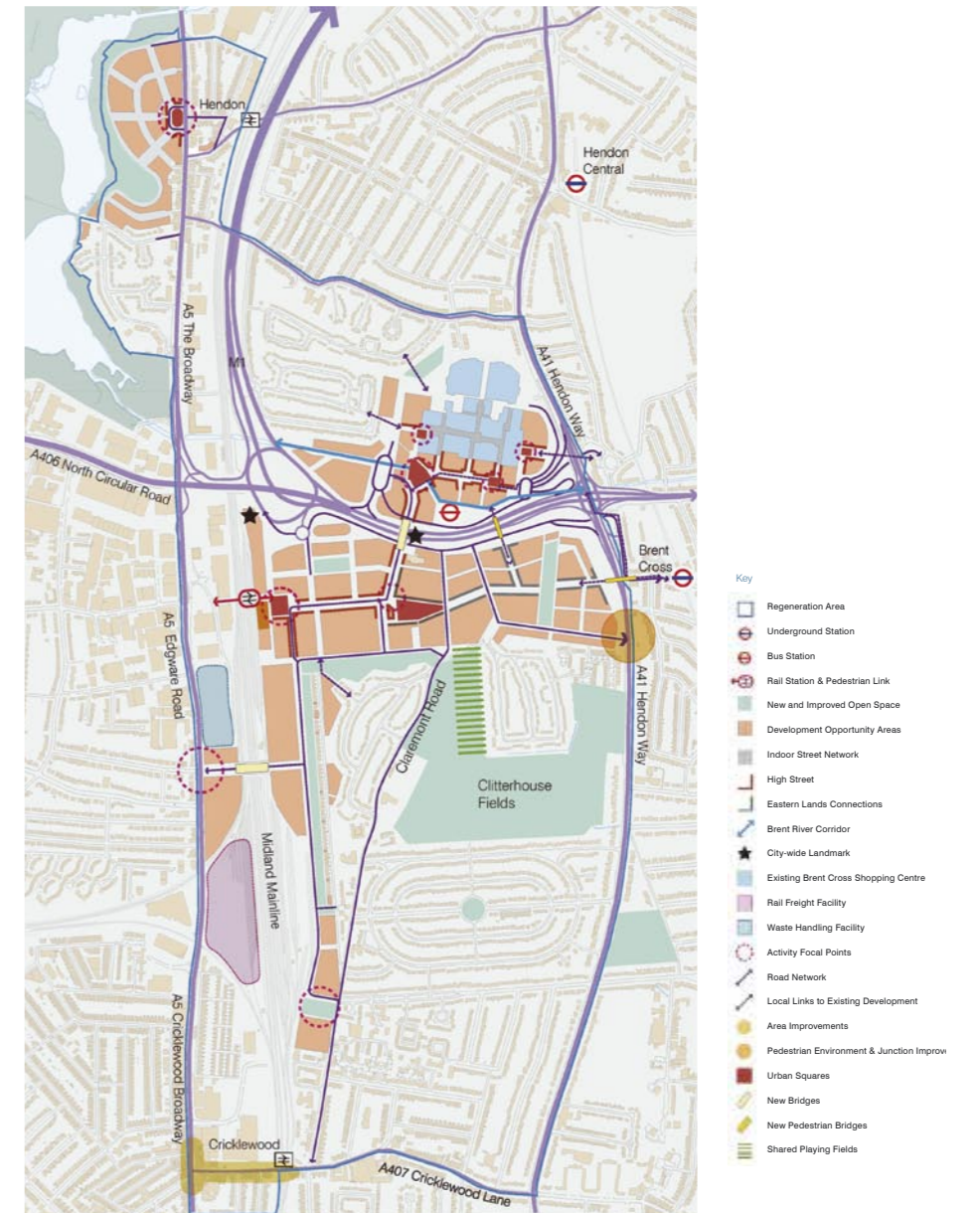
...  
 4) recognise the role of heritage in place-making  
 5) establish the capacity for growth in Opportunity Areas, taking account of the indicative capacity for homes and jobs in Table 2.1

...  
 8) support wider regeneration and ensure that development proposals integrate into the surrounding areas, in accordance with Policy SD10 Strategic and local regeneration 9) ensure planning frameworks are informed by public and stakeholder engagement and collaboration at an early stage and throughout their development

4.27 Although the LB Barnet’s UDP was replaced by the documents which form the adopted Local Plan, policies within Chapter 12: Cricklewood, Brent Cross and West Hendon Regeneration Area were saved in 2009.

4.28 I am advised that they remain part of the Development Plan and are to be given full weight under the terms of 38 (6) and 70 (2) of the TCPA and PCPA.

4.29 Policy GCrick (Cricklewood, Brent Cross and West Hendon Regeneration Area) identifies this regeneration area as ‘a major focus for the creation of new jobs and homes, building upon the area’s strategic location and its key rail facilities. All new development will be built to the highest standards of design as well as to the highest environmental standards. A new town centre, developed over the plan period, will be fully integrated into the regeneration scheme.’ (CDF.02)



**Figure 4.1** Spatial Plan showing Strategic Principles from the Brent Cross and Cricklewood Regeneration Area Development Framework (2005) (CDF.06, p. 16)

- 4.30 The policy also advocates that new development be built to the highest standards of design as well as to the highest environmental standards. This does not, however, preclude the possibility of outline applications, particularly where supported by design codes as supported by national policy and design guidance. Again, see Mr Rhodes' evidence for the policy basis to this approach.
- 4.31 The draft Local Plan identifies the site as falling within:
- 4.32 Policy GSS04 Cricklewood Growth Area (Emerging policy – Draft Local Plan Reg 19 version submitted November 2021)
- 4.33 Allocation as 'Site 8' in Barnet draft Local Plan (Emerging policy – Draft Local Plan Reg 19 version submitted November 2021)
- 4.34 I have included the designations and allocations in the draft Local Plan because of the stage of progress made with the plan to date.
- 4.35 Barnet's Draft Local Plan was submitted for examination in November 2021 and was heard at an Examination in Public in Autumn 2022. As noted, it is likely the plan will have been adopted or near adoption by the time the Inspector's report is issued to SoS. The plan can therefore be a level of material weight. Accordingly I treat them here and I leave to Mr Rhodes the exact weight.
- 4.36 These policies are relevant because they show the direction of travel and most recent analysis carried out by the Council in identifying sites within the Borough which have the capacity and are sustainable to accommodate significant new development.
- 4.37 The emerging draft local plan identifies the Cricklewood area specifically as its own Growth Area under draft policy GSS04.
- 4.38 The policy states: *'The Cricklewood Growth Area provides an opportunity for regeneration and intensification, supported by high existing PTALs and planned future transport infrastructure improvements, along with the availability of substantial underused sites.'* To deliver growth and regeneration at Cricklewood, the Council will seek the following from development across the Growth Area:
- 1,400 new homes, with the potential to increase further upon delivery of the West London Orbital;
  - Increase levels of workspace and pursue opportunities for new jobs;
  - Appropriate floorspace for community, retail and commercial uses.



**Figure 4.2** Image of the draft site allocation – taken from the draft Local Plan (CDF.05)

- 4.39 The draft policy relating to the 'Site Allocation 8' identifies the site as 'Broadway Retail Park (Cricklewood Growth Area)' and as having the capacity to deliver 1,007 homes.
- 4.40 The Site Description as set out in the policy allocation reads as follows: *'Low-density retail units with extensive car parking, adjacent to Cricklewood Town Centre. The Midland Mainline railway runs along the eastern boundary. Opposite are 2-3 storey early 20th Century buildings in retail and residential use.'*
- 4.41 *'The Cricklewood Railway Terraces conservation area lies to the north west of the site while the Mapesbury Conservation Area lies to the south in neighbouring Brent.'*
- 4.42 *'Cricklewood Station is adjacent, and the site is highly accessible by public transport.'*
- 4.43 Specifically in relation to the site requirements and development guidelines, the policy states that the site is suitable for a *'residential-led scheme along with retail and community uses.'*
- 4.44 The allocation recognises that *'good public transport access, proximity to town centre facilities and the potential for tall buildings mean that significant intensification of the site is possible.'*

- 4.45 The allocation states that the proposed design *'must also take into careful consideration the sensitive adjacent conservation areas in Barnet and Brent, and low-rise buildings to the south east.'*
- 4.46 The draft allocation therefore refers to two areas of sensitivity, the CA and the low rise buildings to the south east of the site. There is an expectation of some impacts therefore and the policy makes this explicit.
- 4.47 I recognise that the draft policies in the emerging local plan are not adopted and carry less weight but are a material consideration in demonstrating the Council's professional assessment of the expected capacity for the site.
- 4.48 The above policy designations and their drafting indicate that the site is in an area where tall building development proposals are encouraged.
- 4.49 The general design policies of the Framework reflect the need for good principles of urban design, which are reflected in the development plan also, specifically policies CS5, DM01 and DM05 and I go on to talk about those in more detail here.

### DESIGN AND TALL BUILDINGS

- 4.50 Two London Plan design policies require particular comment on the facts of this case.
- 4.51 First is Policy D3 (**Optimising site capacity through the design-led approach**) which supports development that positively responds to local distinctiveness and the existing character of a place, and development which is of a high architectural quality.
- 4.52 D3 requires options defined in relation to context to define capacity in particular areas. It also contains some broad urban design limbs which reflect best practice. The supporting text at paragraph 3.3.2 states that optimisation should be based on the evaluation of a site's characteristics, its surrounding context and its capacity for growth. It promotes area assessments to underpin that, as part of plan making. It likewise, in line with the Framework, supports collaboration and meaningful engagement. Other aspects of this policy are treated by other witnesses for the Applicant.
- 4.53 The Applicant has demonstrated close working and collaboration with the Council during the pre-application process. In particular during determination through the revisions to the height and massing of the scheme which were undertaken in response to consultation feedback.

- 4.54 The second policy to discuss in more detail is Policy D9 on tall buildings. The policy sets out a list of criteria applicable to the acceptability of tall buildings within Greater London.
- 4.55 Part B requires local authorities to identify locations where tall buildings are appropriate. The Site falls within the Brent Cross/ Cricklewood OA, and I will discuss the implications of this in more detail with the Local Plan policy.
- 4.56 Part C of Policy D9 then requires the impacts to be assessed including Visual impacts (which have been assessed in the HTVIA including long-range, mid-range and immediate views) and which I conclude are acceptable.
- 4.57 The local plan tall building policy CS5 identifies tall buildings as being eight storeys. The proposals seek to deliver buildings of up to 26 storeys and so is defined as a tall building in LBB and by the Mayor of London and is considered accordingly.
- 4.58 The supporting text to policy CS5 states that in the Brent Cross – Cricklewood OA, the majority of the approved schemes will involve tall buildings. The appeal site is located in the ‘Edgware Road corridor’, and is identified in the Core Strategy as being a corridor that forms an important location for growth. Tall buildings within the Brent Cross Regeneration Area will be expected to comply with the Brent Cross – Cricklewood Development Framework.
- 4.59 Parameter Pan 007 sets out the maximum building and frontage heights permitted within the application area. The Brent Cross Cricklewood masterplan maximises the use of the site in accordance with the London Plan and will result in an urban form and density that is different from the surrounding area of Barnet.
- 4.60 The draft policies in the emerging Local Plan identify that the site is within a ‘strategic tall building location’, and states that ‘tall buildings’ (8–14 storeys) may be appropriate in Opportunity Areas, while ‘very tall’ buildings (15 storeys or more) will only be supported in Opportunity Areas and only in exceptional circumstances.
- 4.61 Specifically the draft Policy CDH04 **Tall Buildings** states the following:  
*Part a) Tall buildings (8 to 14 storeys (26 to 46 metres above above ground level)) may be appropriate in the following strategic locations:*
- Cricklewood Growth (Opportunity) Area (Policy GSS04);

*b) Tall buildings of 15 storeys or more (‘Very Tall’) will not be permitted unless exceptional circumstances can be demonstrated, such as appropriate siting within an Opportunity Area or Growth Area. Proposals for tall and very tall buildings will need to provide evidence of how they have complied with the criteria in this policy as well as the London Plan Policy D9 and Historic England guidance on tall buildings.*

- 4.62 The draft policies contained in the emerging Local Plan have moved this situation on from a loose locational approach to more defined locational approach in line with part b) of London Plan policy D9, the locational element. At time of writing it is the expectation that this will be agreed in a topic specific Statement of Common Ground.

- 4.63 The trajectory on this point is consistent with that followed in the London Plan (see Mr Rhodes’ evidence).
- 4.64 I understand that the site is acceptable in principle for this form of development. See Statement of Common Ground and the Committee Reports recommending the grant of consent (CDD.03, paragraph 9.6 [under heading ‘Tall Buildings, Design Appearance and Visual Impact’], 15.4 and 15.6). This is the position of the GLA too, as per its responses (See CDB.02 at paragraphs 31–40).
- 4.65 There is a strong policy framework for development at the site; comprising the Cricklewood, Brent Cross and West Hendon Opportunity Area, and an allocation in the Local Plan.
- 4.66 These designations have identified the site for transformational change, and that kind of change is important to bear in mind when contemplating on the specific impacts of the proposals.



Figure 4.3 Plan of the Opportunity Area

## MATERIAL CONSIDERATIONS

4.67 I consider the following guidance notes are of particular relevance to my evidence.

The Setting of Heritage Assets, Historic England Advice Note 3 2017 (CDK.01)

The adopted Railway Terraces CA appraisal of 2016, (CDF.013)

The National Design Guide, 2021 (CDE.02)

The PPG on design and heritage (CDE.011 and CDE.012)

Barnet Characterisation Study, 2010 (CDF.016)

Barnet Tall Buildings Study, 2010 (CDF.017)

Guidance on Tall Buildings, Historic England and CABE (2022) (CDK.08)

The Development Plan as a Crucial Part of Context

In this case, then, taking a step back, it is clear the development plan and emerging plan support transformational change.

That expectation becomes one of the measures of what comprises an acceptable townscape change. The development plan is a crucial part of context.

The National Design Guide and contextually based design policies in the development plan direct developers and their architects to identify salient characteristics of a local area, and then to adapt those to the task of optimising land. Thus, a contextually scheme cannot mean, on the facts of this case, one that reflects any particular surrounding typology or even some sort of 'inflated version' of such typologies. Rather the process of design led optimisation means providing an appropriate kind of architecture and layout that has regard to context. The evidence for this will be found in the record of site analysis presented in DASs, advice from a Council and/or Committee Reports.

This approach reflects the requirements of design-led optimisation as set out in D3 of the London Plan, and which is consistent with national design policy supporting the best use of land.

This framework, obviously, does not set aside heritage based policies, which are to be taken into account in the process of design-led optimisation.

I also understand that, as a matter of policy, there is no in principle objection to a tall building on this site, taking account of D9 of the London Plan particularly.

# **5.0 DESIGN**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# DESIGN

- 5.1 In this section I consider the design of the proposals, taking account of their context.
- 5.2 Design evidence will be given by Mr Everitt, the architect of the proposals. I here draw out points which I invite the Inspector and SoS to take into account when considering the design in light of the allegation of harm to character and heritage.
- 5.3 In so doing, I recognise that a measure of design quality is its appropriateness to context.
- 5.4 Likewise I recognise that an otherwise high standard of design, looked at intrinsically, can attract less weight if it does not respond appropriately to context.
- 5.5 The assessment on design quality is, therefore, a two part process.
- 5.6 In undertaking this analysis I have had regard to the National Design Guide (2021) and have structured my assessment accordingly.

## THE DESIGN CODES

- 5.7 I take this opportunity to comment on the weight I attribute to the Design Codes and thus the reliance the Inspector and SoS can have on the detail contained therein and the quality that can be realised at the Reserved Matter stage.
- 5.8 A Design Code was submitted with the application in 2020 alongside the Parameter plans. A Draft Design Code was also submitted with the Statement of Case in November 2022 and which contained more detail on the specific composition and appearance of the building types within each of the Blocks A, B, C and D.
- 5.9 The draft Design Code submitted with the Statement of Case has since been finalised and is submitted as part of the Proof of Evidence of Mr Everitt.
- 5.10 This is accompanied also by a masterplan Design and Access Statement which includes an illustrative scheme. Whilst EPR have prepared an illustrative scheme, this represents one way that a Reserved Matters

application may come forward based on the parameter plans and design code that would be consented with a grant of planning permission.

- 5.11 Whilst this of course only one way in which the proposals might manifest, they are based on a faithful interpretation of the Design Code and the parameters plans which will be required to be complied with as part of any reserved matters application by virtue of planning condition.

## USES AND LAYOUT

- 5.12 I start with a description and analysis of the arrangement of the spaces and the plan arrangement of the buildings.
- 5.13 The disposition of uses across the site ensure that the commercial and community uses are positioned at the lower levels of the buildings, where activities and interactions between people will be visible through the buildings and experienced from the public realm.
- 5.14 Commercial uses will be placed around the new civic square. These will complement and continue the commercial character of the High Street and provide activation of the unit frontages.
- 5.15 The Ground floor plan seeks to ensure that as much of the frontage of the buildings comprises residential entrances with defensible front gardens (page 17 of Design Code).

- 5.16 The building frontages have been designed to bring definition to the new town square with an articulated base that is scaled to the surrounding buildings. The height of these will be single or double height as appropriate.

## HEIGHT AND MASSING

- 5.17 As will be clear to the Inspector and the SoS, the current height and massing of the scheme was refined and revised in response to officer feedback during the course of the determination of the application.
- 5.18 The proposed heights and massing create a legible composition with the tallest element of the scheme, Building A2, set back from Cricklewood Lane, addressing the new civic square and adjacent to the railway lines. The arrangement of height across the site in fact reflects an earlier massing proposal that was tested as part of pre-application discussions with the LBB. This is known as Massing Option 3 and is illustrated at page 39 of the DAS, July 2020 (CDA.03). I have included a screenshot of this scheme at figures 5.1 and 5.2, and an elevation study of the same at figure 5.3.

- 5.19 The height in this composition still creates the desired legibility in the longer townscape views, with a conscious stepping down in massing to A1.
- 5.20 Reducing the height of Building A1 down to 13 storeys has the effect of reducing the visibility of the scheme within the key views looking east towards the site and contributes to the important boundary and building line fronting the new civic space, Cricklewood Green.
- 5.21 The composition of height as proposed with the greater massing located adjacent to the less sensitive land is a logical arrangement and ensures an incremental step up in height to the taller elements. The sites either side, the Co-op site is consented for new development. The Jewson site is also identified for redevelopment, and the site to the west is identified in the site allocation.
- 5.22 Unlike many sites I have advised on, this site does not directly abut traditionally scaled development. The spaces within the site, and between it and the adjacent built form, mean there is sufficient separating distance between smaller scale existing built form and the taller elements of the scheme which are set back from the streetscene.
- 5.23 The creation and orientation of Block A as a marker identifying the new 'town square' has been the subject of particular consideration to create a defined character and mark the location near to the station, which as noted, is currently hostile and challenging. The placement of blocks C and D would create a defined but permeable edge, with substantial new landscaping and a distinct character, as defined by the Design Code.



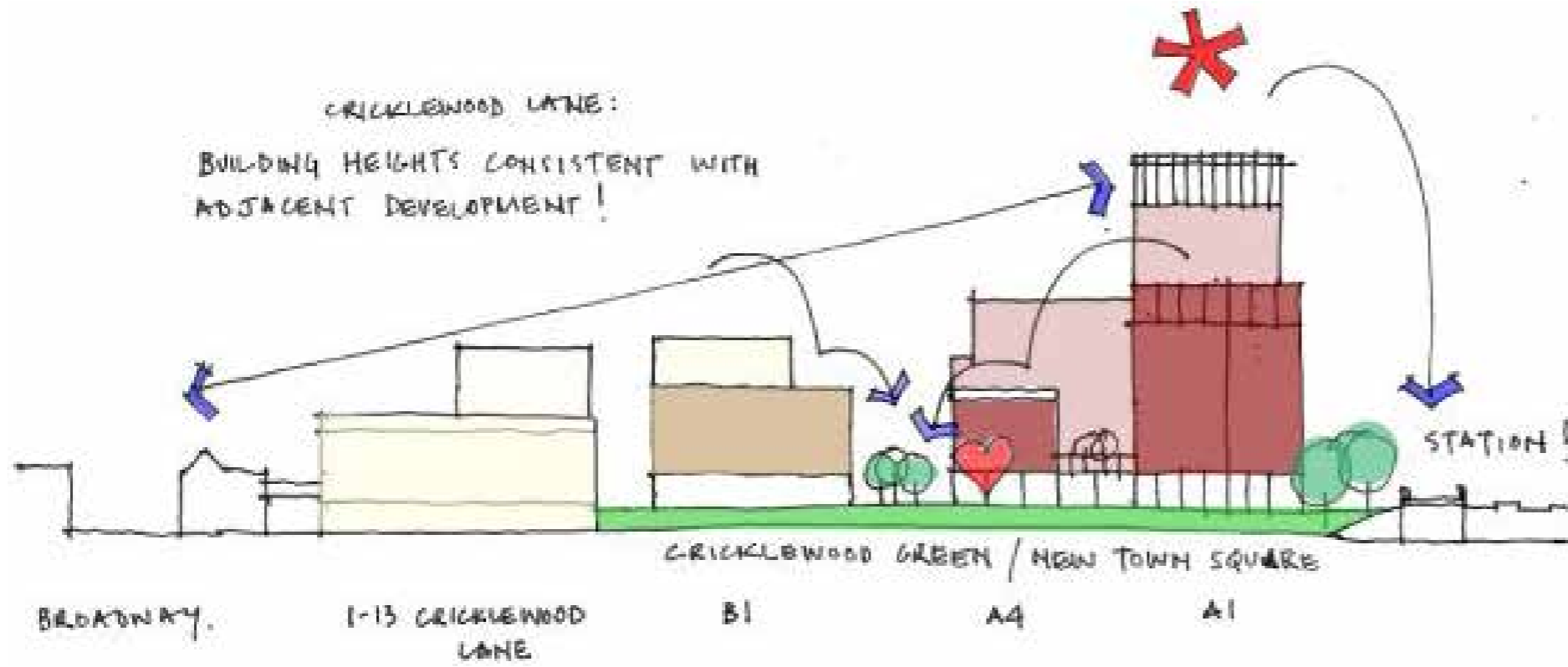


Figure 5.1 Massing Option 3 and is illustrated at page 39 of the DAS, July 2020 (CDA.03 )

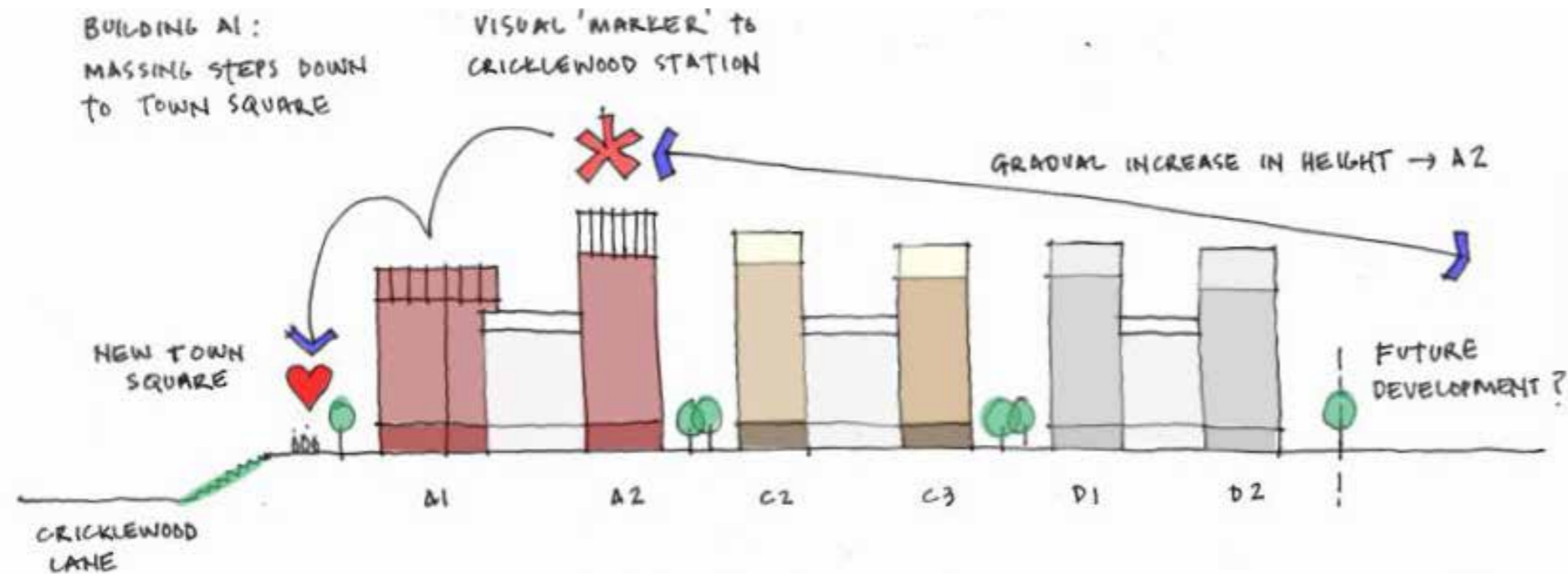


Figure 5.2 Massing Option 3 and is illustrated at page 39 of the DAS, July 2020 (CDA.03 )



Figure 5.3 Elevation study of the illustrative scheme taken from the DAS November 2022 (CDI.08)

**ARCHITECTURAL CHARACTER**

- 5.24 The future RMAs will be designed to reflect the variety of contextual influences within the wider context, and provide a new civic focus for Cricklewood. The high quality elevations, with subtle differences in the tonality of brick, are proposed in the Illustrative scheme and shown in the Design Code to reflect neighbouring development and to create a cohesive environment that relates to the variety of architectural treatment in the vicinity, including the brick residential buildings within Character Areas 5 and 8, which are described in the townscape baseline at CDA.58.
- 5.25 The site masterplan is split into a series of architectural character areas. Each has been designed to respond to the context of the character area, where architectural features are employed that contribute towards the 'local character' and to ensure the use of attractive, robust materials that weather and mature well.
- 5.26 The detail on the architectural response in each character area is set out from para 2.3.14 in the Design Code (from page 20).

- 5.27 The character of Plots A and B reflect a grand, more detailed architectural response derived from the ornate Victorian retail architecture seen along Cricklewood Broadway.
- 5.28 Plot A echoes the Victorian character and materiality of Cricklewood Broadway and is part of the continuation of the active commercial character of the Broadway. This is described and illustrated in Design Code from p.22. I highlight the design information contained in the Design Code in relation to the design of plot A in particular as an example of the level of detail and specific parameters included in the Design Code which will ensure the quality of future Reserved Matters applications to come forward in the future.
- 5.29 The Design Code is set out from page 22 and specifies detail on the design of the Base, Middle, Top, Balconies and Windows. The building materials, including the contrasting white windows, window sills, banding and decorative parapets will help define the appearance of the buildings on Plot A which are meant to be seen as a continuation of the commercial centre of the High Street.

- 5.30 The buildings incorporate a two storey plinth, commercial frontages around the square which is described to be the social heart of the scheme. The plot incorporates private gardens for the residences above.
- 5.31 The top storeys are treated with more decorative elements to elevate the building and denote the new square and the station. The top two floors of A1 are expressed as a two storey element to create top, middle and base. This is a simpler and subservient execution of the detail on Building A2 which is the tallest element.
- 5.32 The architectural design of the other plots are set out from page 24 onwards. The design of Plot B (from page 24 of the Design Code), relates to the character and materiality of Cricklewood High Street. The materials have been chosen to provide a transition between the proposed scheme and the consented 1-13 Cricklewood Lane Scheme.
- 5.33 Plot C (from page 26 of Design Code) has been considered and designed to be a transitional plot sitting between the 'Civic' nature of Cricklewood Lane and the residential Cricklewood Railway Terraces Conservation Area to the north-west of the Site.
- 5.34 The character and design for Plot D (from page 28 of Design Code) is more sober in order that it remains deferential to the adjacent architecture of the Railway Terraces, which comprise of terraces of residences of modest design.

**LANDSCAPING AND PUBLIC REALM**

- 5.35 The objectives for landscaping, greening and public realm are set out from 2.5.2 of the design code.
- 5.36 The Design Codes set the parameters for the quality and fee of the outdoor spaces planned as part of the development. It will provide a generous publicly accessible green space, improve the accessibility and links through the site, visible and generous civic space, a green pedestrian route, visual connections with podium gardens, varied views and elements of surprise.
- 5.37 In particular, I think the landscape scheme manages a most challenging site condition, its level above the surrounding area. Mr Everitt describes how the proposals would manage that condition, and I commend his description to the Inquiry.

5.38 Specific guidance is provided on hardscape at section 2.5.3 (Hardscape) of the Design Code (page 36) ensuring materials are for example, locally sourced, permeable, durability, paving and hard surfaces to define the different character areas. Similarly detailed guidance is contained in the Design Code on matters such as Street Furniture, Lighting, Soft Landscape, Trees, Play Strategy, Signage.

5.39 To make a general point about the approach taken in the Design Code, in my view, this level of detail included will ensure that the quality of the development to be realised through the eventual Reserved Matters applications will be maintained.

5.40 The Proposed Development would improve the public realm offer across the Site through landscaping provision, including the provision of a new green link between Cricklewood Green and Kara Way Playground, making a marked contribution to public amenity space, and encouraging use and activity in Cricklewood town centre.

**THE COMMITTEE REPORT**

5.41 The recent report recommending approval of the proposals as revised, and as now presented to the SoS, was subject to a design (character and appearance) analysis.

5.42 The relevant parts comprise **Section 9.0:** Tall Buildings, Design, Appearance and Visual Impact (beginning page 70).

5.43 This can be found as CDD.03.

5.44 I cite those parts I consider most relevant below:

*'9.22. In summary, officers note that there are instances of adverse impacts, most notably in Views 6 and 7 even with the reduced height. Notwithstanding these views where major adverse impacts are identified, officers must take a view of the scheme in the whole and in the context of the strategic policy designations for the site. The site is identified as being suitable for tall buildings and as an area for intensification under its designation as a Regeneration Area/ Opportunity Area. In this context and particularly in views 6 and 7, development of any scale which south to align with these strategic objectives would represent a significant magnitude of change given the existing state of the application site and the low rise nature of the residential areas to the south. It is therefore largely inexorable that delivering a high-density scheme which*

*delivered on the strategic objectives would result in harm from the south of the site.*

*9.23 Nevertheless, the harm is identified and officers have taken this into account in taking a holistic view of the townscape (excluding heritage assets) impact. Given the limited viewpoints from where major adverse impacts are identified, it is considered that taken as a whole, the development would result in less than substantial townscape harm which will be taken into account in the wider planning balance.[...]*

*9.29. The assessment undertaken by the Council's Heritage and Conservation Officers identifies that in all of the assessed views from the CA, the development would be overly dominant and create a visual disparity in scale.[...]*

*9.33. In such instances, Paragraph 196 of the NPPF is relevant and relates to the assessment of impacts on the setting of heritage assets. Paragraph 196 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'[...]*

*9.42. Officers consider that the cumulative weight of the public benefits, in particular the delivery of a significant number of affordable houses, outweighs the less than substantial harm to the identified heritage assets. Nevertheless, Officers will take the harm into account in the wider planning balance.'*

**THE GLA**

5.45 The officers of the GLA (which has design competency and expert officers with experience of this form of development) concluded the proposals met the terms of the London Plan policies that support high design quality.

5.46 See CDB.02, paragraphs 31-40.

5.47 In particular officers wrote:

*'34. At consultation stage, GLA officers considered that the illustrative scheme demonstrated an appropriate design quality could be achieved, with no harm to heritage assets (as discussed below); and the visual, functional, environmental, and cumulative impacts had been rigorously assessed and were considered to be acceptable. However, this was subject*

*to amendment of the Development Heights Parameter Plan, which allowed development of each parcel up to the maximum height proposed in the illustrative scheme, with no further control or guidance on height variation. The Parameter Plan was subsequently amended to secure greater variation in height for each plot, which is welcomed.*

*35. Further amendments were made to reduce the height of Parcel A (blocks from 25 to 13 storeys and from 19 to 18 storeys) and Parcel C (blocks from 18 to 17 storeys and from 7 to 16 storeys), as controlled by Parameter Plan. Although the heights proposed were generally supported at consultation stage, considering the scale of objections relating to heights as originally proposed, particularly Parcel A, the height reductions are supported. The proposals are supported in accordance with London Plan Policy D9.'*

**THE CITYDESIGNER REPORT**

5.48 The independent expert review which the Appellant commissioned in relation to the original submission carefully considered design in context, townscape and views, and likewise reviewed out HTVIA (favourably).

5.49 CityDesigner concluded the following as set out in their report at **Section 4.0**, p. 29:

*'4.4 As an important urban regeneration project which provides a substantial amount of well-designed residential accommodation and new and well landscaped public spaces, it has the right to be visible and this is exemplified by a landmark tower seen from a number of locations, from where its positive design will be appreciated and seen to be sympathetic to its context. Its joyful and generously designed top adds meaning and richness to the vistas and glimpses above existing buildings in a celebratory and thoughtful way.'*



**6.0**

# **CHARACTER AND APPEARANCE**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# CHARACTER AND APPEARANCE

- 6.1 In this section, I treat the character and appearance of the Site and its context.
- 6.2 As part of the Environmental Statement, we prepared a plan identifying areas of distinct townscape character, which I reproduce here at **Figure 6.1**.
- 6.3 I also include oblique aerial plans of the main character areas I consider in this evidence.
- 6.4 I understand no party has criticised or taken issue with this analysis in the course of the applications, and I hope it can be agreed with the Council in due course through the Statement of Common Ground process.
- 6.5 The narrative text reproduced below is, therefore, substantially similar to that we published in the HTVIA.
- 6.6 Having reviewed the visualisations and visited the site and surroundings again, I conclude that 5 of these character areas are potential affected by the proposals.
- 6.7 Before I set out my own analysis of these areas I am going to consult the Council's Characterisation Study (2010) (CDF.016) to see how the Council characterised the site and the surrounding areas prior to any consideration of development in this location.

## BARNET CHARACTERISATION STUDY (2010)

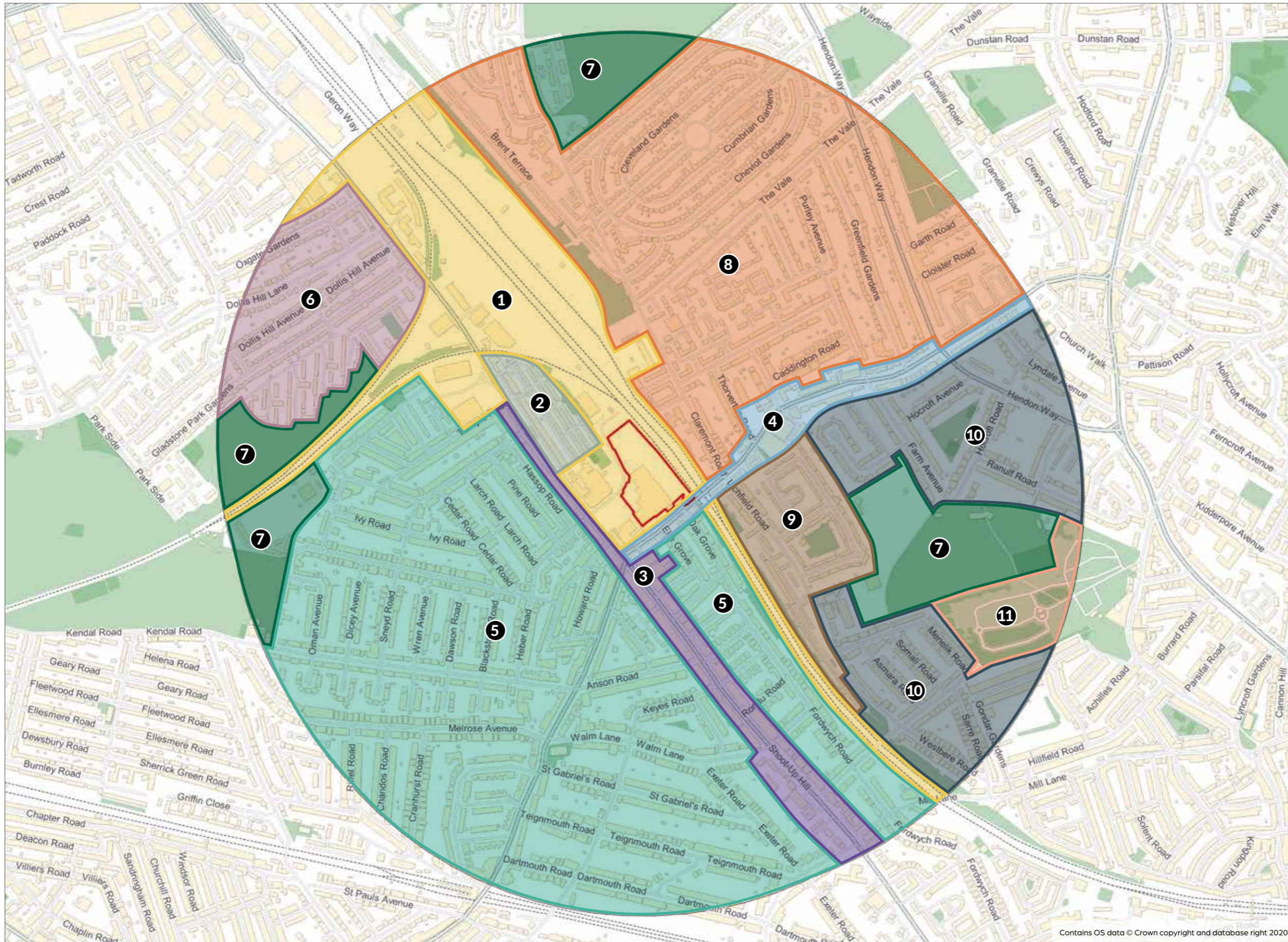
- 6.8 The Barnet Characterisation study is a broad Borough wide study that has sought to characterise the individual streets in the Borough.
- 6.9 The Introduction to the SPD states that *'Throughout Barnet the pressure to accommodate new development and housing is increasing. Whilst recognising the need for major development in appropriate locations, the Council seeks to safeguard the suburban nature of the borough. In order to protect this distinct character it is vital that growth is accommodated in a variety of forms.'*
- 6.10 The site itself is located in the area referred to as 'Brent Cross Cricklewood.' The study summarises the character of this area as follows: *'The character area largely comprises industrial / commercial uses, the Brent Cross Shopping Centre, and open space. These areas generally fall within the big box typology. Some smaller areas of housing are included on the eastern side of the area, generally of typology D, comprising small semi-detached or terraced housing laid out on regular streets and set back behind front gardens, many given over to on plot parking.'*
- 6.11 The 'Box Typology' is referred to and defined as the following in the characterisation study:
- 6.12 *'Box development is most typically large scale retail units such as supermarkets, or industrial development. It is most frequently located in close proximity to large infrastructure and a significant amount borders the M1 motorway, the North Circular Road, and rail lines. Occasionally box development is located in and around town centres, where the historic grain has been redeveloped to accommodate large scale retail units.'*
- 6.13 *Both the Colindale AAP and Brent Cross and Cricklewood Masterplan contain a significant amount of urban development that meet the criteria of box development. However, as these locations have already been identified as areas scheduled for controlled and managed redevelopment these are not identified on the plan.'*

6.14 The characterisation map is included at **Figure 6.1**.

- 6.15 The terraces to the south of the site, located around Elm Grove and Oak Grove, are identified as being within the 'Golders Green and Hampstead Garden Suburb.' These streets are characterised as being typology E 'Urban Terrace,' this typology summarised as being: *'Urban terrace streets are predominately characterised by the architectural dominance of Victorian and Edwardian housing. Unlike large areas of London, Barnet has very limited areas of Edwardian and Victorian development, and most of it is located in the south and east of the Borough. Streets are typically urban in character, dominated by on street parking and with minimal parking. They normally have a strong, coherent character due to the consistent and rhythmic architectural style and consistent street profile. An additional key physical characteristic includes the relatively narrow streets and limited building set backs.'*

# CHARACTER AREA PLAN

- Application Site
- 1 Railway Infrastructure and Commercial Warehouses
- 2 Railway Terraces
- 3 Cricklewood Broadway
- 4 Cricklewood Lane
- 5 South Cricklewood Residential
- 6 North-East Cricklewood Residential
- 7 Green Open Space
- 8 North Cricklewood Residential
- 9 East Cricklewood Residential
- 10 West Hampstead Residential
- 11 West Hampstead Cemetery



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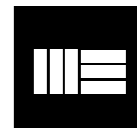
LOCATION:  
Cricklewood Lane

DATE:  
July 2020

SCALE:  
1:15,000 @ A3

FIGURE 6.1 Townscape character areas plan

▲ NORTH



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### CHARACTER AREA 1: RAILWAY INFRASTRUCTURE AND COMMERCIAL WAREHOUSES

- 1.1. The Railway Infrastructure and Commercial Warehouses character area is broadly linear and intersects the study area from north-west to south-east, running parallel to the A5 route. This character area is dominated by converging railway lines and adjacent commercial warehouses, with the Site located centrally.
- 1.2. An oblique aerial view of this area is included at **Figure 4.3, Appendix 2.o**.
- 1.3. Here the townscape is characterised by sections of the Midland Main Line, which run from Hendon to West Hampstead and pass through Cricklewood Station, the 'Cricklewood Curve' junction and adjacent structures and areas of cleared industrial land and scrubland. Large commercial warehouses and areas of hardstanding (used for storage, car parking and servicing) are present along the southern boundary of the character area, along with residential apartment blocks fronting Edgware Road.
- 1.4. Buildings date from the late-C20 to present and are unified by their coarse grain, large footprint, materials and function. These modern structures are generally built from brick or are steel-frame and clad buildings, and of one or two storeys with rectangular plan form and flat or shallow-pitched roofs. They include the B&Q retail warehouse, Cricklewood Bus Garage and Hendon Rail Transfer Station to the south, west and north respectively. Residential developments of increased scale are also present to the north-west.
- 1.5. Whilst the character area is generally open, much of it is part of the railway network and inaccessible to the public. These areas are bordered by security fencing, vegetation, residential developments and adjacent roads, meaning the area is well-defined and generally enclosed. As such, views into the character area are mostly filtered and limited to adjacent publicly-accessible thoroughfares and open spaces at the boundaries.
- 1.6. For this reason the character area is primarily experienced when travelling along the railway lines (on public transport), A5 route or Cricklewood Lane, where the Site and commercial warehouses can be seen. By virtue of its poor visual quality and functional industrial and commercial nature, the townscape value of the character area is considered very low.
- 1.7. I note here that this area is within the Brent Cross Cricklewood Opportunity Area.

### CHARACTER AREA 3: CRICKLEWOOD BROADWAY

- 6.16. This character area comprises Cricklewood Broadway and the bordering commercial properties with residential above. It has a linear configuration due to the orientation of the route from north to south.
- 6.17. The Crown Public House and Lamp Standards in front are primarily experienced from Cricklewood Broadway and the associated forecourt to the south, within the context of Cricklewood's busy commercial high street. The area is relatively enclosed as they are set back from the main road and screened to the north, east and south by surrounding development.
- 6.18. The character of the area is characterised by Victorian, Edwardian, C20 and C21 developments (which range in height from three to five storeys), retail units and the well-used thoroughfare.
- 6.19. To the north and east built form comprises buildings of between three and four storeys with glazed shopfronts at ground floor and residential flats above. Built from red, gault and yellow stock brick, these buildings are terraced and have consistent building and roof lines.
- 6.20. Architectural features include classical detailing in stone and plaster, sash and casement windows, parapet walls, dormers and mansard and gabled roofs.
- 6.21. By virtue of their complementary architecture, materials and uniform elevations, the early-C20 buildings positively contribute to the heritage value of the receptors, although cluttered commercial signage and non-original fenestrations lessen this somewhat.
- 6.22. The modern Clayton Crown Hotel is present to the immediate south and east of the receptors and adjoins the Crown at the south return and rear. Although of modern materials and increased bulk, these buildings form part of the receptors' established commercial and urban context and are clearly distinguished from them.

### CHARACTER AREA 4: CRICKLEWOOD LANE

- 6.23. This character area is configured along the Cricklewood Lane route, the main eastern route into the town centre. It is linear in arrangement and characterised by mixed residential and commercial development, this busy arterial thoroughfare is fronted by buildings of red and London stock brick, some rendered, of two to four storeys.
  - 6.24. Built form comprises late-C19 and early-C20 terraced dwellings and late-C20 apartment blocks, many with glazed commercial units at first floor.
  - 6.25. Within the wider area post-war semi-detached houses are present to the east and south, with taller modern developments, such as the eight-storey 'Broadway' flats, present to the west, closer to the town centre. Part of the main western approach into the town centre and the established urban context.
- ### CHARACTER AREA 5: SOUTH CRICKLEWOOD RESIDENTIAL
- This character area located to the south of the study area and broadly comprises suburban residential properties between the Midland Main Line and Cricklewood Curve, to the west of Cricklewood Broadway.
- Residential properties date from the late-Victorian and early-Edwardian period, and are predominantly detached or semi-detached in typology, with a domestic scale of between two and three storeys, and fine development grain. The streets are arranged in a grid pattern and comprise long avenues with continuous residential development either side. As such, views of surrounding development are limited.
- These dwellings are commonly set back from the road by front gardens and driveways defined by brick walls and gateposts. In conjunction with the building materials used, their consistent building lines, scale and form contribute to the general uniformity of the character area.
- 6.26. The prevailing building material within the character area is red brick, stone and plaster used for dressings, some roughcast. Plain-tiled and blue slate roofs are also common along with timber details and plain-tiled cladding.



- 6.27 Common architectural features include bay windows, straight brick arches, stone sills, and sash and casement windows. Classical entrances with flat, hipped, gabled porches or canopies are also prevalent. At the upper levels, roofs are generally pitched or gabled and have dormer windows, coping stones, and brick chimney stacks.
- 6.28 Additional features within the streetscape include street trees, hedgerow boundaries, low brick boundary walls and small front gardens. Features which detract from the CA's special interest include isolated examples of rendered or painted front elevations, inappropriate roof or rear extensions, and hard-surfaced front gardens. The loss or unsympathetic replacement of window details, doors and decorative features also detracts from this special interest.
- 6.29 The overall townscape value of this character area is considered to be medium because of the uniformity and consistency of its C19 and early-C20 domestic architecture. This is ordinary, and within some of the streets, the townscape character is varied because of later development, including some larger format development.
- 6.30 The character of these streets as they approach the main A roads changes as a consequence of the proximity of commercial uses and the volumes of traffic.
- 6.31 The A407 is an important approach route to Cricklewood and cuts across this area on a SW/NE alignment. This alignment is directed toward the site, and so there will be prominent views of the proposals from the northern end of this route, and ones experienced by many people approaching the area.

**CHARACTER AREA 2: RAILWAY TERRACES**

- 6.32 I turn now to the Railway Terraces Character Area, which covers the same area as the Railway Terraces Conservation Area ('RTCA') and the description of character is thus applicable in both cases.
- 6.33 The RTCA is an area of distinct and well-defined character, and is subject to a published appraisal (CD X.X), adopted in 2016, which is material to the determination of this Appeal to the extent it comprises an explanation of the asset's special interest or significance, including its architectural and historic interest.
- 6.34 I here provide a brief description of the character of the area, drawn from the HTVIA and not, I understand, queried.

- 6.35 The development of the Conservation Area as it exists today began in the late 1860s in conjunction with the Midland Railway Company's construction of the railway line, depot, marshalling yard and sidings at Child's Hill and Cricklewood in this period.
- 6.36 The five terraces comprising the RTCA were built to house railway workers with Gratton, Midland and Needham Terrace constructed first, followed by Johnston and Champion Terrace. 1-6 Burlington Parade, originally shops with flats above, were built in 1908. Additional buildings (e.g. hostel at 318 Cricklewood Broadway) were also built and used for accommodation and educational purposes.
- 6.37 The RTCA has a consistent residential and suburban character formed by the back-to-back terraces, hard-surfaced streets and interposing green spaces. The C19 dwellings have two bays and two storeys, many retaining small single-storey extensions to the rear. These were originally used as outdoor toilets and coal stores. Other architectural features include cambered brick arches, stone sills, panelled timber doors, sash and casement windows, pitched roofs and large brick chimney stacks.
- 6.38 Houses at Gratton Terrace are taller and grander, with projecting bay windows at first floor, yellow brick details, painted stone sills and arches, and recessed entrances. To the rear, gabled extensions are present along with single-storey extensions. Other red brick buildings are present within the RTCA. These include the former hostel to the north, now a Sikh Gurdwara, 1960s dwellings at the northern end of Gratton Terrace, and 1-6 Cricklewood Broadway. The latter has four-storeys and retail units at first floor.
- 6.39 As such, the character and appearance of the RTCA is derived from the historic and architectural interest of its Victorian residential dwellings, their consistent architectural style and palette of materials, and their historic functional relationship with adjacent infrastructure developments. The CA's historic streets and communal green spaces also survive well, and contribute to its character and appearance.
- 6.40 It has a contained, suburban setting, regular and consistent layout of buildings, and surrounding vegetation and mature trees. As such, the area is generally screened from the elevated railway line and industrial land to the north and east. The majority of the RTCA is also screened from the west by vegetation and the Gratton Terrace properties; Cricklewood Broadway itself is sunken and set back from the CA by mature trees.

- 6.41 The wider setting of the CA comprises industrial and infrastructure development associated with the railway, and nearby commercial and retail businesses close to the Cricklewood Broadway thoroughfare. Late-C19 and early-C20 terraced houses are present to the west. The buildings and infrastructure are mixed in their architectural quality and appearance but have some historic association to the CA due to land use. They make a neutral contribution to the CA overall.

**THE ASSESSMENT OF TOWNSCAPE CHARACTER IN THE REPORTS OF THE STATUTORY BODIES**

- 6.42 The committee report recommending the grant of consent (CDD.03) summed up officers' description of the site in section 1 from page 22.
- 6.43 Describing the character of the site, officers stated:
  - The site was previously occupied by retail uses, the largest of which was a B&Q retail store accommodated within a large warehouse style building. Aside from the buildings which accommodating the retail uses, the rest of the site is largely made up of hardstanding providing a large expanse of ground level parking. (paragraph 1.1, page 22)*
  - Immediately to the south of the site is an area of green space which buffers the site from Cricklewood Road; Cricklewood Green. This area of greenspace is identified as an Asset of Community Value (ACV) (paragraph 1.2)*
  - Immediately to the west of the site is a series of commercial buildings adjacent to Cricklewood Lane and further to the north, a Bingo complex with associated car park (paragraph 1.3)*
  - To the north of the site is a builders merchants and associated hardstanding. Also to the north and north-west of the site is the Railway Terraces estate which is a designated Conservation Area. Kara Way playground is located to the north-west of the site which provides a children's play area for the local community (paragraph 1.4)*
  - Immediately to the east of the site is Cricklewood Station and the associated railway infrastructure. Given the proximity to the station and to nearby bus routes, the site has a Public Transport Accessibility Level (PTAL) of 4-5 (paragraph 1.5)*

*The site is located in the Brent Cross Cricklewood Growth Area and is designated within the Cricklewood and Brent Cross Opportunity Area as designated within the London Plan. The site is also located within the Brent Cross Cricklewood Regeneration Area as designated within the Barnet Local Plan. (paragraph 1.6) There are no statutory designated heritage assets on the Site, however as well as the designated Railway Terraces Conservation Area, there are three Grade II listed structures located within a 500 metres radius of the Site. These include the Milestone Sited Outside Number 3 and 4 Gratton Terrace, three Lamp Standards in front of the Crown Public House and the Crown Public House itself (paragraph 1.7).*

6.44 Later in the report, when summarising the Council's assessment of the effects of Tall Buildings on the surrounding area, officers summarised the policy position at paragraph 9.6 (page 72):

*'Given the compliance with Policy CS5 and D6, officers consider that the overarching principle of tall buildings in this location is acceptable. Nevertheless, further assessment is required as to whether the proposed building heights in themselves would be acceptable within their context. In order to fully assess this, it is necessary to carry out further assessment under Policy DM05 of the Local Plan which identifies 5 criteria which tall buildings would adhere to. These criteria are set out below with an assessment of the application against each criterion.'*

6.45 I agree with these findings. I note that the GLA did not question this analysis in summarising their support of the scheme (CDB.02).

6.46 The second committee report recommending the grant of consent repeated this analysis.

## CONCLUDING REMARKS FOR THE APPLICANT

- 6.47 Thus, and in summary, I invite the Inspector to report the following to the SoS as comprising the character and appearance of the area:
- The site is an area of former retail uses which before that related to the functions and infrastructure associated with the railway sidings and operations, as described in the historic development section at CDA.55 and illustrated in the aerial photographs at **Appendix 2.0**. The buildings on and in the surrounding character area are of larger footprints, and date from C20. The site in its current form is not a positive feature in the streetscene and detracts from townscape views in the immediate vicinity and from the residential areas to the east (Character Area 5).
  - The site is adjacent to major infrastructure and part of the opportunity for redevelopment arises from that proximity as recognised in the Local Plan.
  - There are two commercial centres, one along Cricklewood Lane and the other to the south west along Cricklewood Broadway.
- 6.48 And within that larger categorisation, as I invite the Inspector to consider that the significance of the Railway Terrace CA lies in its character as a cohesive planned estate for railway workers associated with railway infrastructure. The CA has a well-defined structure and well defined edges. The buildings are of consistent materials and a consistent scale. The CA is described in the adopted CA Appraisal as 'a peaceful, tranquil island within a busy urban setting.' The setting of the CA is part of the reason it is significant. Its association with the railway functions and servicing of the end of the London line is an important element of its significance and the opportunity on this site arises from its historic use.

**7.0**

**EFFECTS OF THE PROPOSALS ON THE  
CHARACTER AND APPEARANCE OF THE AREA**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# EFFECTS OF THE PROPOSALS ON THE CHARACTER AND APPEARANCE OF THE AREA

## TOWNSCAPE EFFECTS

- 7.1 Before I consider the effects on townscape character I think it important to define what I mean by townscape and therefore how I come to my conclusions on the stated effects.
- 7.2 Townscape comprises of a combination of two things; the character and appearance of an area and how that is experienced by the users of that area. This is defined in GLVIA3 as the *'built-up area, including the buildings, the relationships between them, the different types of urban open spaces, including green spaces, and the relationship between buildings and open spaces.'*
- 7.3 It will be agreed that the appeal site is of low value in townscape terms. The site and its buildings currently detract from the way the area appears and functions, being of no architectural merit and as they present a vacant frontage to the street.
- 7.4 It will also be agreed that the area in which the appeal site is located is identified for change on a significant scale. The draft allocation coming forward for this specifically in the Cricklewood Growth Area (the Growth area itself to be defined specifically in the new Local Plan), identifies that the area is to be focus of a major transformation and to contribute to the delivery of 1,400 homes as well as new employment opportunities, including some 1,000 homes on the Appeal site.

- 7.5 This policy background and direction means the proposals should not be considered against a 'no development' world. The Council have contemplated that the redevelopment of the site will come forward and the development plan supports a significant quantum on the site. Thus, in considering development proposals for the site it is not necessary to go back to first principles as the principle of redevelopment is already established.
- 7.6 It is implicit in the adopted and emerging policy positions that the site is robust; there is a lack of prescription for the design in the policy documents as noted earlier. The proposed development will also have a functional effect and an interaction with adjoining character areas. I conclude that these effects are all beneficial, increasing vitality and accessibility, and providing publicly accessible and attractive new landscape spaces.

## EFFECTS ON CHARACTER AREA 1 - THE PROPOSED DEVELOPMENT SITE AND IMMEDIATE SURROUNDINGS

- 7.7 The proposals would create a point of townscape prominence, appropriate to its location adjacent to a major transport infrastructure node. The height and scale of the new buildings would mark the location and function as a point of connection linking key routes through the area.
- 7.8 In my view, the potential townscape effects upon this area are substantial and beneficial, arising through the introduction of new high quality scheme with a generous public realm, replacing unrelieved hardstanding and existing buildings of no architectural merit.
- 7.9 The proposed development would introduce appropriate and accessible ground floor uses, which, alongside public realm would ensure the Site's better integration into the local street network and improve its permeability.
- 7.10 The configuration of the four blocks has been designed to offer a variety of new public spaces and pedestrian routes that would respond to the immediate and future context of the Regeneration Area. Importantly, the new pedestrian green link through the centre of the Site would improve accessibility through a previously uninviting area, and open views across the Site, thus linking discrete and currently isolated parts of the townscape, improving the experience of Cricklewood Green and providing regenerative benefits across the wider area.
- 7.11 These permanently open routes would be activated by the ground floor uses of the buildings, including commercial uses.

- 7.12 Thus, the townscape quality of the Site itself and that of the wider area would be enhanced through the development.
- 7.13 The ES chapter identified the proposals have likely to have a Long Term Major Beneficial Effect (significant) on the townscape character and appearance of character area 1 and I agree with these findings.

## EFFECTS ON CHARACTER AREA 5

- 7.14 The Appeal site is separated from these areas by A roads, and commercial uses.
- 7.15 The greater intensity of use proposed reflects those commercial uses, including some recent and denser development.
- 7.16 The orientation of the streets in these areas means that the effects on their visual amenity area limited, and surprisingly so given the extent of the development.
- 7.17 It is convenient to break down this analysis into three parts.
- 7.18 Most important, in my opinion, is the change to visual amenity as experienced by those travelling from the SW towards Cricklewood, along the A407. Two views have been modelled here (8 and 9), and these show the proposals effect a significant change to skyline.
- 7.19 Looking just at the parameters (that is, excluding the design code information), the varied height of the scheme and block disposition produces a varied new skyline silhouette.
- 7.20 This provides a point of definition in the view, and one that increases legibility because the effects are associated with a major regeneration site, a railway station and an important cross roads (the A5 and A407 – even though the site is not directly situated on it).
- 7.21 In nearer views, the recently consented 1–13 Cricklewood Lane provides a transition in scale up towards the main southern blocks of the development.
- 7.22 Leaving aside the design code, and focusing for a moment just on height, bulk and scale, I identify some visual harm.
- 7.23 Applying the design code (and having regard to the indicative illustration presented as an AVR), I conclude that the scale of the proposals have been modulated through the articulation of the cladding and the use of complementary materials. The proposals will also be seen behind the new proposal at 1–13 Cricklewood, increasing in height to the tallest element which is nearest the station.

7.24 The proposals will clearly be different, but perceived from a well-defined townscape, over distance, and relating to infrastructure and a planned area of change.

7.25 I conclude, therefore, that the proposals are not harmful and even have a net beneficial effect.

7.26 Further north, from Ashford Road, view 11, there will again be a major skyline transformation. Here, the gaps between the blocks are particularly effective in achieving visual integration with the scene, even before taking the design code into account.

7.27 The stepped form of the development, from west to east, also provides scale in transition between the fore and middle ground and the proposals. Buildings of this scale are not alien in these local streets; as the photograph itself demonstrates there is a 9-storey residential scheme within this character area.

7.28 The effect is also associated with the busy high street and the railway beyond and so is legible. Furthermore, the character of these streets is influenced by nearby commercial uses, and there is some variety in building form too.

7.29 Overall, then I do not see this effect as harmful, and there is likewise a benefit to legibility and townscape structure. The separating distance and interposing high street development means there will be no overbearing on the scene, and the proposals will not appear intrusive.

7.30 Finally is the visual effect of the proposals from two short residential streets immediately to the south.

7.31 View 6 along Oak Grove terminates in Cricklewood Lane and the site itself, and in its current condition it detracts from the amenity of this view from a somewhat mixed late Victorian/Edwardian period street. The houses here do not all orient to the street, which reduces its townscape value.

7.32 This view will change markedly through the scale of the proposals, producing a new skyline of different proportions.

7.33 However, the orientation of the block and the use of complementary materials, along with a highly articulated façade system (see the design code as rendered) can modulate that scale change successfully. In nearer views, too, one would appreciate the improved landscape, and the taller element is associated with the station, and seen beyond the busy road.

7.34 Overall, then, I think the harmful effect arising from scale change can become beneficial through the application of the design code.

7.35 Similar observations apply to the effect on the streetscene amenity in Elm Grove, view 7. The marked change to skyline is modulated by the spacing of the blocks, and materials and detailed design would produce an attractive building, with an improved frontage.

7.36 Finally, I consider the approach views to the site, from the east, along Cricklewood Lane from Hendon Way, which the local identification of a major road, the A41.

7.37 The proposals will become increasingly visible as one approaches the site. The townscape here is mixed, and includes some larger, more modern developments, and in medium distant views, View 4, the proposals will be visible. The gaps between them prevent any overbearing on the scene, and the design code demonstrates how buildings of the scale proposed would not be intrusive.

7.38 Nearer to the site, View 5, the scheme obviously has a greater visibility, but the quality of the townscape here is not high, and the proposals are seen across the railway and in association with the station. Again, the design code demonstrates how the development scale and height can be modulated through the materials and articulation of the cladding.

7.39 There is an important here about how London is developing and what we all now expect to see near to railway stations, on major approach roads, which is development on this scale as supported by planning policy.

7.40 So, whilst in these nearer views the transformation proposed is seen to the greatest level, the effect is not harmful to visual amenity as consequence of good design and how one appreciates the role and function of town centres associated with stations.

7.41 Overall, again, I see a net benefit to the visual amenity of the area arising from the proposals.

**THE SUBMITTED ES**

7.42 I note here that the ES was prepared on the basis of the earlier scheme, that is, the maximum parameters that were modelled into the ES views assessed the scheme on the basis of the maximum 25 storey height parameter.

7.43 The methodology and criteria for the assessment of the effects in ES

terms was set out in the HTVIA and I understand there was no criticism of the approach adopted.

7.44 There is also a statement of conformity comparing the previously presented information with the information now before the SoS. I have not sought to relate my findings here to the ES matrix-based methodology. I consider, however, that my findings are consistent with those of the ES and the statement of conformity.

## COMMITTEE REPORT - 8 NOVEMBER 2022

7.45 Officers undertook their own visual impact assessment of the scheme which was reported in the committee report (CDD.03).

7.46 The Council considered that there was no substantial magnitude of change to the character and composition of the majority of views. That conclusions included Views 1, view 2, 3, 4 and 12.

7.47 For view 9 and view 11, officers considered that the effect would be of moderate magnitude within a minor effect overall.

7.48 The Council concluded that there would be effects of significant magnitude on View 5 and View 6, 7 as well as 10.

7.49 Officers set out the strategic policy background relevant to the consideration of the harm caused by height in this location. At paragraph 9.22 officers stated:

*'In summary, officers note that there are instances of adverse impacts, most notably in Views 6 and 7 even with the reduced height. Notwithstanding these views where major adverse impacts are identified, officers must take a view of the scheme in the whole and in the context of the strategic policy designations for the site. The site is identified as being suitable for tall buildings and as an area for intensification under its designation as a Regeneration Area/Opportunity Area. In this context and particularly in views 6 and 7, development of any scale which sought to align with these strategic objectives would represent a significant magnitude of change given the existing state of the application site and the low rise nature of the residential areas to the south. It is therefore largely inexorable that delivering a high-density scheme which delivered on the strategic objectives would result in harm in views from the south of the site (paragraph 9.22)*

7.50 At paragraph 9.23 the level of harm to the townscape character was considered:

*'Nevertheless, the harm is identified and officers have taken this into account in taking a holistic view of the townscape (excluding heritage assets) impact. Given the limited viewpoints from where major adverse impacts are identified, it is considered that taken as a whole, the development would result in less than substantial townscape harm which will be taken into account in the wider planning balance.'*

7.51 Officers commented separately on the Supplementary Urban Design Study prepared by City Designer. Five additional views were considered in that document. The illustrative scheme was rendered in those five views. In conclusion officers considered:

*'The supplementary UDS document submitted, does not alter the conclusions drawn in the assessment of the townscape impact from the HTVIA. Taken as a whole, it is considered that the views show that the development would result in less than substantial townscape harm which will be taken into account in the wider planning balance. This is similarly the case taking into account the reduced heights of the revised scheme.'*

7.52 I do not know what the Council means by 'less than substantial townscape harm.' The Council appear to have borrowed assessment methodology from heritage planning and applied it to townscape assessment.

## GLA STAGE 2 REPORT

7.53 I note here the assessment put forward by the GLA and their support for the scheme as set out in the Stage 2 report. For ease I have quoted the relevant paragraphs of the Stage 2 report and underlined the most relevant sections.

*33. The current and emerging development plans identify the site as appropriate for tall buildings, subject to assessment, in accordance with London Plan Policy D9 (Part B). At consultation stage, it was noted that the proposals (then up to 25 storeys) would be a step-change in scale when viewed from the prevailing Victorian/Edwardian surrounding streets, although neighbouring application had been granted for schemes up to 9 storeys. Furthermore, it was noted that the size of this Opportunity Area site provides an exceptional*

*opportunity for high-density housing delivery, including tall buildings that do not unacceptably impact the surroundings. This is considered to meet the requirements for buildings above 15 storeys in the emerging Local Plan.*

*34. At consultation stage, GLA officers considered that the illustrative scheme demonstrated that an appropriate design quality could be achieved, with no harm to heritage assets (as discussed below); and the visual, functional, environmental, and cumulative impacts had been rigorously assessed and were considered to be acceptable. However, this was subject to amendment of the Development Heights Parameter Plan, which allowed development of each parcel up to the maximum height proposed in the illustrative scheme, with no further control or guidance on height variation. The Parameter Plan was subsequently amended to secure greater variation in height for each plot, which is welcomed.*

*35. Further amendments were made to reduce the height of Parcel A (blocks from 25 to 13 storeys and from 19 to 18 storeys) and Parcel C (blocks from 18 to 17 storeys and from 17 to 16 storeys), as controlled by Parameter Plan.*

*Although the heights proposed were generally supported at consultation stage, considering the scale of objections relating to the heights as originally proposed, particularly Parcel A, the height reductions are supported. The proposals are supported in accordance with London Plan Policy D9.*

7.54 In summary, the GLA were supportive of the height and associated townscape and visual effects of the 25 storey scheme, subject to the amendment of the development heights parameter plan. In their final Stage 2 report, noting that the requested amendment, as well as other amendments to reduce the maximum height of the scheme overall, the GLA stated that the proposals were compliant with London Plan policy D9 (paragraph 39, CDB.02).

7.55 Council officers identified adverse effects, but took the view that the scheme was acceptable in the round, having regard to the nature of the effects and the development plan requirements for the site.

**8.0**

**EFFECT OF THE PROPOSALS ON THE SIGNIFICANCE  
OF THE RTCA AND ITS LOCALLY LISTED BUILDINGS,  
AND ON THE LISTED BUILDING, THE CROWN  
PUBLIC HOUSE**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# EFFECT OF THE PROPOSALS ON THE SIGNIFICANCE OF THE RTCA AND ITS LOCALLY LISTED BUILDINGS, AND ON THE LISTED BUILDING, THE CROWN PUBLIC HOUSE

## THE RTCA

- 8.1 At the moment the site contributes nothing to the appreciation of the CA's special interest. The significance of the asset is intrinsic to it, and to the extent its setting contributes to an appreciation of that, then it is the proximity of the rail line and station that matters. This is, obviously, not affected by the proposals.
- 8.2 Considering the HE setting guidance assessment criteria, I conclude the poor visual character of the site detracts from the setting of the CA. Its use for commercial purposes is not complementary either.
- 8.3 Thus, and at the simplest level, a well-designed scheme integrated with attractive landscape must enhance the character of the CA's setting.
- 8.4 The matter turns on visual effects, as tested in the HTVIA. The modelled views are agreed, I should, to be sufficient, and comprise Views 13, 14, 15 and 16.
- 8.5 The first point to make is that the extent of impact is relatively limited and does not affect the whole of the area.
- 8.6 Second, the proposals cannot affect the intrinsic historic interest of the asset. This is contained within its physical characteristics, and notably the street grid, the integration of shared landscape and plan form of the houses as seen from those areas.

- 8.7 Third, the proposals also cannot affect the intrinsic interest of the locally listed buildings.
- 8.8 The visual setting effects on the CA are greatest along its eastern edge, and from the allotments which are a) not part of the original design and b) a functional land use which has no design quality. There are some limited changes to skyline in views looking south, but none in views looking north or west.
- 8.9 Those changes are modest in scale and nature. Any potential for intrusion (see below) can be mitigated in my opinion by the use of complementary materials and through detailed design.
- 8.10 Turning to the assessment criteria in GPA3 (Historic England, CDK.01, page 13), I have the following observations.
- 8.11 The proposals do not adjoin the CA and are not proximate to it.
- 8.12 The proposals do not feature prominently in key views, which are those long views within the street grid, north and south.
- 8.13 The proposals do not orient to the CA, or physically isolate it from its significant setting relationship with the railway.
- 8.14 The visualisations demonstrate that the proposals are not prominent within the designed parts of the CA, but appear below ridge lines and vegetation.

- 8.15 Consequently, they do not interfere with an appreciation of the spatial character of the street, competing with that grid or undermining one's ability to admire the architectural ensemble.
- 8.16 Whilst the dimensions and scale of the proposals are obviously much greater than the CA buildings, they are not close to it, and visual impact is limited (as noted).
- 8.17 The materials proposed in the design code would, in any event, be complementary, and the residential character of the buildings would be evident where they are seen, and so complementary to the historic use of the CA.
- 8.18 The proposals are associated with an intensification of the town centre, and associated also with the commercial uses and buildings on the high street which lie clearly outside the CA boundary.
- 8.19 The impacts would increase marginally in the winter, but not unacceptably, and my appraisal does not rely on tree screening in any event.
- 8.20 The proposals will be prominent in views from the allotments. I note here that, historically, part of the goods yard and then later converted and used before 1939 as areas to grow food. This use was then reinstated in the 1970s after a local campaign.
- 8.21 The area contributes something to an understanding of the historic interest of the CA (a planned workers community has some historical resonance with the allotment movement, founded to improve working class individuals' access to fresh food and healthy exercise). However, the allotments are not laid out according to any aesthetic idea or design, and there is not dependent on the preservation of views from it.
- 8.22 What one would see, in any case, would be a series of blocks along their length, with gaps between articulating their individual identity, as they recede into the distance. Their visibility above the tree line is slight, and one's attention in this space is focused on the beds and fruit or ornamental trees which characterise this land use.
- 8.23 I am of the view that there would be no harm to the setting and significance of the CA. In fact, the improvement to the condition of the land and the introduction of complementary uses would represent a benefit to the character of the CA's setting.



8.24 The proposals will be prominent in views obtained at the south end of the CA, as you leave its boundary, but seen over distance and including beyond a playground. The CA's identity is very clearly defined, and its townscape already discontinuous with the surrounding area which is of poor quality. The scale of the blocks seen here are modulated and one could perceive the gaps between them. Well- designed residential buildings faced in complementary materials, would not reduce one's appreciation of the railway worker terraces. If anything, the change in scale and building type makes one more aware (in my opinion anyway) of the limit and extent of the historic development, and its special character. Thus, the change in scale assists in better delineating the limit of the asset, and the condition of the land seen from here anyway is improved. See View E.

**THE CROWN PUBLIC HOUSE, GRADE II**

8.25 The former Crown Public House is a very good example of the gutsy, commercial style which characterised the period of pub-expansion that took place at the end of the C19 and into the early C20.

8.26 This expansion, involving greater investment in public house design, reflected consolidation and capitalising within the brewing industry.

8.27 The list description is to be found at **Appendix 3.0**, and the building is described in the HTVIA.

8.28 The building is designed in an eclectic manner, drawing on C16 and C17 English and Flemish architecture in a way reflecting then current tastes. Its presence is amplified by its setting back from the building line.

8.29 It is now attractively framed by a lively, Gothic designed commercial terrace to the north (with a little Tudor-style ogee roof) and a modern building to the south. The latter is part of the hotel development of which the Crown now forms part. To the extent that any other element in its setting contributes to significance, then it is the road itself and the orientation of the building to it. This was a deliberate high-street kind of architecture, an advertisement in effect for the brewer.

8.30 The shaped gables in the centre and the large first-floor bank of windows are defined features, and they are emphasised by recessed ranges to either end.

8.31 The materials are richly coloured, making the building stand out that much more proudly.

8.32 The scale of visual interaction here is slight, and see from several metres of pavement opposite.

8.33 The separating distance means that the impact will come in and out of view.

8.34 The gap to the left of the building and to the right emphasise its singular form and reinforce its striking character. Hence, the 'infilling' of these gaps could distract attention from the architecture of the building.

8.35 However, one would in fact be very aware of the separating distance and so the proposals would be dissociated from the listed building, as an object in the background.

8.36 The proposals do not overtop the ridge line either.

8.37 Accordingly, I think most people admiring the public house would not even really notice the development, and if they did they would see it for what it is: a dense scheme associated with a busy road, and possibly also a railway station.

8.38 Thus, the proposals are not proximate to the asset and do not overtop it. They are oriented differently to the asset, and do not isolate it from its significant setting, particularly to the north. The proposals are not prominent in this view of the principal elevation, and the materials proposed are recessive, and complementary. There is no real skyline change, consequently, or change to general character.

8.39 Hence, and on my assessment, there is no harm to the ability to appreciate the architectural or historic interest of this building, and no harm to its setting.

**THE REPORTING OF THESE IMPACTS BY THE COUNCIL AND THE GLA**

8.40 Officers for the Council reported different findings at 15.4 of the Committee Report as follows:

*In terms of heritage harm, the harm to both the Railway Terraces Conservation Area and the Crown Hotel as less than substantial. In such circumstances the NPPF requires the decision maker to undertake a balancing exercise between the identified harm and the level of public benefit arising from the scheme. In both cases, individually and taken together, officers consider that the public benefit outweighs the less than substantial harm to the setting of the heritage assets.. [...]*

*In this case, the benefits of the scheme are considered to outweigh the harm. Officers consider that, when taken as a whole, the application is consistent with the development plan*

8.41 The Council were content therefore that the proposals satisfied the test required at NPPF paragraph 202 and that the public benefits outweighed the harm identified. I form a different view, and do not advise that 202 is engaged.

8.42 The GLA, in their assessment of the scheme, and notwithstanding the view stated by Barnet in the committee report, concluded similarly to me, no harm either the CA or the listed pub.



**9.0**

**COMMENTS ON THE COUNCIL'S STATEMENT OF CASE**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# COMMENTS ON THE COUNCIL'S STATEMENT OF CASE

9.1 I reviewed the Council's SoC when it was received and have gone back to review it again at the time of finalising this evidence. I believe I have picked up every point and addressed them in this proof.

9.2 I now would like to highlight some specific points made in the SoC so as to comment on the approach taken by the Council in formulating their case for the Inquiry. As indicated, I reserve the right to comment on additional detail put in the Council's evidence at a later date.

9.3 I have included an extract from the SoC to make cross referencing to the relevant paragraphs easier.

## COMMENTS ON SPECIFIC PARAGRAPHS IN THE SOC

9.4 I am surprised at the Council's comments at paragraphs 4.104 and 4.105 which seem to suggest that it would be appropriate somehow to disregard the contents of the Design Code. If that is the inference then the Inspector and SoS should note that it has been accepted by the Applicant and the Council that the Design Codes should have full weight (see SoCG).

9.5 The Council sets out a series of propositions which comprise a favourable assessment of the scheme. These are in a series from 4.106 to 4.124. In relation to building heights and massing the following comments are offered:

*'Height, bulk, scale and massing – As mentioned above the proposed built form of the site comprises a series of building envelopes organised in a linear fashion. The bulk, scale and massing of individual building envelopes varies to account for the proposed uses and the scale of the spaces that they frame or relate to. This provides variation in character, visual interest, identity, place and way-finding across the masterplan. The tallest element proposed by the square is envisaged to*

*mark the station, while the tallest residential elements are located on the Eastern part of the site overlooking the rail lines. This is an acceptable move (paragraphs 4.109 – 4.110)*

9.6 As is clear these paint the proposed development in a favourable light. On views and the likely visual impact, the Council broadly concludes the following:

*'Visual impact and views – Under the Local Plan, the protection of existing amenity arrangements in any area is an important aspect of determining whether a proposal is acceptable or otherwise. The protection of existing residential amenity is required through good design in new developments which intern promotes quality environments. More specifically Policy DM01 states that proposals should seek to manage the impact of new developments to ensure that there is not an excessive loss of amenity in terms of daylight/sunlight, outlook and privacy for existing occupiers.'*

*Separation distances internally and with regards to the neighbouring structures are taken in to account while designing, this is apparent by the proposed masterplan which specifically stresses the attention to separation distances of buildings. There is however increased sensitivity in terms of sunlight amenity, this however is an aspect highlighted by the masterplan for future designs to consider and mitigated. The study on views and subsequent impact is very satisfactory as the design team managed to demonstrate minimum interruption to existing views, partly because of the manipulation of topography on site and partly because the proposed building envelopes are sensitive with regards to the existing urban fabric. (paragraphs 4.114-4.116)*

9.7 The Council is very fair in the SOC where it writes approvingly where it write in favour of the design.

9.8 Section 6 of the SoC is where the Council sets out its case on areas of disagreement and the reason for refusal. In this section, the Council repeats a formulaic assessment for each policy which simply states the Council's view that it considers that these policies are not complied with, but without any substantive assessment of the appeal proposals against the policy requirements.

9.9 I note at Paragraph 6.8 the Council states that it considers the scheme fails to comply with policy CS5 as a whole, despite the positive assessment of the scheme in the preceding section 4.

9.10 Similarly at paragraph 6.13, the Council identifies that it has concerns with regards to the proposals on heritage grounds and that the scheme fails to comply with policy DM06 but with no detail on how this manifests. Here I refer to the committee report (CDD.03) and I have to assume that the adverse impacts are those commented on and cited by heritage officers in the assessment of the submitted scheme.

9.11 Despite the positive assessment of the scheme in section 4 of the SoC, the Council are of the view stated at paragraph 6.18, that the proposed development does not meet the terms of London Plan policy D9, but again without reference to a detailed analysis.

9.12 There is no justification provided for each of these items where conflict is identified with the policies. The Council does not explain their insight or provide an explanation on what the impacts are in their view, and there is no substantive reasoning to explain the disagreement.

9.13 Accordingly I must reserve the Applicant's position in respect of these matters.

9.14 I note also that the Council consider the scheme meets the requirements of NPPF paragraph 130 identify conformity with general policy on design, then move on to identify areas of disagreement with extensive policy citation without explanation on which aspects violate which parts of the policies.

9.15 Paragraph 6.27 contains the bones of the Council's case on heritage impacts: *'It is the Council's view that the scheme would result in less than substantial harm to the setting of the adjacent Railway Terraces Conservation Area, and the Council will provide evidence in respect of the balancing exercise undertaken.'*

9.16 As the Inspector and SoS will understand, harm to the setting of a CA is not the statutory test.

9.17 The SoC does not explain what aspect of significance is harmed or why, or provide any insight on the nature and extent of the less than substantial harm.

9.18 In summary, and at the time of drafting evidence, I have limited information on the details of the Council's reasons. The SoC also identifies a number of positive characteristics.

**10.0**

# **REASONS FOR REFUSAL AND POLICY COMPLIANCE**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# REASONS FOR REFUSAL AND POLICY COMPLIANCE

- 10.1 To conclude this evidence I have prepared a short audit of the Council's RfR and the policies stated therein.
- 10.2 My assessment of the scheme, as set out in this proof of evidence, is that the height, scale and massing are appropriate for the context and meet the policy aspirations for the site as enshrined in the adopted and emerging policies.
- 10.3 The scheme will be visible from viewpoint locations in the surrounding townscape and some adverse effects to visual amenity have been identified. This as a result of the scale combined with the outline nature of the scheme that means the detail has yet to be fixed. Upon detailed review of the Design Code in combination with the parameter plans and the illustrative scheme prepared by EPR, I am confident that the Design Code is sufficiently detailed and robust enough to ensure that future Reserved Matters applications will be of sufficient quality to avoid harm to the settings of heritage assets and visual amenity and even reverse these effects to positive ones where the quality of the future scheme will be realised.
- 10.4 The detail contained in the Design Code will ensure that future Reserved Matters applications will deliver a scheme of the highest quality design and ensure that the maximum benefits are realised from the redevelopment of this underutilised site. I consider the proposals will meet the requirements of LP policies D3, D4 and D9 and LBB policies DM01 and DM05.
- 10.5 I consider the scheme to preserve, that is cause no harm to, the significance of the identified assets and specifically the Railway Terraces Conservation Area and the Grade II listed Public House. I consider the scheme meets the requirements of LP policy HC1 and LBB policies CS5 and DM06.
- 10.6 I consider the statutory duties set out in section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to be met and the policy requirements and cascade set out in NPPF and statutory development plan satisfied also.
- 10.7 I consider, therefore, that the RfR on heritage and design is not made out.

**11.0**

**SIGNED AFFIRMATION**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

# SIGNED AFFIRMATION

- 11.1 I have prepared this expert report according to Part 35 of the Civil Procedure Rules and Practice Directions, in line with the RTPI Code of Conduct. Accordingly, I affirm:
- i. *I understand that my duty as an expert is to the Inquiry and that my role is to assist the Inspector on matters within my expertise;*
  - ii. *I understand this duty overrides any obligation to the person from whom I have received my instructions;*
  - iii. *Consequently, this expert opinion has been prepared independently and is uninfluenced by the pressures of the case;*
  - iv. *And so accordingly I also confirm I am not paid under any contingency agreement;*
  - v. *I have disclosed in this report all information that is within my knowledge and relevant to the opinions expressed in relation to my area of expertise;*
  - vi. *I have sought to assist the Inspector by providing an objective and unbiased opinion on the matters I have been instructed to consider and I have sought in this report to disclose all facts known to me as relevant, including those which might detract from my opinion; and*
  - vii. *I have restricted my opinion to matters within my area of expertise and where I have not been able to reach an opinion I have explained the reasons for this.*
- 11.2 If, after I have produced this report, my views should change on any material (for example, on the basis of new information or in the event an omission is drawn to my attention), I will communicate that to all parties without delay and, when appropriate, to the Inspector.



**Dr Chris Miele MRTPI IHBC**

**Equity Partner**

**Montagu Evans LLP**

**Registered Office: 70 St Mary Axe, London EC3A 8BE**

Date:



# **APPENDIX 1: CHRIS MIELE CV**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

**APP/2/B**

## BUILT



## DR CHRIS MIELE

IS A PARTNER SPECIALISING IN  
PLANNING & THE BUILT  
ENVIRONMENT (HERITAGE AND  
DESIGN)

EMAIL ADDRESS CHRIS.MIELE@MONTAGU-EVANS.CO.UK

Dr Chris Miele has been a Partner at Montagu Evans since 2006 and is highly experienced in advising on major regeneration proposals involving historic buildings, sensitive landscapes, conservation areas and tall and large buildings. He has particular skills in expert witness work (planning appeals, tribunals and the high court) and in enforcements.

## KEY SKILLS

All aspects of planning, urban design and the historic environment with particular expertise in:

- Townscape and visual impact assessments
- Tall buildings
- Large-scale urban extensions and infill, edge of centre sites
- Heritage impact assessments/listed building advisory work
- Planning advice on sensitive sites
- New development in conservation areas
- Charitable and public projects, including health, education, museum and galleries
- Masterplanning in the historic environment
- Mixed use central London
- Historic landscape characterization

## PROFESSIONAL MEMBERSHIPS

- Member, Royal Town Planning Institute (MRTPi)
- Full Member, Institute of Historic Buildings Conservation
- Fellow, Royal Historical Society
- Fellow, Society of Antiquaries, London

## CLIENTS

- CIT
- The Royal Horticultural Society
- NHS Estates
- South Bank Centre
- St William/Berkeley Group
- U+I developments
- Ministry of Housing and Local Government
- Commercial Estates Group
- Columbia Threadneedle
- British Museum

## SELECTED PROJECT EXPERIENCE

Chris is working on major developments at Earls Court, in Whitechapel, on the Isle of Dogs, Bankside and several office and hotel developments in the City of London. He continues to advise the trustees of the British Museum on planning and development matters. Past projects include the South Bank Centre, Westminster Abbey, and many large central London masterplans including Lewisham for Landsec and Tottenham for Lendlease.

**Bromley by Bow Gasworks** – in Newham, early-stage townscape and historic environment advice, working with RSHP Architects for St William.

**Olympia** - for YOO Capital, with Thomas Heatherwick and SPARCC, on applications for up to a million square feet of new commercial development and significant alterations to the Grade II and II\* exhibition halls. The scheme is being implemented.

**Colechurch House** - LB of Southwark, for CIT, who developed More London on the commercial redevelopment of this important site beside London Bridge. Foster + Partners scheme involves the creation of a new park under a state of the art, tall office building. This is widely visible including from sensitive positions. The application is under consideration.

**BT House 81 Newgate St** - City of London. We helped achieve consent for the extension and enhancement of this large 1980s office building close to St Paul's Cathedral, working closely with architects KPF and our client Orion Capital. The scheme is being implemented.

**Hulton Park, Bolton, Greater Manchester** - for Peel Developments, gave expert evidence in support of proposals to form an international standard golf course in this grade II listed park. Now advising on revised proposals, which are expected to be referred to the Secretary of State.

**Gilston Park urban extension** - East Hertfordshire, a 10,000 dwelling extension in 7 villages, advising our client Places for People on heritage and related landscape matters, assisting with the site allocation and then worked closely with the Grimshaw-led design team on design and heritage briefs, successfully negotiating the approach with Historic England, who were closely involved in the allocation. We are now advising on the village masterplans.

## Published Works

- 'The Conservationist', in *William Morris*, Thames and Hudson with the Victoria and Albert Museum, 2021
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- *London Suburbs*, gen ed. C Miele, technical ed. Kit Wedd, introduced by A Saint. Also contributor to first chapter: 'From Aristocratic Ideal to Middle-Class Idyll', (English Heritage, 1999), pp. 31-60.
- 'Icon of Victorian Modernity' in *Country Life*, vol. 193, 2, 1999.
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- *Morris on Architecture*, ed by C Miele (Sheffield, 1997). A collection of William Morris' lectures on building and architecture, with a critical introduction and annotations.
- "The First Conservation Militants", in *Preserving the Past*, ed M Hunter (Stroud, Gloucs., 1996), pp. 17-37.
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- "Their Interest and Habit. Professionalism and the Restoration of Medieval Churches", in *A Saint and C Brooks* (Manchester, 1995), pp 151-171.
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- 'GG Scott, Gottfried, Semper and the Hamburg Nikolaikirche'.
- 'The Great Architectural "Awakening": Glibert Scott and Pugin'.
- 'Towards a History of Vernacular Revival' from the *Journal of the Vernacular Architecture Group* (ex. Plenary session paper).
- 'The London "City Model": Technology and Planning in a Historic World City 2017 Conference Paper, Glasgow.

# **APPENDIX 2: VISUAL MATERIAL**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

**APP/2/C**

# SECTION 1.0: HISTORIC MAPS AND PHOTOGRAPHS

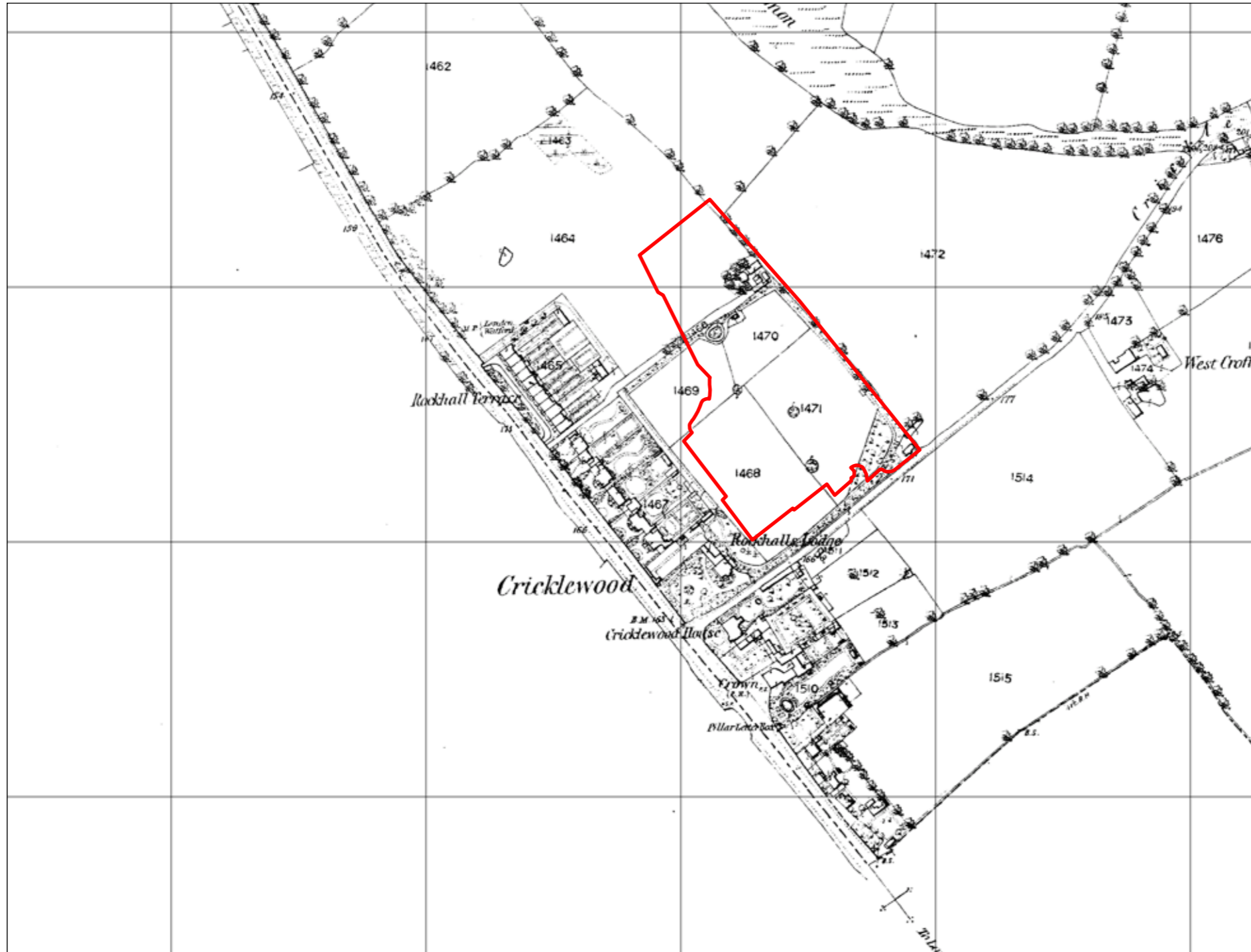


Figure 1.1 1864 OS

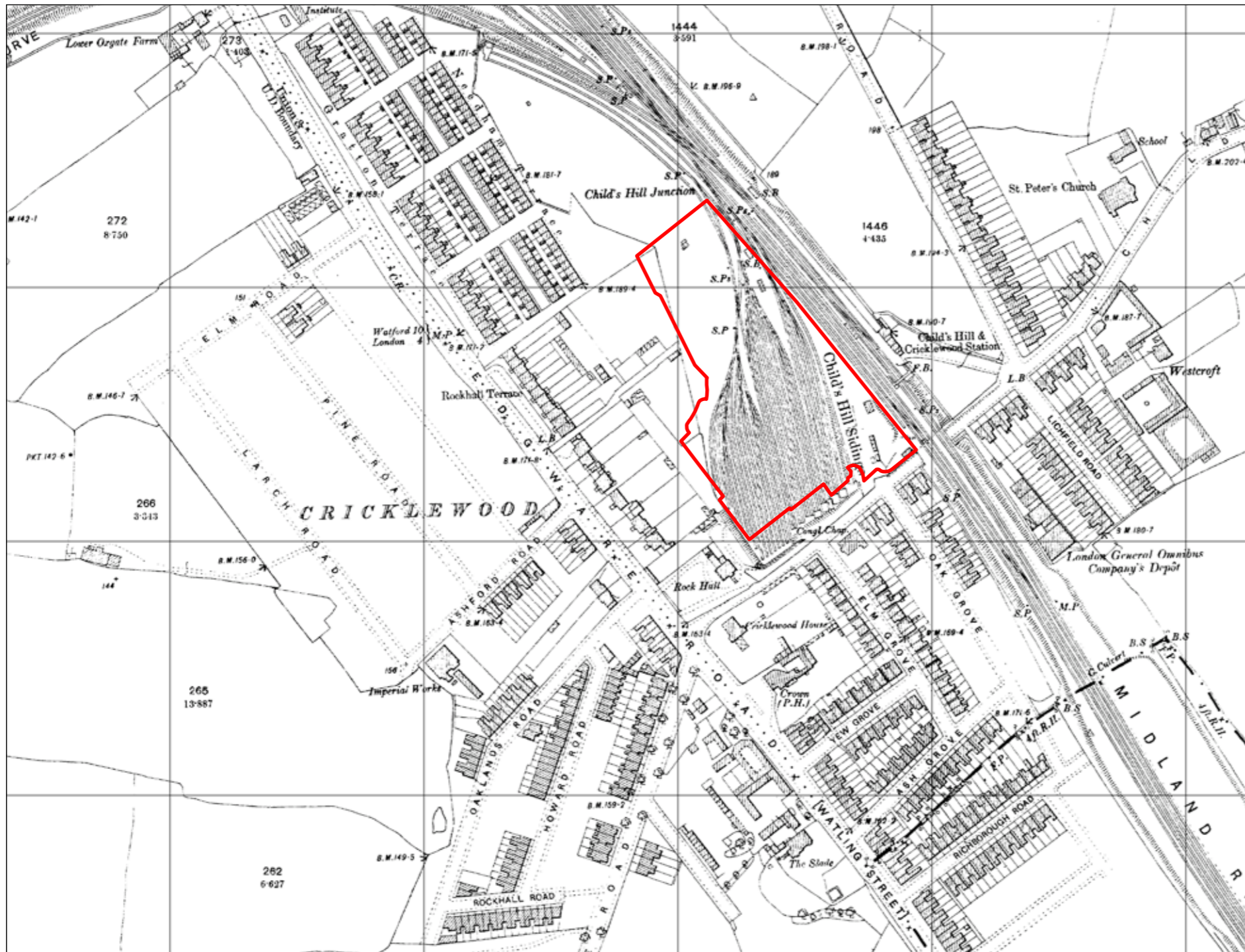


Figure 1.2 1896 OS

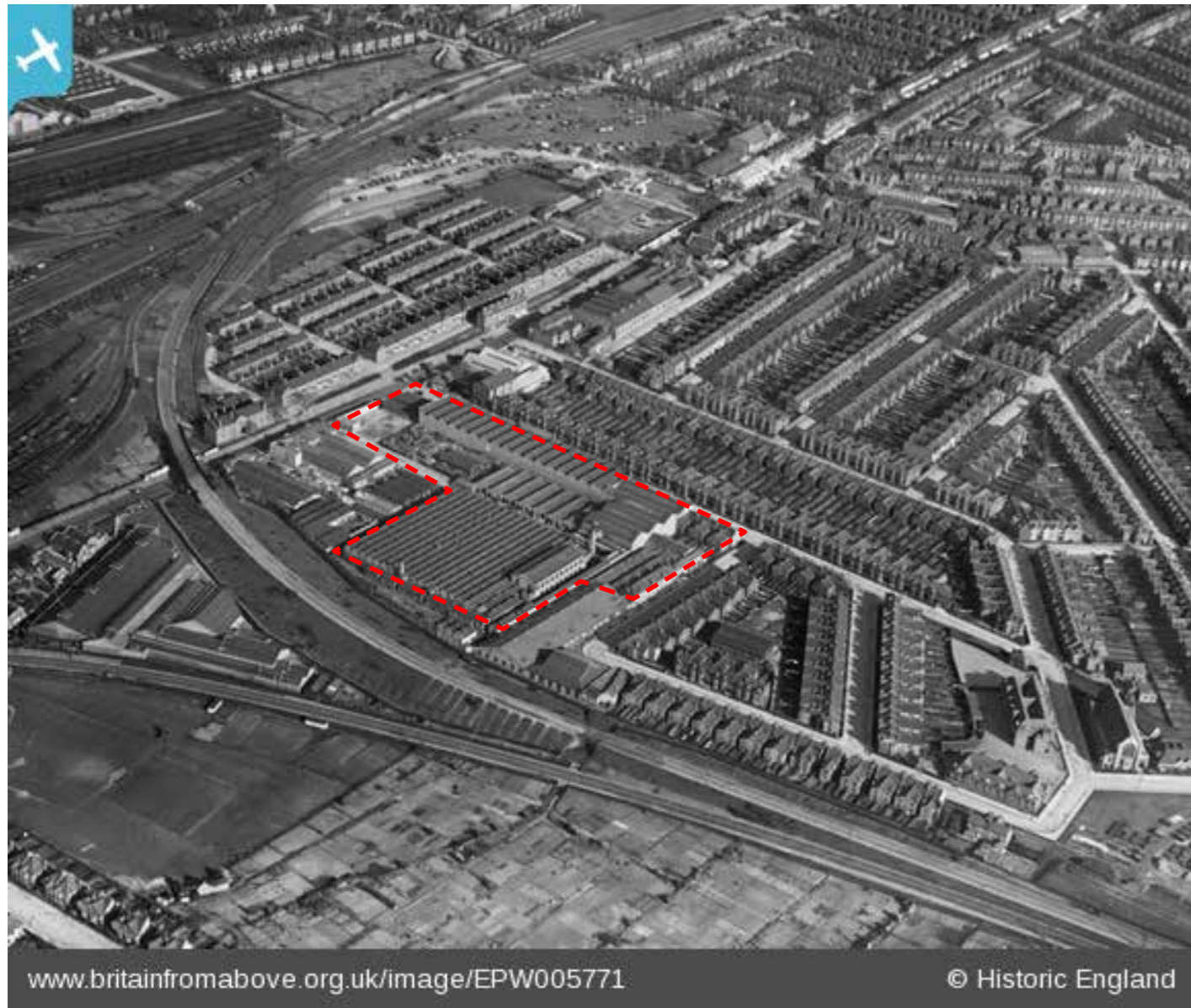


Figure 1.3 Aerial view showing the Site and its environs in 1921 (indicative boundary)

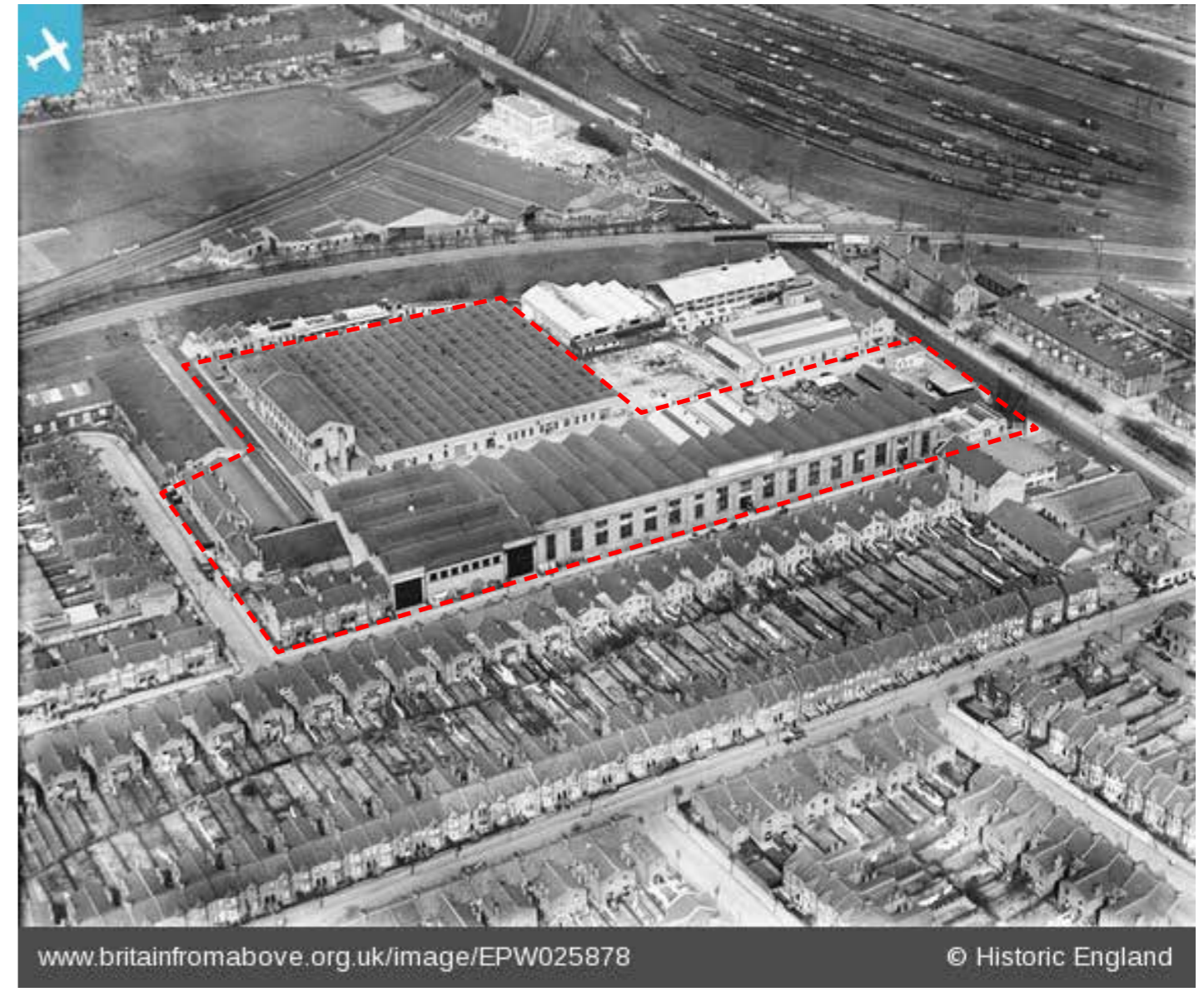


Figure 1.4 Aerial view showing the Site and Stoll Studios/ Smiths Clock Factory in 1929. This has since been redeveloped



Figure 1.5 1936 OS



Figure 1.6 1963-1973 OS



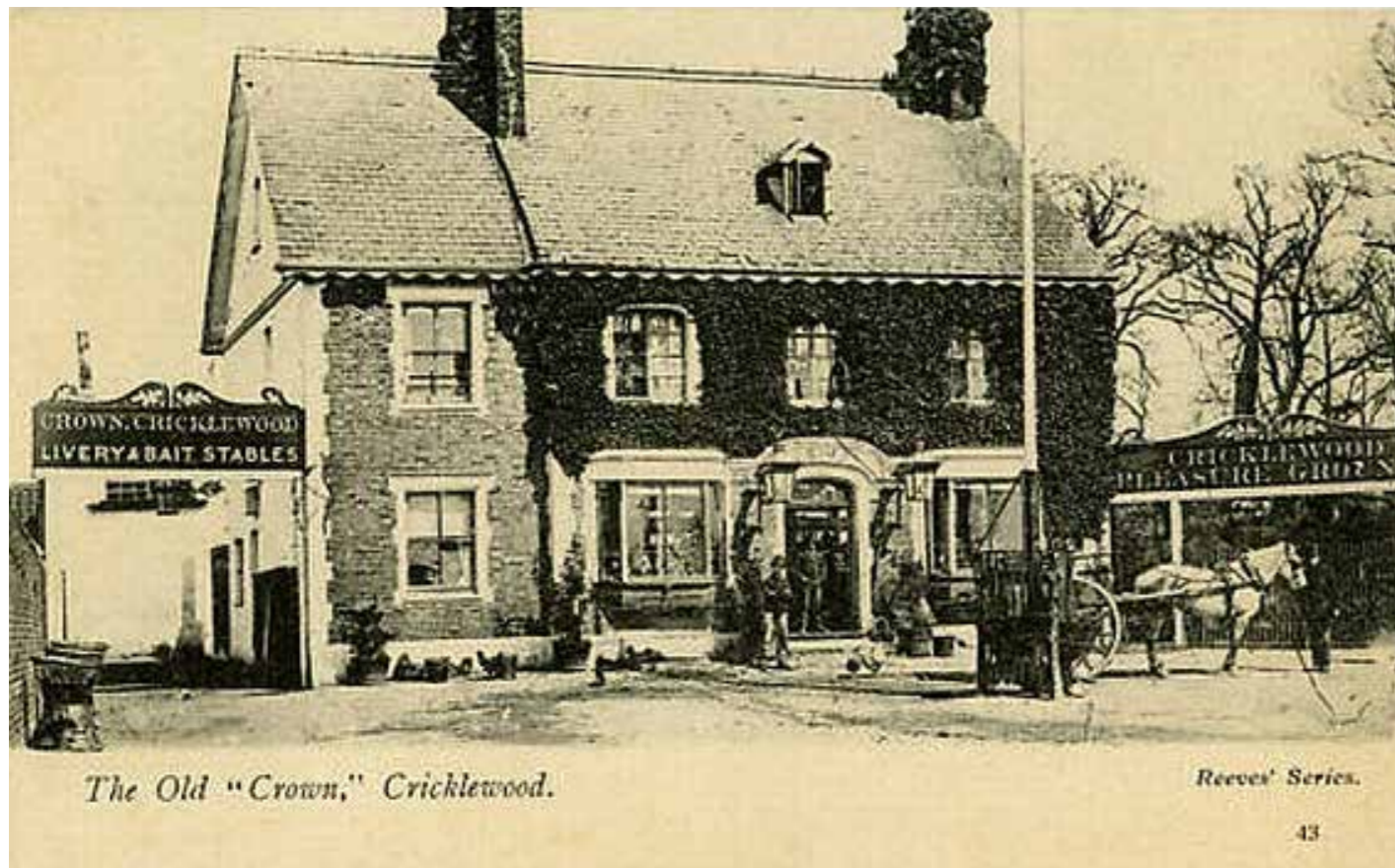


Figure 1.7 The Old Crown Public House pictured in the mid-19th century (indicative boundary)

# SECTION 2.0: CITYSCAPE VERIFIED VIEWS

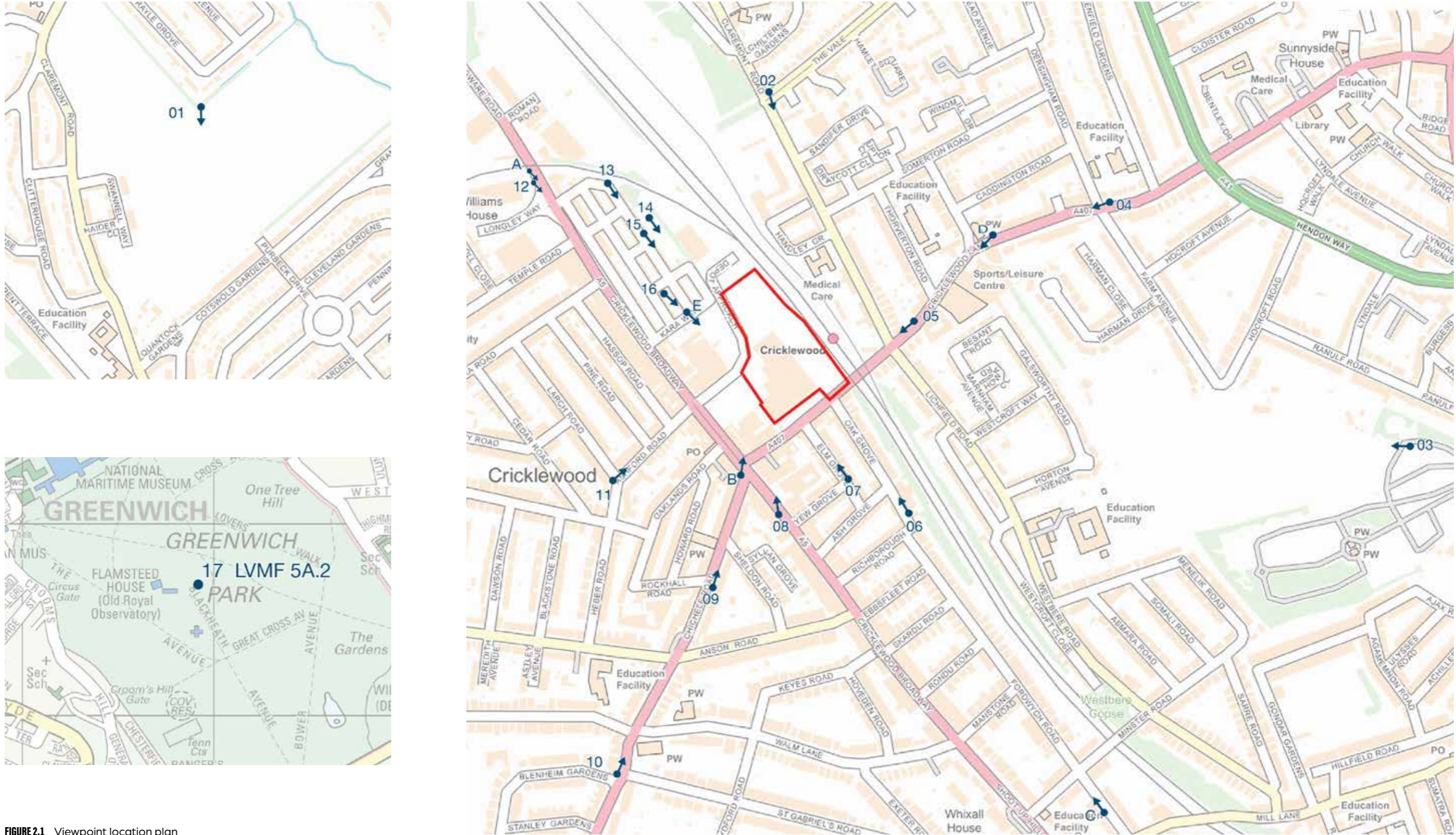


FIGURE 2.1 Viewpoint location plan

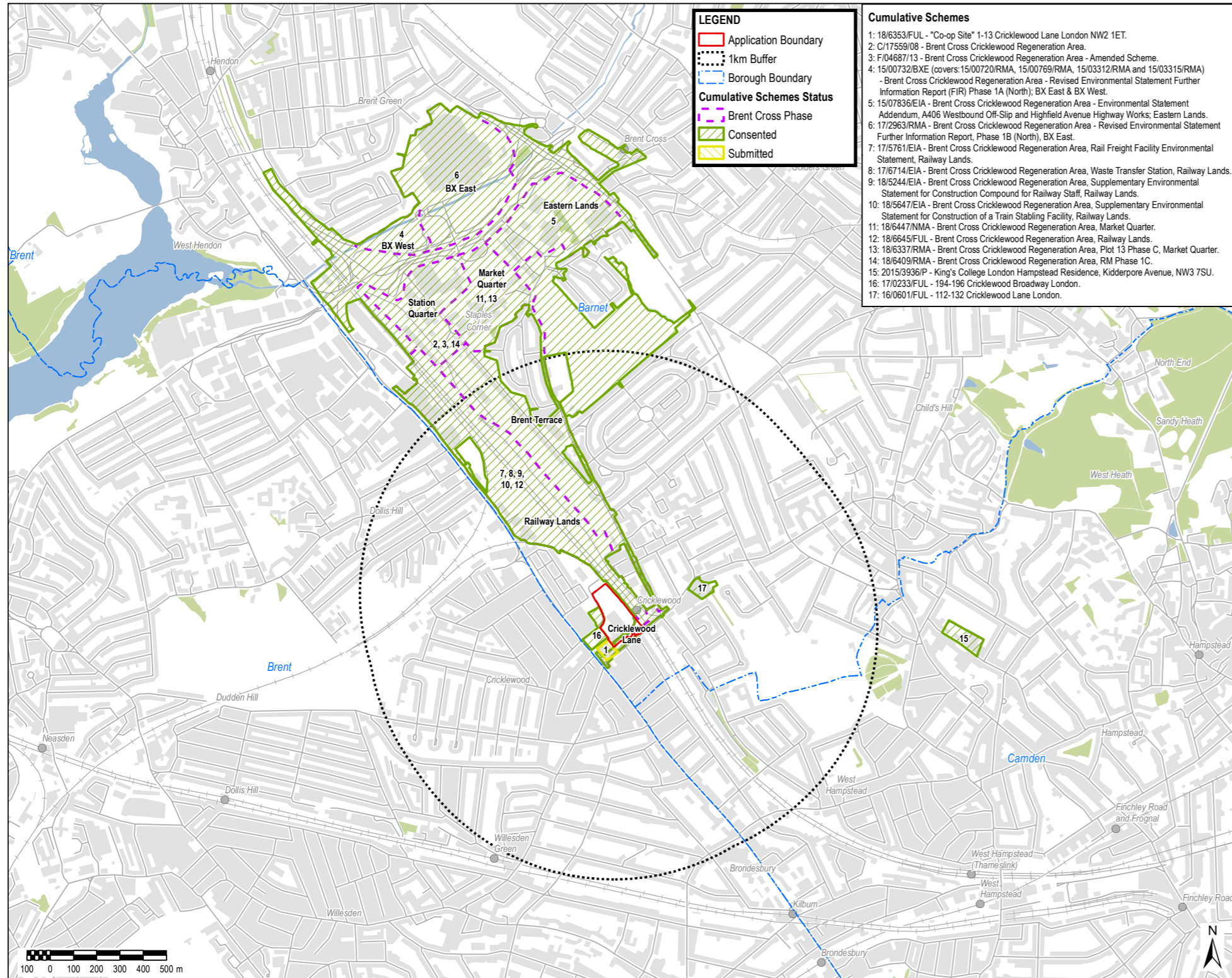


FIGURE 2.1 Cumulative schemes locations

**VIEW 1: CLUTTERHOUSE PLAYING FIELDS LOOKING SOUTH**  
**EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW 2: CLAREMONT ROAD/ THE VALE JUNCTION LOOKING SOUTH**  
**EXISTING**





**PROPOSED**



CUMULATIVE





**VIEW 3: HAMPSTEAD CEMETERY LOOKING WEST**  
**EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW 4: CRICKLEWOOD LANE (THE TAVERN) LOOKING WEST**  
**EXISTING**





PROPOSED



CUMULATIVE





**VIEW 5: CRICKLEWOOD STATION LOOKING SOUTH-WEST  
EXISTING**



PROPOSED



CUMULATIVE





**VIEW 6: OAK GROVE LOOKING NORTH-WEST**  
**EXISTING**





**PROPOSED**



CUMULATIVE





**VIEW 7: ELM GROVE LOOKING NORTH-WEST  
EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW 8: CRICKLEWOOD BROADWAY (THE CROWN PUB) LOOKING NORTH**

**EXISTING**





**PROPOSED**



CUMULATIVE





**VIEW 9: CHICHELE ROAD LOOKING NORTH-EAST**  
**EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW 10: WALM LANE/ ST GABRIEL'S CHURCH LOOKING NORTH-EAST**  
**EXISTING**





**PROPOSED**



CUMULATIVE





**VIEW 11: ASHFORD ROAD LOOKING NORTH-EAST**  
**EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW 13: RAILWAY TERRACES, NEEDHAM TERRACE LOOKING SOUTH-EAST**

**EXISTING**





**PROPOSED**



CUMULATIVE





**VIEW 14: RAILWAY TERRACES ALLOTMENTS LOOKING SOUTH-EAST**  
**EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW 15: RAILWAY TERRACES JOHNSTON TERRACE LOOKING SOUTH-EAST**

**EXISTING**





**PROPOSED**



CUMULATIVE





**VIEW 16: RAILWAY TERRACES ROCKHALL WAY GARDENS LOOKING SOUTH-EAST**

**EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW A: EDGWARE ROAD/ LONGLEY WAY (WICKES)**

**EXISTING**





**PROPOSED**



CUMULATIVE





**VIEW B: CHICHELE ROAD/ EDGWARE ROAD**  
**EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW C: FORDWYCH ROAD**

**EXISTING**





**PROPOSED**



CUMULATIVE





**VIEW D: CRICKLEWOOD LANE**

**EXISTING**



**PROPOSED**



CUMULATIVE





**VIEW E: PANORAMA: NEEDHAM TERRACE/ KARA WAY**  
**EXISTING**





**PROPOSED**



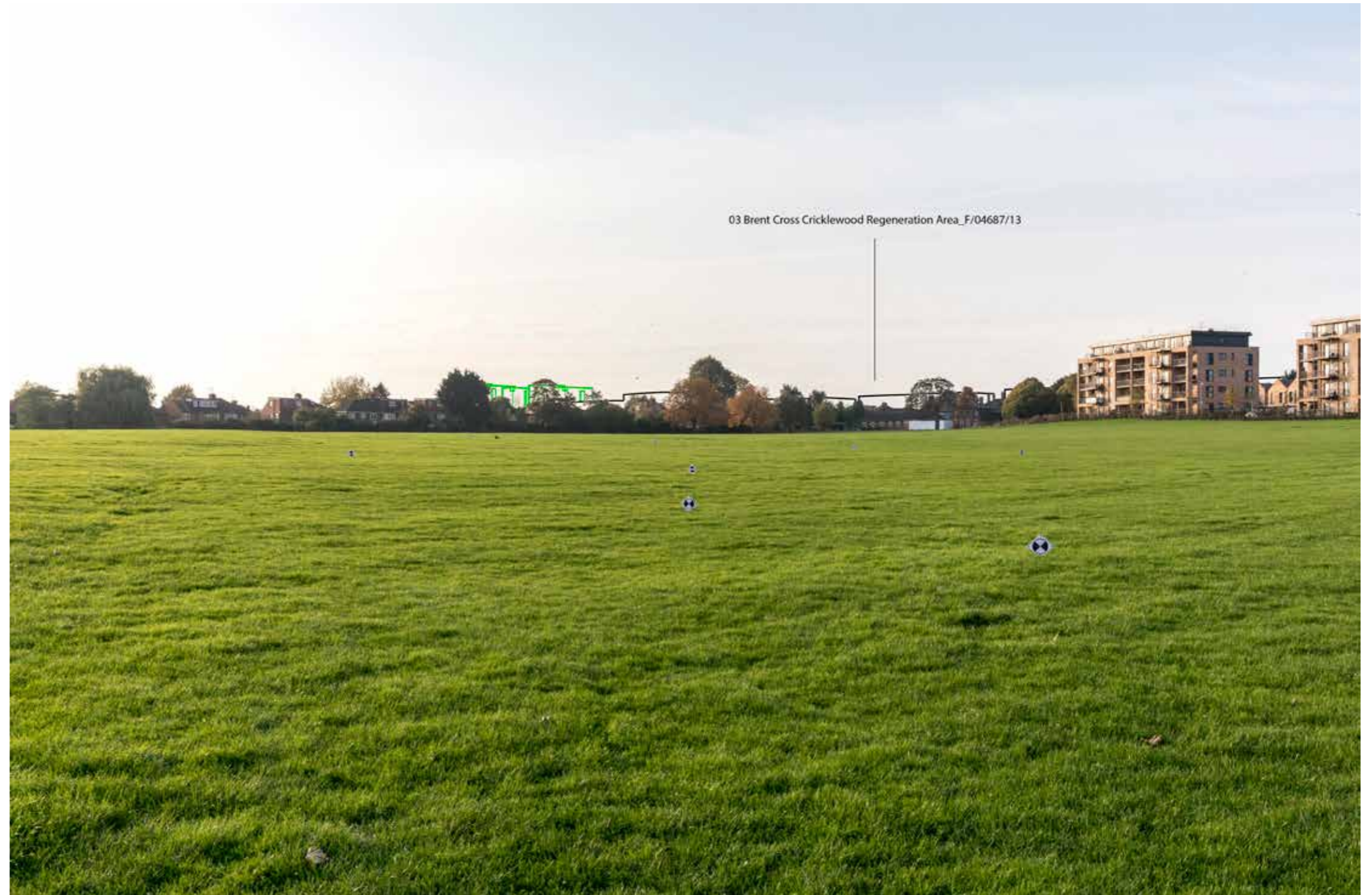
CUMULATIVE





**ANNOTATED CUMULATIVE VIEWS**

**VIEW 1:  
CLUTTERHOUSE PLAYING FIELDS**



**VIEW 2:  
CLAREMONT ROAD/ VALE JUNCTION LOOKING SOUTH**



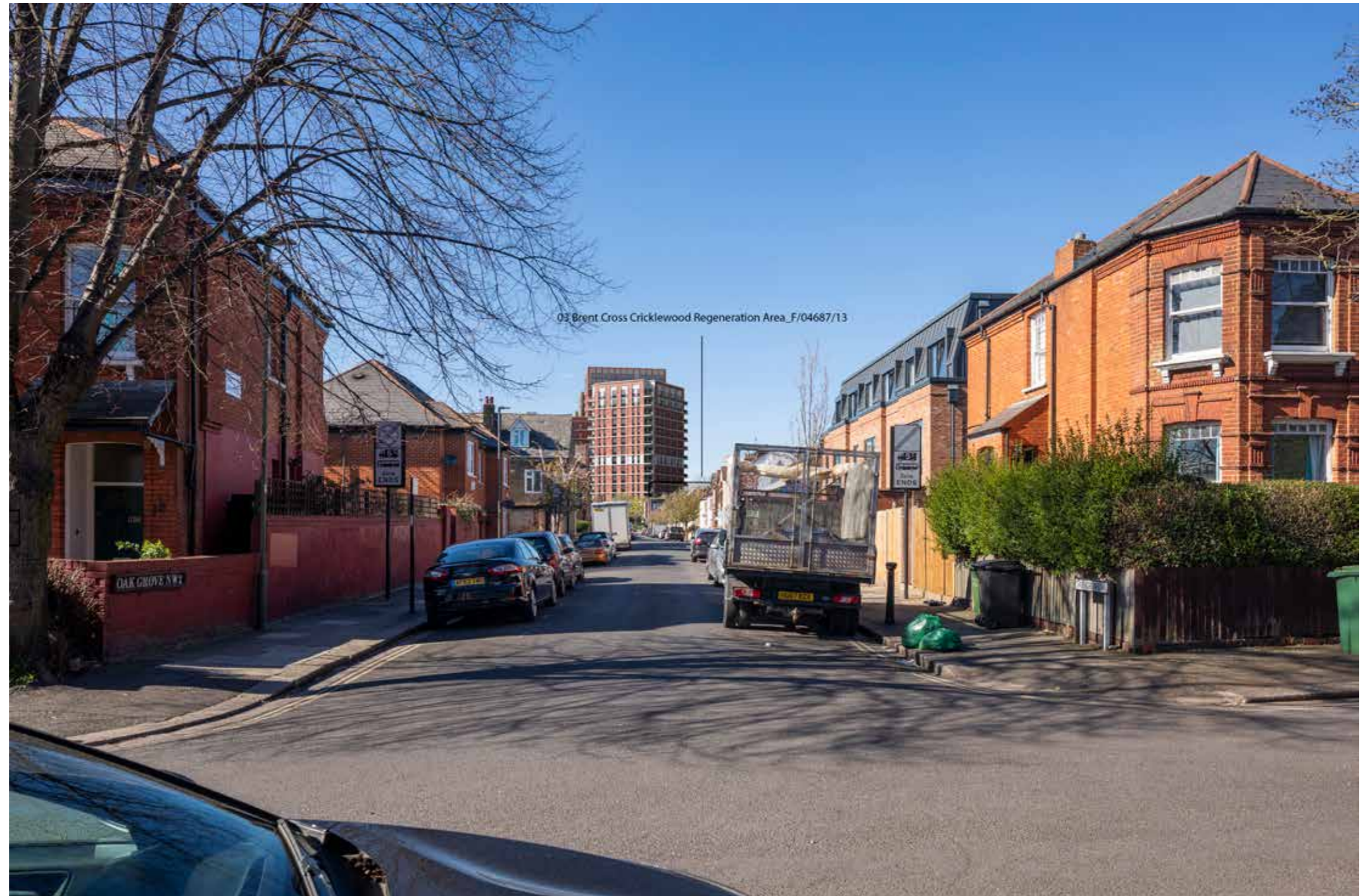
**VIEW 3:  
HAMPSTEAD CEMETERY LOOKING WEST**



**VIEW 5:  
CRICKLEWOOD STATION LOOKING  
SOUTH WEST**

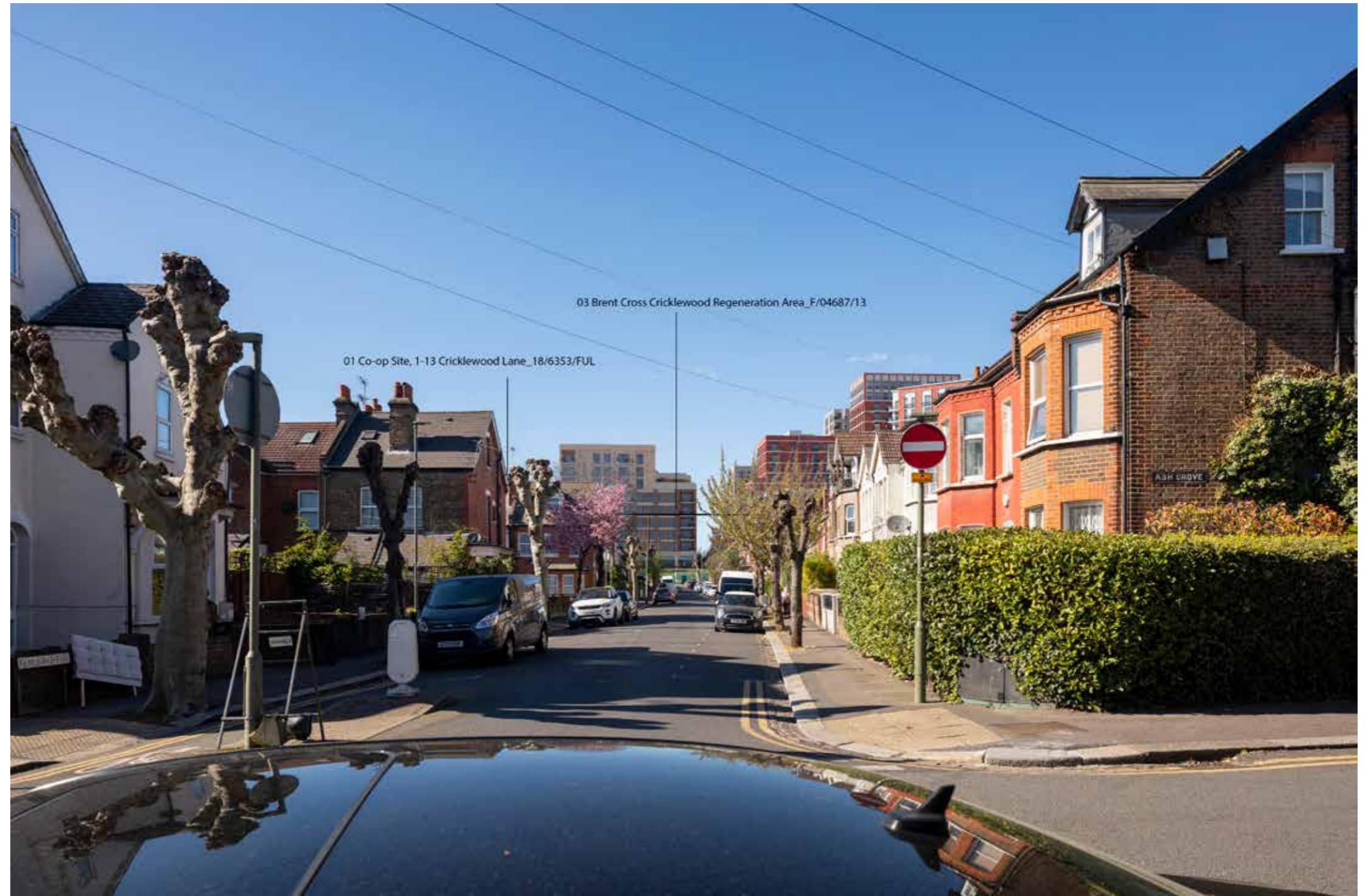


VIEW 6: OAK GROVE LOOKING NORTH-WEST





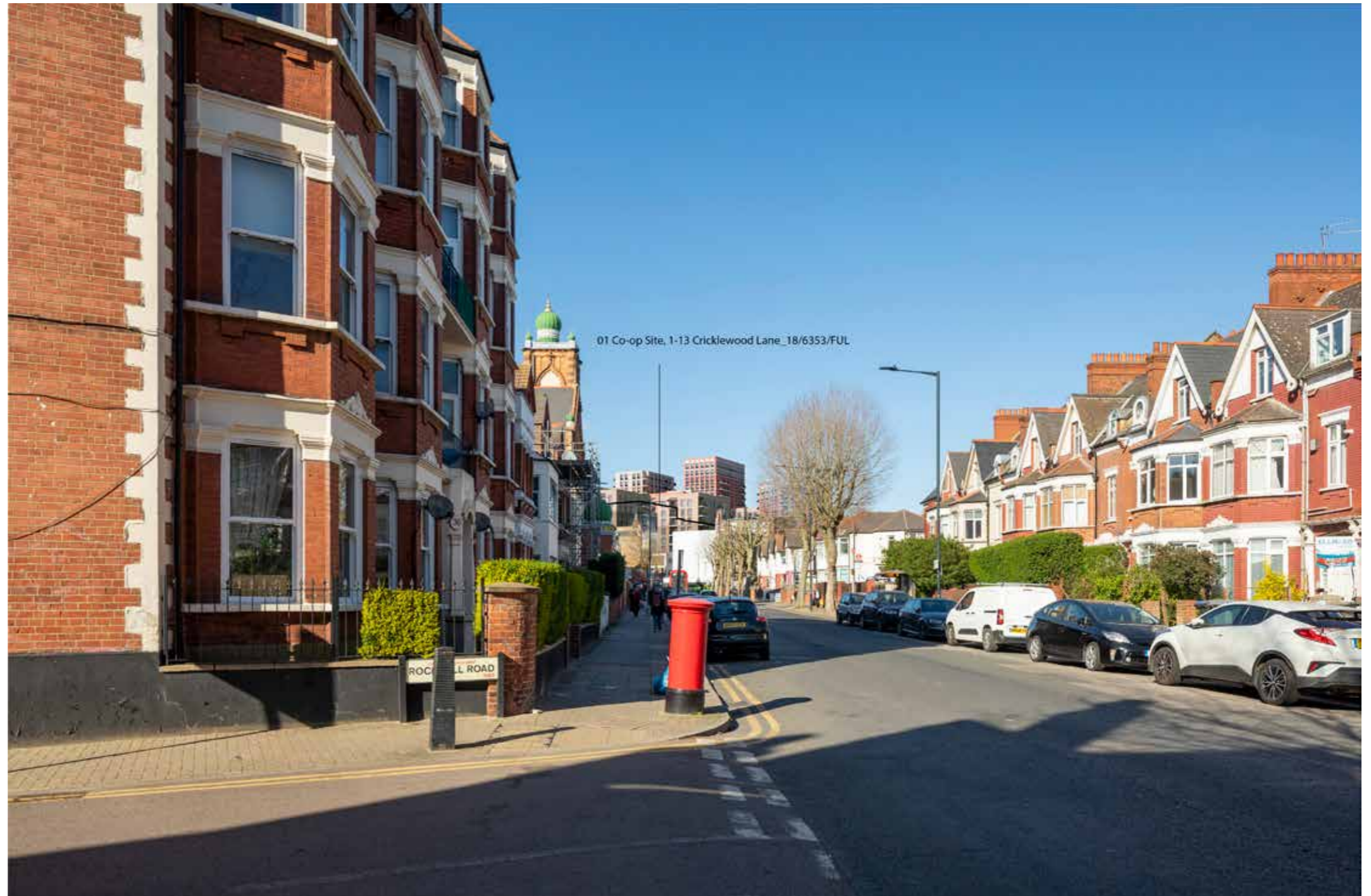
**VIEW 7:  
ELM GROVE LOOKING NORTH-WEST**



**VIEW 8:  
CRICKLEWOOD BROADWAY(THE CROWN PUB)  
LOOKING NORTH**



**VIEW 9**  
**CHICHELE ROAD LOOKING**  
**NORTH-EAST**



**VIEW 10:  
WALM LANE/ ST GABRIEL'S  
CHURCH LOOKING NORTH-EAST**



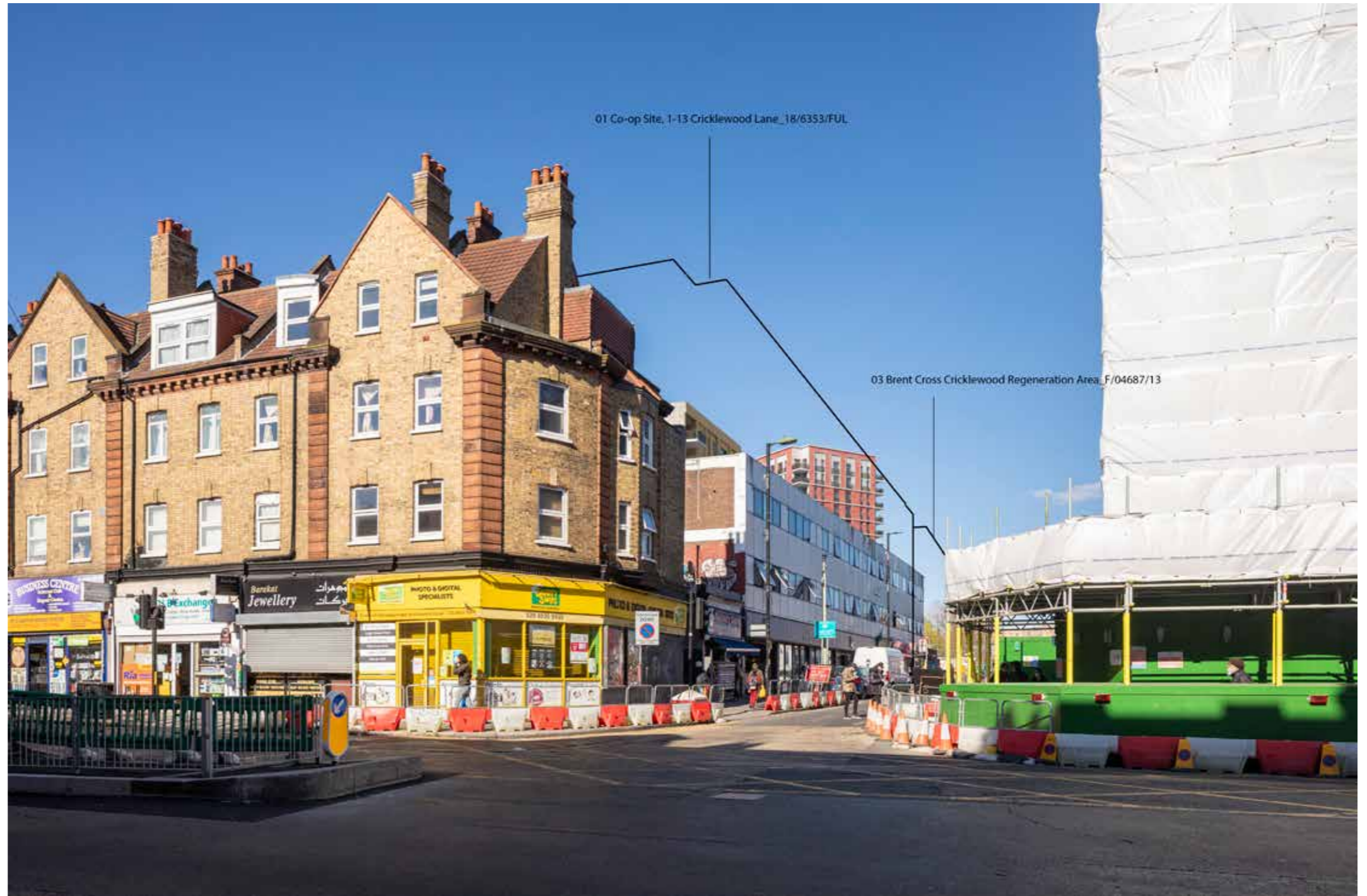
**VIEW 11:  
ASHFORD ROAD LOOKING NORTH-EAST**



**VIEW 15:**  
**JOHNSTONE TERRACE LOOKING SOUTH**



**VIEW B: CHICHELE ROAD/ EDGWARE ROAD**



**VIEW C: FORDWYCH ROAD**





**VIEW D: CRICKLEWOOD LANE**





# SECTION 3.0: IMAGES FROM DESIGN CODE AND DAS



Figure 3.1 Illustrative CGI showing complementary landscape architecture (p.14, December 2022 Design Code)



Figure 3.2 Illustrative CGI showing the potential for the new town square (p.15, December 2022 Design Code)



Figure 3.3 Illustrative landscaping plan showing potential character areas (p.38, December 2022 Design Code)



Figure 3.4 Illustrative landscaping masterplan (p.39, December 2022 Design Code)



Figure 3.5 CGI showing detail and transitional relationship between A&B (p.17, November 2022 DAS)



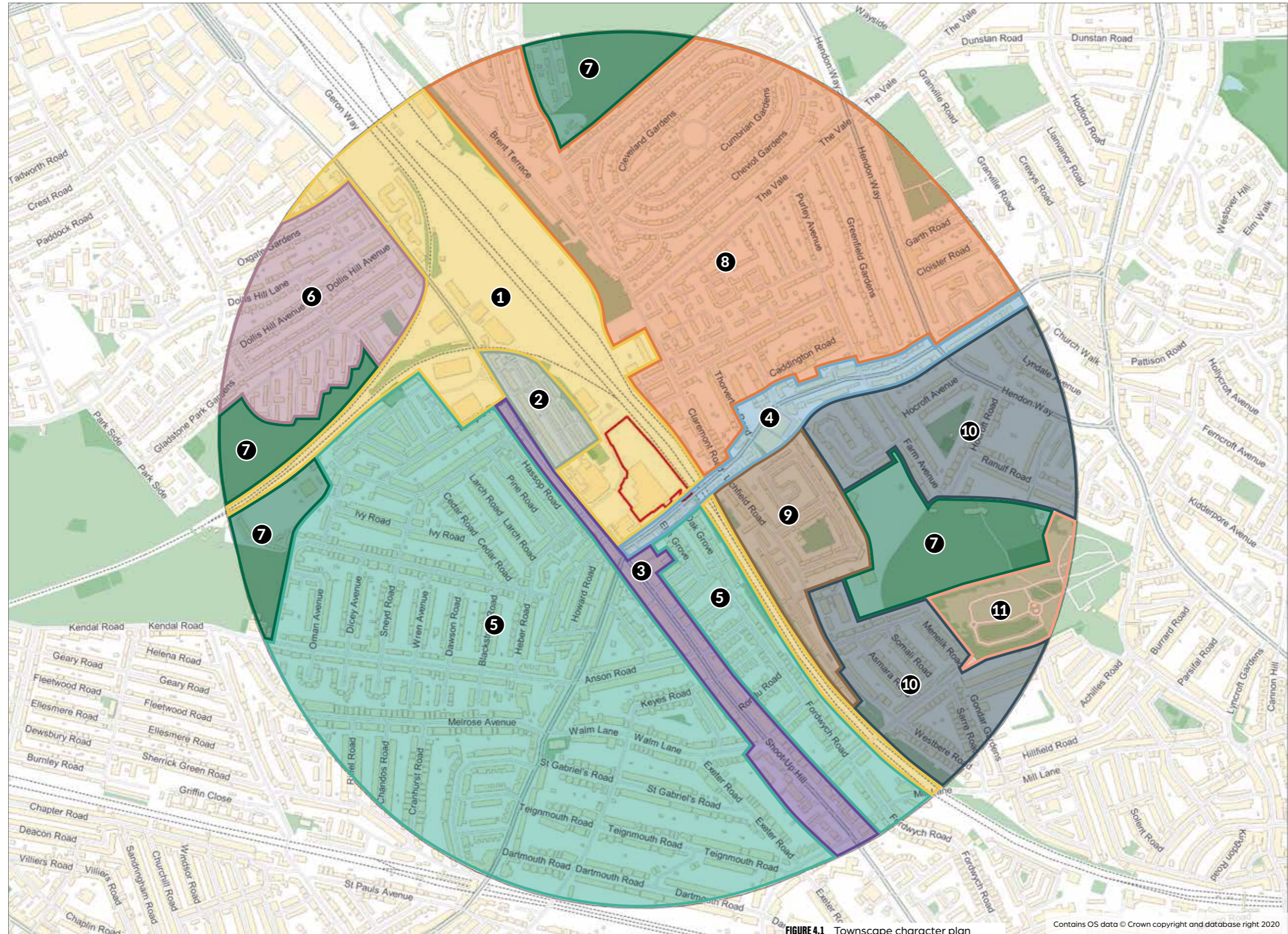
Figure 3.6 Existing view from depot approach (p.18, November 2022 DAS)



Figure 3.7 Illustrative view from depot approach (p.18, November 2022 DAS)



# SECTION 4.0: DIAGRAMMATIC IMAGES OF THE SITE CONTEXT AND CHARACTER STUDIES



**CHARACTER AREA PLAN**

- Application Site
- 1 Railway Infrastructure and Commercial Warehouses
- 2 Railway Terraces
- 3 Cricklewood Broadway
- 4 Cricklewood Lane
- 5 South Cricklewood Residential
- 6 North-East Cricklewood Residential
- 7 Green Open Space
- 8 North Cricklewood Residential
- 9 East Cricklewood Residential
- 10 West Hampstead Residential
- 11 West Hampstead Cemetery

FIGURE 4.1 Townscape character plan

Contains OS data © Crown copyright and database right 2020

LOCATION:  
Cricklewood Lane

DATE:  
July 2020

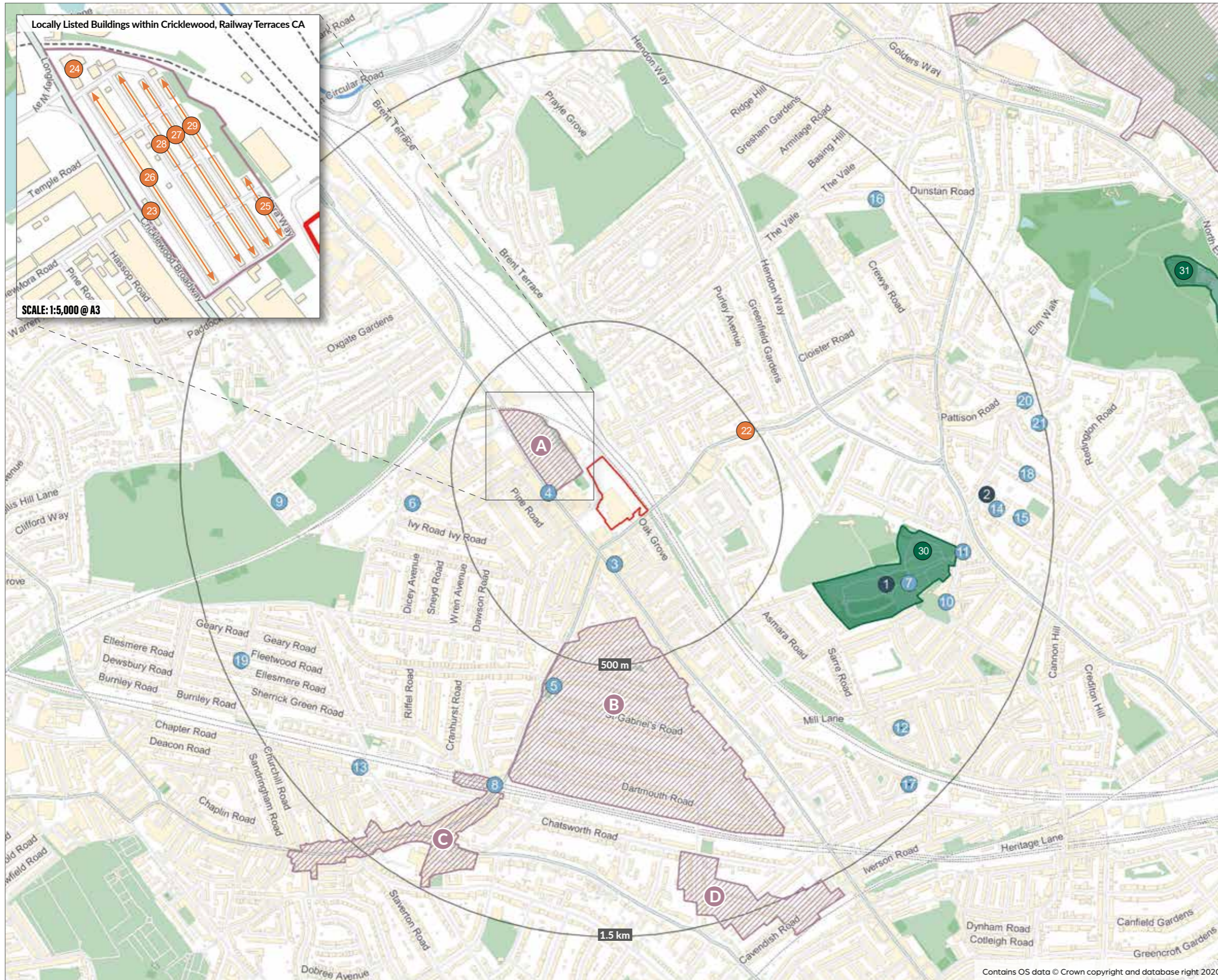
SCALE:  
1:15,000 @ A3

FIGURE:

▲ NORTH



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## HERITAGE ASSET PLAN

- Application Site
- Conservation Areas**
  - A. Cricklewood, Railway Terraces (Barnet Council)
  - B. Brondesbury CA (Brent Council)
  - C. Willesden Green CA (Brent Council)
  - D. Mapesbury CA (Brent Council)

- Listed Buildings**
- Grade II\***
  - 1. Tomb of Marthe Goscombe John and Sir William Goscombe John in Hampstead Cemetery
  - 2. Church of St Luke and Annesley Lodge

- Grade II**
  - 3. The Crown Public House and Three Lamp Standards in front of The Crown Public House
  - 4. Milestone Sited Outside Nos. 3 and 4 Gratton Terrace
  - 5. Church of St Gabriel
  - 6. Church of St Michael
  - 7. Hampstead Cemetery Mortuary Chapels  
Monument to Martha Bianchi in Hampstead Cemetery  
Tomb of Ardash De Sales Stean in Hampstead Cemetery  
Tomb of Arnold Stuart and Family in Hampstead Cemetery  
Tomb of Arthur Frankau and Family in Hampstead Cemetery  
Tomb of Charles Barritt in Hampstead Cemetery  
Tomb of Eleanor Adgey Edgar in Hampstead Cemetery  
Tomb of Jacob Arnhold in Hampstead Cemetery  
Tomb of James Wilson Pasha and Wife in Hampstead Cemetery  
Tomb of Joan Moggridge in Hampstead Cemetery  
Tomb of Joseph Maas in Hampstead Cemetery  
Tomb of Marie Lloyd in Hampstead Cemetery  
Tomb of Mordaunt Allen Gwynne in Hampstead Cemetery  
Tomb of Sir Banister Fletcher and Family in Hampstead Cemetery  
Tomb of Sir Joseph Lister in Hampstead Cemetery  
Tomb of Sir William Randal Cremer in Hampstead Cemetery  
Tomb of The Rider Family in Hampstead Cemetery  
Tomb of The Storey Family in Hampstead Cemetery
  - 8. Willesden Green Underground Station
  - 9. Dollis Hill Synagogue and Forecourt Railings
  - 10. Pair of K2 Telephone Kiosks outside The Recreation Ground
  - 11. 128, Fortune Green Road
  - 12. Beckford Primary School, Attached Railings and Gateway, and Building approx 23m to East within Playground
  - 13. Kingsley Court
  - 14. St Lukes Church Vicarage
  - 15. Kings College: College Chapel, The Summerhouse, Kidderpore Hall, The Maynard Wing, and The Steel Library
  - 16. Golders Green Synagogue
  - 17. Untitled [Listening] Sculpture
  - 18. 6, 8, 12, 14, 26, 26A, 33 and 35 Ferncroft Avenue
  - 19. Church of St Francis
  - 20. Cattle Trough at Junction with Hermitage Lane
  - 21. 17, Rosecroft Avenue

- Locally Listed (within 500m)**
  - 22. The Cricklewood Tavern (No.75 Cricklewood Lane)
- Within Railway Terrace CA (see insert):**
  - 23. 1-6 Burlington Parade
  - 24. 318 Cricklewood Broadway
  - 25. Nos.1-14 Campion Terrace
  - 26. Nos.1-40 Gratton Terrace
  - 27. Nos.1-40 Johnston Terrace
  - 28. Nos.1-44 Midland Terrace
  - 29. Nos.1-38 Needham Terrace

- Registered Park and Gardens**
  - 30. Hampstead Cemetery
  - 31. The Hill (Inverforth House)

Contains OS data © Crown copyright and database right 2020

LOCATION:  
Cricklewood Lane

DATE:  
July 2020

SCALE:  
1:15,000 @ A3

FIGURE 4.2 Heritage asset plan



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Figure 4.3 Aerial diagrammatic view of townscape character areas 1 and 2



Figure 4.4 Map of the Railway Terraces Conservation Area



Figure 4.5 Photograph of a typical rear elevation in the Railway Terraces Conservation Area



Figure 4.6 Gratton Terrace in the Railway Terraces Conservation Area



Figure 4.7 Allotment Way in the Railway Terraces Conservation Area



Figure 4.8 Typical houses in the Railway Terraces Conservation Area



Figure 4.9 Oblique aerial showing wider context



# SECTION 5.0: CITYSCAPE METHODOLOGY

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# Cricklewood Lane

## London

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**Verified Views Methodology**  
December 2022

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# Appendix

## Cityscape Verified Views Methodology

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## 0.0 Introduction

### 0.1 Methodology overview

The methodology applied by Cityscape Digital Limited to produce the ‘Type 4 Photomontages survey / scale verifiable’<sup>1</sup> or views contained in this document are described below. In the drafting of this methodology and the production and presentation of the images, guidance has been taken from the ‘TGN 06/19 Visual Representation of development proposals’ (TGN06/19) from the Landscape Institute published on 17 September 2019 in support of GLVIA3.

The disciplines employed are of the highest possible levels of accuracy and photo-realism which are achievable with today’s standards of architectural photography and computer-generated models.

### 0.2 View selection

The viewpoints are being selected through a process of consultation with relevant statutory consultees by townscape/heritage consultants and having regard to relevant planning policy and guidance.

## 1.0 Photography

### 1.1 Digital photography

High quality digital full frame sensor cameras are being utilised.

### 1.2 Lenses

In accordance with TGN 06/19, Cityscape balances the need to include the extent of the site and sufficient context with the stated preference for 50mm lenses. For local urban views a wide angle lens of 24mm or 35mm is generally used. For more open spaces the default is 50mm, intermediate distance views are photographed with a lens between 35mm to 70mm and occasionally long range views may be required with lens options ranging from 70mm to 1200mm.

As a guide, the following approach is used:

View	Lens options
Relevant foreground, urban context or large site	24mm – 35mm
Open spaces, where proposed development can be included	50mm
800 to 5000 metres – intermediate	35mm – 70mm
5000+ metres – long	70mm – 1200mm

Examples of these views are shown in Figures 1 and 2.

### 1.3 TGN 06/19

States that:

“2.2 Baseline photography should: [...] include the extent of the site and sufficient context;”<sup>2</sup>

“1.1.7 If a 50mm FL lens cannot capture the view in landscape or portrait orientation (for example, if the highest point of the development is approaching 18° above horizontal) the use of wider-angled prime lenses should be considered, working through the following sequence of fixed lenses in this order: 35mm FL > 28mm FL > 24mm FL > 24mm FL Tilt-Shift. Tilt-Shift Lenses are considered at Appendix 13. In these unusual situations, the reasoning for the choice and the approach used should be documented, and the agreement of the competent authority should be sought (see Appendix 10 Technical Methodology).”<sup>3</sup> and

“Views should include the full context of the site / development and show the effect it has upon the receptor location.[...]”<sup>4</sup>

### 1.4 Digital camera

Cityscape uses high quality professional DSLR (digital single lens reflex) and DSLM (digital single lens mirrorless) cameras. The cameras utilise FFS (full frame sensors) so declared focal lengths require no conversion to be understood in line with TGN 06/19 guidelines.

Cityscape use high quality lenses that are matched to the resolution of the cameras to ensure high contrast and sharp rendition of the images.

### 1.5 Position, time and date recording

The photographer is provided with (i) an Ordnance Survey map or equivalent indicating the position of each viewpoint from which the required photographs are to be taken, and (ii) a digital mockup rendered with a context model of the desired view. For each viewpoint the camera is positioned at a height of 1.60 metres above the ground level which closely approximates the human eye altitude, and falls into the 1.5-1.65m range provided by TGN 06/19<sup>5</sup>.

If local conditions required a deviation to capture the view, the exact height can be found in the Table of Views. A point vertically beneath the entrance pupil of the lens is marked on the ground as a survey reference point and two digital reference photographs are taken of (i) the camera/tripod location and (ii) the survey reference point (as shown in Figures 3 and 4). The date and time of the photograph are recorded by the camera.

1 ‘TGN 06/19 Visual Representation of development proposals.’ Available at: [https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI\\_TGN-06-19\\_Visual\\_Representation.pdf](https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf) (Accessed: March 2022).pp. 21-2

2 ‘TGN 06/19 Visual Representation of development proposals.’ Available at: [https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI\\_TGN-06-19\\_Visual\\_Representation.pdf](https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf) (Accessed: March 2022).pp. 5, Paragraph 2.2

3 ‘TGN 06/19 Visual Representation of development proposals.’ Available at: [https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI\\_TGN-06-19\\_Visual\\_Representation.pdf](https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf) (Accessed: March 2022).pp. 28, Paragraph 1.1.7

4 ‘TGN 06/19 Visual Representation of development proposals.’ Available at: [https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI\\_TGN-06-19\\_Visual\\_Representation.pdf](https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf) (Accessed: March 2022).pp. 35, Paragraph 4.1.5

5 ‘TGN 06/19 Visual Representation of development proposals.’ Available at: [https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI\\_TGN-06-19\\_Visual\\_Representation.pdf](https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf) (Accessed: March 2022).pp. 50

Cricklewood Lane – Verified Views Methodology – December 2022



1: Local view



2: Intermediate view



3: Camera location



4: Survey reference point

## 2.0 Digital image correction

### 2.1 Raw file conversion

Professional digital cameras produce a raw file format, which is then processed for both high detail and colour accuracy. The final image is saved as an 8 bit tiff<sup>6</sup> file.

### 2.2 Digital image correction

The digital photographs were prepared for the next stage of camera matching (see Sections 6 and 7).

All lenses exhibit a degree of geometric distortion. The most common types are radially symmetrical along the principal axis of the lens, and tend to grow in size towards the perimeter of the image. The outer edges of the images are therefore not taken into consideration to reduce inaccuracies. Figure 5 illustrates the ‘safe’ or non-distortive area of an image which is marked by a red overlay.

The adjusted or corrected digital image, known as the ‘background plate’, is then saved ready for the camera matching process (see Sections 6 and 7). In preparation for the survey (see Section 3.2) Cityscape indicates on each background plate the safe area and priority survey points, such as corners of buildings, retained elements and party walls for survey (see Figure 6).



5: Area of interest to be surveyed



6: Background plate highlighting critical survey points in green and secondary survey strings in red

<sup>6</sup> TIFF is the name given to a specific format of image file stored digitally on a computer.

## 3.0 Type 4 visualisations

### 3.1 Type 4 visualisation

Unless otherwise specified visualisations are completed to TGN 06/19<sup>7</sup> Type 4 Photomontage / Photowire (survey / scale verifiable) standards.

### 3.2 Survey

An independent surveyor is contracted to undertake the survey of (i) each viewpoint as marked on the ground beneath the entrance pupil of the lens at the time the photograph is taken (and recorded by way of digital photograph (see Section 1 above) and (ii) all the required points on buildings, hard landscape features or immobile permanent objects within the safe zone. The survey is coordinated onto the Ordnance Survey National Grid (OSGB36) by using GNSS (global navigation satellite system such as GPS<sup>®</sup>) equipment (see, for example, Figure 7) and processing software. The Ordnance Survey National Grid (OSGB36) is chosen as it is the most widely used and because it also allows the captured data to be incorporated into other available digital products (such as Ordnance Survey maps). The height datum used is Ordnance Survey Newlyn Datum and is also derived using the GNSS.

Improvements to the real-time position of GNSS data is achieved by RTK (real time kinematic) compensation, which utilises a comparison between known base stations positions and their current position fix to produce correction data to the measurements. The required points on each building are surveyed using conventional survey techniques utilising an electronic theodolite and reflectorless laser technology (shown in Figure 8). In certain circumstances, a viewpoint may need to be surveyed using conventional survey techniques as opposed to RTK, if, for example, the viewpoint is in a position where GNSS information cannot be received.

### 3.3 False origin

3D modelling programs, unlike CAD/BIM programs, have inherent inaccuracies the further an object is away from the origin. Cityscape decide on and record a local, 'false origin' that is used to move the model closer to the origin. This alleviates the inaccuracies. The 3D model of the proposed development, consented scheme models, and survey data are all moved uniformly to this new false origin. When performing positioning checks (see Section 5.2) the offset between false origin and OS are added back to the coordinates.



7: Field survey being carried out, GNSS receiver



8: Field survey being carried out, total station

<sup>7</sup> 'TGN 06/19 Visual Representation of development proposals.' Available at: [https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI\\_TGN-06-19\\_Visual\\_Representation.pdf](https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf) (Accessed: March 2022).pp.11, Table2, pp 21-24.

<sup>8</sup> <https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/sector-standards/land/guidelines-for-the-use-of-gnss-in-surveying-and-mapping-2nd-edition-rics.pdf>



## 4.0 Type 3 visualisations

### 4.1 Type 3 visualisation

These visualisations are as described in TGN 06/19<sup>9</sup> Type 3 Photomontage / Photowire (not survey / scale verifiable) standards. In contrast to Type 4, Type 3 visualisations rely on good quality data for camera matching, but are not relying on surveys as described in Section 3.2. Data sources such as GPS, OS Maps, 3D City models, geo-referenced aerial photography, LiDAR or 3D models can be used.

The individual data source used is declared in an accompanying table. The possible angular shift of a 1m lateral displacement of the camera against its actual coordinate depends on the distance of the object from the camera<sup>10</sup>:

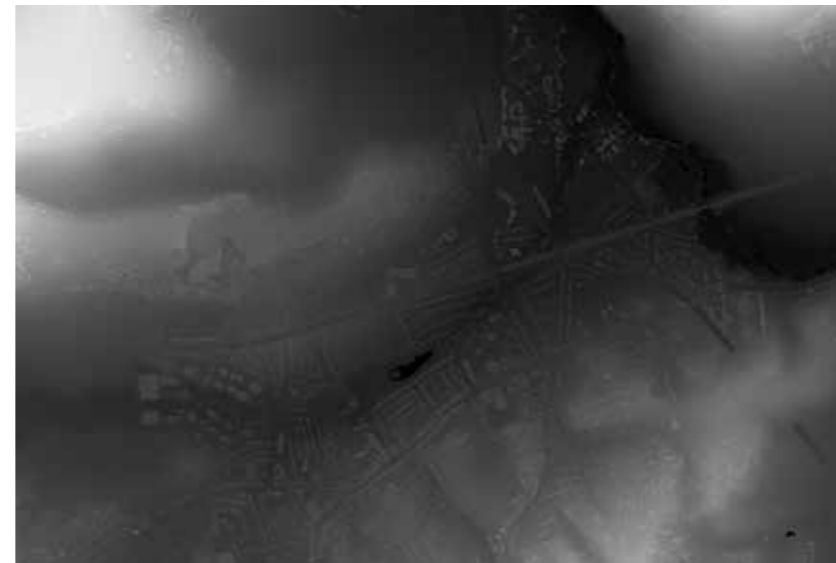
Distance from camera	Apparent shift
10m	5.7°
100m	0.57°
1,000m	0.057°
10,000m	0.006°

Cityscape also create 3D DSM (Digital Surface Model) models from publicly available data sources, such as Defra LiDAR scans from the Defra Data Services Platform. We always choose the newest data available at the highest possible resolution, typically at 1m resolution. The data is processed to coordinate onto Ordnance Survey National Grid (OSGB36), and converted to a Square Grid DSM. The square grid is then optimised into a TIN (Triangulated Irregular Network). The optimisation has been validated to produce no loss in usable information of the geometric mesh. This process follows the guidelines set out in ‘Guidance - Visual representation of wind farms - Feb 2017’<sup>11</sup>.

DSM source is typically the Defra LiDAR Composite DSM, 2020, resolution 1m.

### 4.2 False origin

3D modelling programs, unlike CAD/BIM programs, have inherent inaccuracies the further an object is away from the origin. Cityscape decide on and record a local, ‘false origin’ that is used to move the model closer to the origin. This alleviates the inaccuracies. The 3D model of the proposed development, consented scheme models, and survey data are all moved uniformly to this new false origin. When performing positioning checks (see Section 5.2) the offset between false origin and OS are added back to the coordinates.



11: 1m resolution LiDAR GeoTIFF



12: Resulting 3D TIN mesh

## 5.0 Model positioning

Applies to Type 3 and Type 4 visualisation.

### 5.1 Model source

A wireframe 3D model of the proposed scheme if not provided is created by Cityscape from plans and elevations provided by the architects and from survey information of the ground levels on site and various other points on and around the site, such as the edge of adjacent roads and pavements etc. provided by the surveyor.

### 5.2 Proposed model position check

The architect supplies a 3D model in OS coordinates that can be used ‘as is’ for position checks as described below (utilising the false origin as described in Section 3.3). Alternatively, a non OS located model can be provided together with a floor plan that is positioned in an OS map. The model can then be positioned by way of setting it on the floor plan. Heights are either preserved from the original model if supplied in AOD, or taken from supplied elevations.

Once the model is positioned, confirmation of height and Easting/ Northing Coordinates is requested from the architect.

At least two clear reference points are agreed and used to confirm the placement of the model.



13: Proposed model position check

9 ‘TGN 06/19 Visual Representation of development proposals.’ Available at: [https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI\\_TGN-06-19\\_Visual\\_Representation.pdf](https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf) (Accessed: March 2022).pp.11, Table2, pp 19-20.

10 ‘TGN 06/19 Visual Representation of development proposals.’ Available at: [https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI\\_TGN-06-19\\_Visual\\_Representation.pdf](https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf) (Accessed: March 2022).pp 56-57

11 ‘Guidance - Visual representation of wind farms - Feb 2017’ Available at: <https://www.nature.scot/sites/default/files/2019-09/Guidance%20-%20Visual%20representation%20of%20wind%20farms%20-%20Feb%202017.pdf> (Accessed at March 2022). pp 8-9

## 6.0 Camera matching – Type 4 visualisations

### 6.1 Cityscape’s database

Cityscape has built up a comprehensive database of survey information on buildings and locations in central London; the database contains both GNSS survey information and information regarding the dimensions and elevations of buildings gathered from architects and other sources.

The outlines of buildings are created by connecting the surveyed points or from the information obtained from architects’ drawings of particular buildings. By way of example of the high level of detail and accuracy, approximately 300 points have been GNSS surveyed on the dome of St. Paul’s.

The database ‘view’ (as shown in Figure 14) is ‘verified’ as each building is positioned using coordinates acquired from GNSS surveys. In many instances, the various coordinates of a particular building featured in one of the background plates are already held by Cityscape as part of their database of London. In such cases the survey information of buildings and locations provided by the surveyor (see Section 3.2 above) is used to cross-check and confirm the accuracy of these buildings. Where such information is not held by Cityscape, it is, where appropriate, used to add detail to Cityscape’s database.

The survey information provided by the surveyor is in all cases used in the verification process of camera matching.

### 6.2 Camera matching process

The following information is required for the camera matching process:

- Specific details of the camera and lens used to take the photograph and therefore the field of view (see Section 1);
- The adjusted or corrected digital image i.e. the ‘background plate’ (see Section 2);
- The GNSS surveyed viewpoint coordinates (see Section 3.2);
- The GNSS surveyed coordinates of points within the the background plate (see Section 3.2);
- Selected models from Cityscape’s database (see Section 6.1);
- The GNSS surveyed coordinates of the site of the proposed scheme (see Section 3.2);

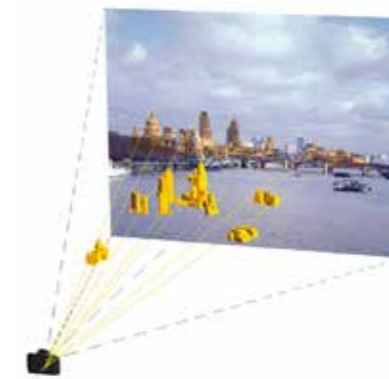
The data is combined in a 3D software package and is then used to situate Cityscape’s virtual camera such that the 3D model aligns exactly over the background plate (as shown in Figures 15, 16 and 17) (i.e. a ‘virtual viewer’ within the 3D model would therefore be standing exactly on the same viewpoint from which the original photograph was taken (Figure 3). This is the camera matching process.



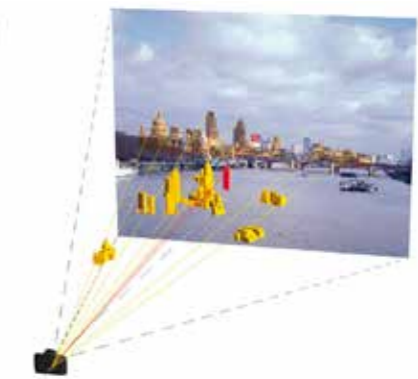
14: Selected GPS located models (yellow) from Cityscape’s database, situated on Cityscape’s London digital terrain model



15: The background plate matched in the 3D GPS located models



16: Background plate matched to the 3D GPS located models



17: The camera matched background plate with an example of a proposed scheme included in red

## 7.0 Camera matching – Type 3 visualisations

### 7.1 Cityscape's context models

Cityscape have purchased available 3D city models of large parts of London and other parts of the UK that are modelled to within 25cm accuracy. Where available this data is used to create camera matches for Type 3 visualisations, or additional data is purchased.

In addition, or where 3D city models are not available, DSM data is used for camera matching (see Section 4).

### 7.2 Camera matching process

The following information is required for the camera matching process:

- Specific details of the camera and lens used to take the photograph and therefore the field of view (see Section 1);
- The adjusted or corrected digital image i.e. the 'background plate' (see Section 2);
- 3D city model and/or DSM context model (see Section 4);
- Selected models from Cityscape's database (see Section 6.1);
- A 3D model of the proposed scheme (see Section 5)

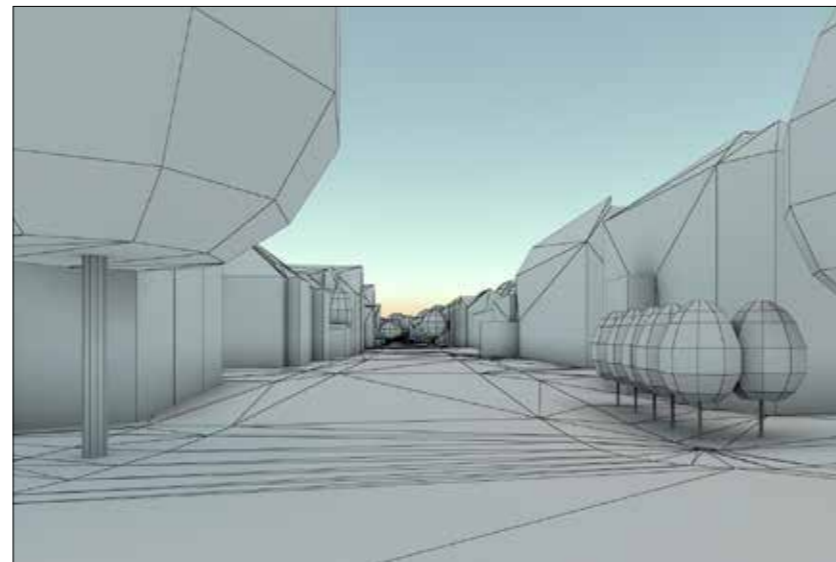
The data is combined in a 3D software package and is then used to situate Cityscape's virtual camera such that the 3D model/DSM aligns exactly over the background plate (as shown in Figure 20) (i.e. a 'virtual viewer' within the 3D model would therefore be standing very close to the same viewpoint from which the original photograph was taken (Figure 3). This is the camera matching process.



18: Background plate: digital photograph, size and bank corrected as described in Section 2



20: Camera matching: the background plate matched in DSM TIN mesh



19: Render: DSM model render, camera matched

## 8.0 Rendering

### 8.1 Wireline image (AVR 0/1)

The proposed developments are shown using a constant thickness wireline. The line is generated from a computer rendering of the 3D model and follows an ‘inside stroke’ principle.

Rendering is a technical term referring to the process of creating a two dimensional output image from the 3D model. The ‘inside stroke’ principle is followed so that the outer edge of the line touches the outline of the render from the inside, fairly representing the maximum visibility.

The camera matching process is repeated for each view and a wireline image of the proposal from each viewpoint is then produced. The wireline image enables a quantitative analysis of the impact of the proposed scheme on views.

### 8.2 Rendered image (AVR 3)

In order to assist a more qualitative assessment of the proposals, the output image needs to be a photo-realistic reflection of what the proposed scheme would look like once constructed. This is called an AVR3.

### 8.3 Texturing

The process of transforming the wireframe 3D scheme model into one that can be used to create a photorealistic image is called texturing<sup>12</sup>.

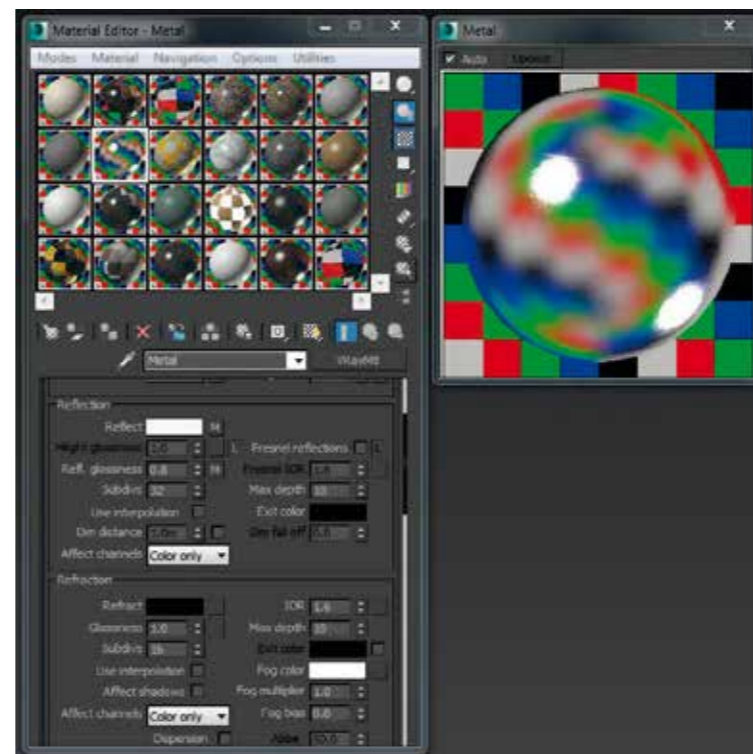
Prior to rendering, Cityscape requires details from the architect regarding the proposed materials (e.g. type of glass, steel, aluminium etc.) to be utilised.

Cityscape also use high resolution photographic imagery of real world material samples, supplied by the client or the manufacturer, to create accurate photorealistic textures for use in all our images. This information is used to produce the appearance and qualities in the image that most closely relates to the real materials to be used (as shown in Figure 21).

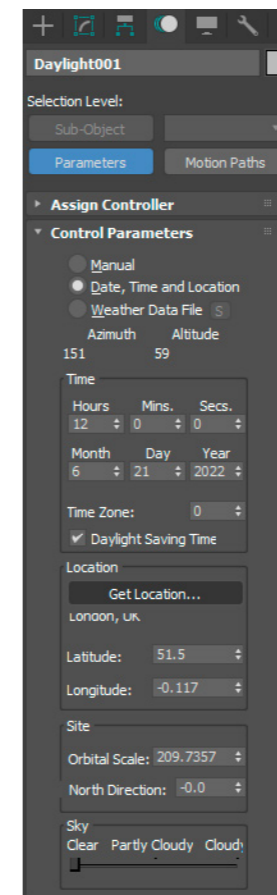
### 8.4 Lighting and sun direction

The next stage is to light the 3D model to match the photographic environment. The date, time of the photograph and the latitude and longitude of the city are input (see Figure 22) into the unbiased physically accurate render engine. Cityscape selects a ‘sky’ (e.g. clear blue, grey, overcast, varying cloud density, varying weather conditions) from the hundreds of ‘skies’ held within its database to resemble as closely as possible the sky in the background plate.

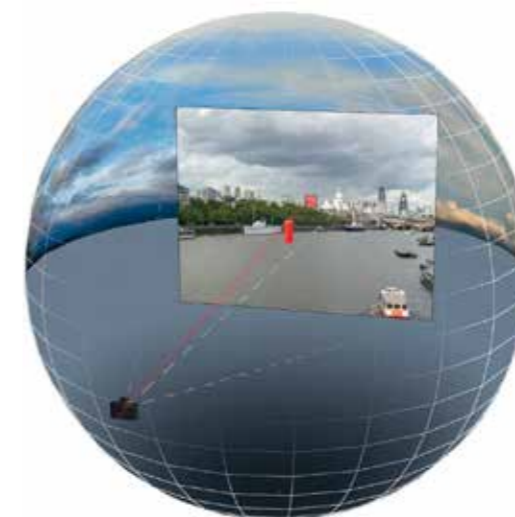
The 3D model of the proposed scheme is placed within the selected sky (see Figure 23) and using the material properties also entered, the computer calculates the effects of the sky conditions (including the sun) on the appearance of the proposed scheme.



21: Screenshot of some materials in the 3D rendering package.



22: Screenshot of environment information (time, date and year) entered to locate the sun correctly (see Section 7).



23: Example of a proposed scheme highlighted in red within the selected sky and rendered onto the background plate

<sup>12</sup> Texturing is often referred to as part of the rendering process, however, in the industry, it is a process that occurs prior to the rendering process.

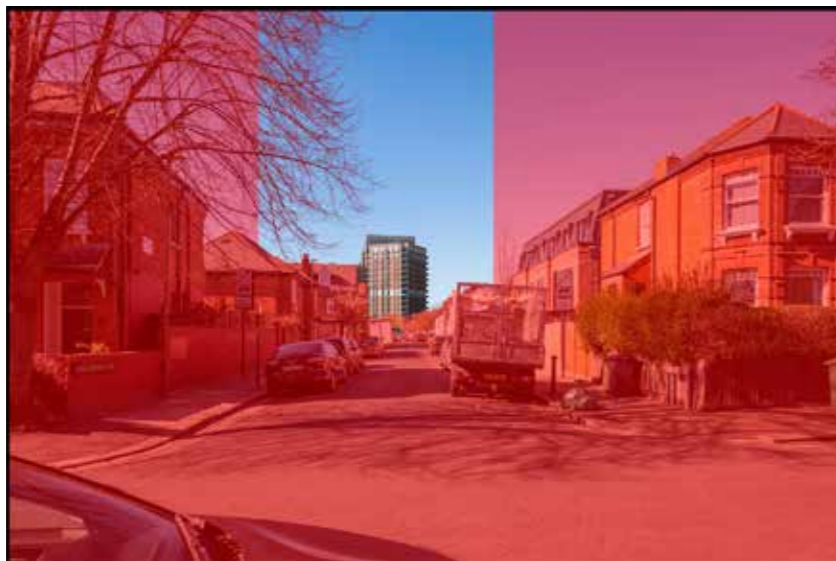
## 9.0 Post production

### 9.1 Post production

Finally, the rendered image of the scheme model is inserted and positioned against the camera matched background plate.

Once in position, the rendered images are edited using Adobe Photoshop®. Masks are created in Photoshop where the line of sight to the rendered image of the proposed scheme is interrupted by foreground buildings (as shown in Figure 24).

The result is a verified image or view of the proposed scheme (as shown in Figure 25).



24: Process red area highlights the Photoshop mask that hides the unseen portion of the render



25: A photo-realistic verified image



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# **APPENDIX 3: CROWN PUBLIC HOUSE LIST ENTRY**

**B&Q CRICKLEWOOD, CRICKLEWOOD LANE, NW2 1ES**

**APP/2/D**

# THE CROWN PUBLIC HOUSE

## Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1359049**

Date first listed: **20-Nov-1981**

Statutory Address 1: **THE CROWN PUBLIC HOUSE, CRICKLEWOOD BROADWAY NW2**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

[Understanding list entries](https://historicengland.org.uk/listing/the-list/understanding-list-entries/) (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

[Corrections and minor amendments](https://historicengland.org.uk/listing/the-list/minor-amendments/) (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

## Location

Statutory Address: **THE CROWN PUBLIC HOUSE, CRICKLEWOOD BROADWAY NW2**

The building or site itself may lie within the boundary of more than one authority.

County: **Greater London Authority**

District: **Barnet (London Borough)**

Parish: **Non Civil Parish**

National Grid Reference: **TQ 23886 85689**

## Details

1. 5004 CRICKLEWOOD BROADWAY NW2

The Crown Public House TQ 28 NW 7/11 20.11.81

II

2. Dated 1900. Grand "Jacobean" public house of 2 storeys with 2 dormered storeys in mansard roof. Three storey wing to right 4 bays faced in sandstone. Rusticated attached columns and pilasters flank 4 entrance doors to main block and 2 doors to wing, first floor projection of 16 lights with single flanking 2 light windows. Two windows to wing. Two bay decorative gabling at second floor with mullioned windows surmounted by blind archway. Second floor to wing battlemented with ornamental crest, pyramid roof and decorative finial.

Listing NGR: TQ2388685689

## Legacy

The contents of this record have been generated from a legacy data system.

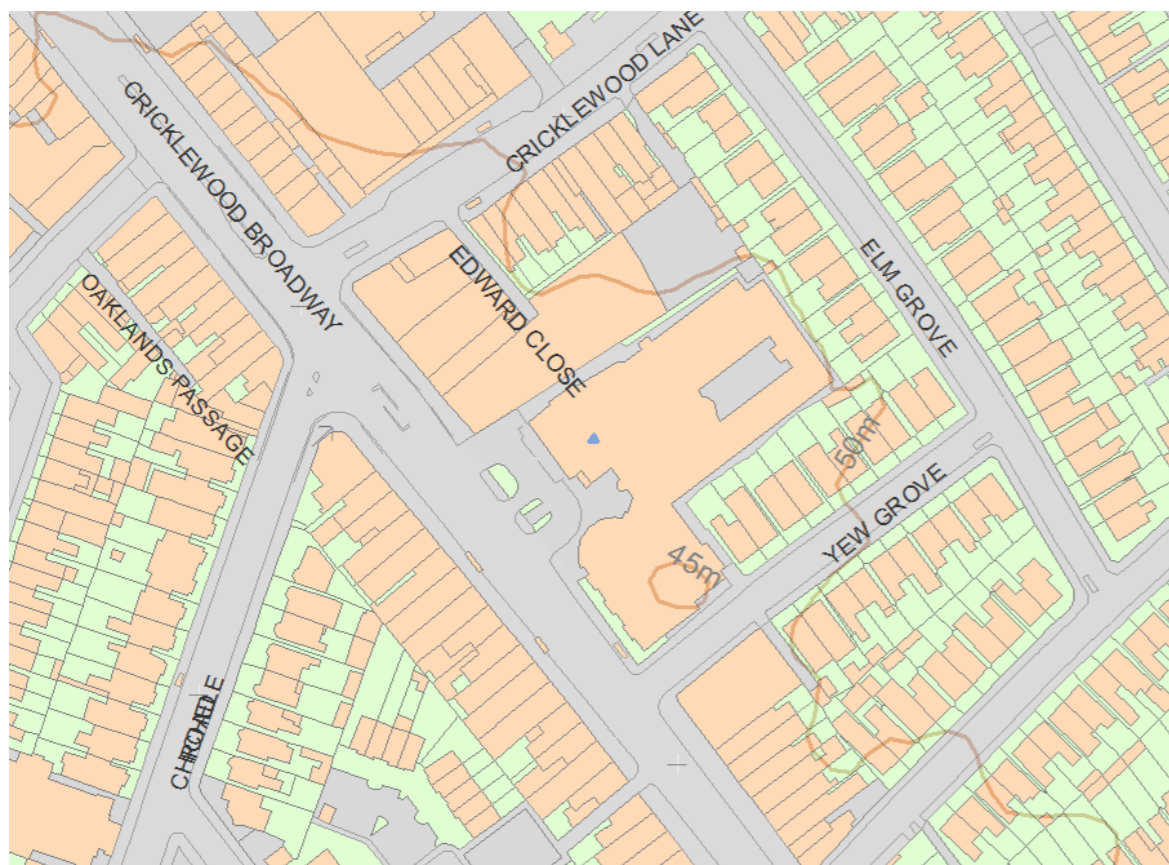
Legacy System number: **198851**

Legacy System: **LBS**

## Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.





## Map

This map is for quick reference purposes only and may not be to scale.  
This copy shows the entry on 16-Jan-2023 at 10:25:42.

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(<https://historicengland.org.uk/terms/website-terms-conditions/>).

End of official list entry

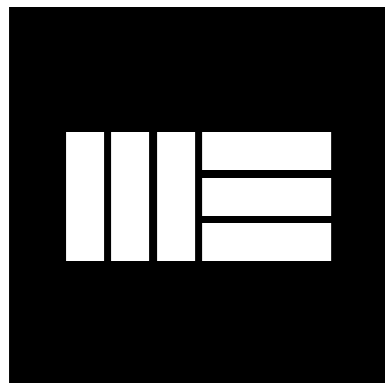
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