

GREATER LONDON AUTHORITY

Good Growth

Carl Griffiths

Principal Planner
Major Projects
Strategic Planning and Regeneration
Regional Enterprise
2 Bristol Avenue, Colindale
London NW9 4EW

Our ref: 2020/6538/S1

Your ref: 20/3564/OUT

Date: 9 November 2020

By Email

Dear Mr Griffiths

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

Site: B&Q site, Cricklewood Lane, London NW2 1ES
Local Planning Authority reference: 20/3564/OUT

I refer to the copy of the above planning application, which was received from you on 21 September 2020. On 9 November 2020, the Mayor considered a report on this proposal, reference 2020/6538/S1. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the application does not yet comply with the London Plan and Intend to Publish London Plan for the reasons set out in paragraph 89 of the above-mentioned report; but that the possible remedies set out in that report could address these deficiencies.

The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations. The environmental information made available to date has been taken into consideration in formulating these comments.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days

to decide whether to allow the draft decision to proceed unchanged; or direct the Council under Article 6 to refuse the application; or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send the Mayor a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is PakLim Wong, email paklim.wong@tfl.gov.uk, telephone (020) 3054 1779.

Yours sincerely

A handwritten signature in black ink that reads "John Finlayson" with a long horizontal flourish extending to the right.

John Finlayson
Head of Development Management

cc Andrew Dismore, London Assembly Constituency Member
Andrew Boff, Chair of London Assembly Planning Committee
National Planning Casework Unit, MHCLG
TfL
Robert Nicholas, Lucy Howes, John Mumby, Icen

B&Q site, Cricklewood Lane

in the London Borough of Barnet

local planning authority reference 20/3564/OUT

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Outline planning application (including means of access with all other matters reserved) for the demolition of existing buildings and the comprehensive phased redevelopment of the site for a mix of uses, including up to 1,100 residential units and up to 1,200 sq.m. of flexible commercial/community floorspace in buildings of up to 25 storeys, along with parking, landscaping, and associated works.

The applicant

The applicant is **Montreaux Cricklewood Developments Limited** and the architect is **EPR**.

Strategic issues summary

Principle of development: The development of this well-connected, under-utilised site within an opportunity area and town centre location for residential-led uses is strongly supported.

Affordable housing: The 35% affordable housing offer (by habitable room), is welcomed; however, the tenure of 30% affordable rent and 70% intermediate does not meet the Council's specified tenure mix; affordable rent units at 65% of market rent and all of the Build to Rent Discount Market Rent units at 80% of market rents do not meet affordability requirements. Assessment of the Financial Viability Assessment is ongoing.

Urban design and historic environment: The proposals would be a step-change in scale when viewed from the prevailing Victorian/Edwardian surrounding streets; however, the heights proposed are broadly in line with planning policy in this highly accessible town centre and Opportunity Area location. The visual, functional, environmental, and cumulative impacts have been rigorously assessed and are acceptable. The size of the site provides an exceptional opportunity for high-density housing delivery, with tall buildings that do not unacceptably impact the surroundings. The illustrative scheme demonstrates that an appropriate design quality could be achieved, with no harm to the significance of heritage assets; however, this is subject to amendment of the Development Heights Parameter Plan, which does not give sufficient control over building heights. Example floor plans should also be provided and an outline fire statement.

Transport: The site is highly accessible with very good public transport access, and will result in a significant reduction in vehicle trips, which will benefit the adjoining road network. The proposal is supported; however further information is required on bus service impacts; active travel zone assessment; cycle parking; walking/cycling and public realm improvements; and step-free access to Cricklewood Station. Planning conditions and obligations are required.

Climate change and environment: Further information is required on energy, the circular economy, water-related matters, and urban greening.

Recommendation

That Barnet Council be advised that the application does not yet comply with the London Plan and Intend to Publish London Plan for the reasons set out in paragraph 89.

Context

1. On 21 September 2020, the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following Categories of the Schedule to the Order 2008:
 - *Category 1A – 'Development which comprises or includes the provision of more than 150 houses, flats or houses and flats'.*
 - *Category 1B – 'Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres'.*
 - *Category 1C – 'Development which comprises or includes the erection of a building of (c) more than 30 metres high and is outside the City of London'.*
3. Once Barnet Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.
4. The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended, has been taken into account in the consideration of this case.
5. The Mayor of London's statement on this case will be made available on the City Hall website: www.london.gov.uk.

Site description

6. The 2.78 hectares site is occupied by large retail sheds occupied by B&Q, Pound Stretcher and Tile Depot on the south-western aspect of the site; with associated surface level car parking on the northern and eastern parts, accessed at the south-east corner from Cricklewood Lane, and towards the north from Depot Approach. Cricklewood Green to the front of the B&Q store is an Asset of Community Value.
7. The site is bounded by Depot Approach to the north-west, beyond which are further retail sheds and surface level car parking, Kara Way Playground, and two-storey terraced housing. National railway lines and Cricklewood station are on the eastern boundary; Cricklewood Lane with low level housing to the south; and mixed retail/residential buildings on the corner of Cricklewood Lane and Cricklewood Broadway to the south-west. Cricklewood (District) town centre extends along Cricklewood Lane on the south-eastern boundary of the site.

8. The site is located in the Council's Brent Cross Cricklewood Growth Area and is within the Brent Cross/Cricklewood Opportunity Area.

9. The Railway Terraces Cricklewood Conservation Area is immediately adjacent to the site to the north-west, and the Grade II listed Crown Public House is approximately 300 metres to the south.

10. The two sites adjacent to the western boundary have approval for residential-led mixed-use development. The site at 1-13 Cricklewood Lane (LPA Ref: 18/6353/FUL) has consent for 145 homes within buildings of up to 9 storeys, and 194-196 Cricklewood Broadway (LPA Ref: 17/0233/FUL) has consent for a 6 storey building comprising 3,457 sq.m of Class A1 floorspace and 96 homes.

11. The site is served by nine bus routes with stops on either Cricklewood Broadway or Cricklewood Lane. Cricklewood Rail Station is located adjacent to the site and provides access to Thameslink services. As such, the site has a Public Transport Access Level (PTAL) rating of 4-5, on a scale of 0-6b where 6b is the highest.

Details of this proposal

12. The application seeks outline planning permission (with all matters reserved apart from access) for the phased development of the site. The illustrative masterplan proposes up to 1,100 residential units and up to 1,200 sq.m. of commercial/community floorspace (Use Classes A3, B1, D1, and D2) with associated access, landscaping, car and cycle parking, to be delivered in three phases. Phase 1 would include Development Parcels A and B, Phase 2 Development Parcel C, and Phase 3 Development Parcel D; described as follows:

- Development Parcel A, fronting onto Cricklewood Green and adjacent new public square, comprises blocks from 6 to 25 storeys, with commercial/community space, capacity for 377 residential units, and an indicative housing mix of 68 (18%) studios, 128 (34%) 1-bedroom, 154 (40%) 2-bedroom and 29 (8%) 3-bedroom units.
- Development Parcel B, also fronting onto Cricklewood Green and the new square, comprises blocks from 5 to 12 storeys, with commercial/community space, capacity for 170 residential units, and an indicative housing mix of 51 (30%) 1-bedroom, 34 (49%) 2-bedroom and 35 (21%) 3-bedroom units.
- Development Parcel C comprises perimeter blocks from 8 to 18 storeys, with capacity for 329 residential units, and an indicative housing mix of 40 (12%) studios, 131 (40%) 1-bedroom, 140 (43%) 2-bedroom, and 18 (5%) 3-bedroom units.
- Development Parcel D comprises perimeter blocks from 3 to 16 storeys, with capacity for 224 residential units within the Illustrative Masterplan, comprising 40 (18%) studios, 103 (48%) 1-bedroom, 58 (28%) 2-bedroom and 23 (10%) 3-bedroom units.

13. Parameter Plans and Design Guidelines are provided to guide future Reserved Matters planning applications, covering demolition, development parcels, heights, phasing, and key points of access.

Case history

14. In November 2019, pre-application discussions were held with GLA officers for a mixed use development up to 1,100 – 1,250 residential units (including 500 Build to Rent units) and circa 2,500 sq.m. of commercial (Use Class B1, D1 and D2) floorspace in buildings of up to 25 storeys. The proposals were supported in principle; however, the pre-application advice report of 12 February 2020 stated that the affordable housing offer did not qualify for the ‘fast track route’ and the applicant was strongly encouraged to improve the affordability of the low cost rent and intermediate tenures, as well as explore grant funding opportunities. The height and massing were supported, subject to consideration of the impact on the setting of heritage assets. Further design work was required to ensure that the spaces between buildings would be of the highest quality and to ensure high residential quality. Issues relating to affordable housing; urban design; inclusive access; climate change; flood risk, drainage and water; and transport were also required to be addressed.

Strategic planning issues, relevant policies and guidance

15. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises Barnet Council’s Core Strategy and Development Management Policies (2012); saved policies from Barnet Council’s Unitary Development Plan (2006); and the 2016 London Plan (Consolidated with Alterations since 2011).

16. The following are relevant material considerations:

- The National Planning Policy Framework and National Planning Practice Guidance;
- The London Plan - Intend to Publish Version (December 2019), which should be taken into account on the basis explained in the NPPF;
- Secretary of State Directions on the Intend to Publish London Plan issued 13 March 2020 under Section 337 of the Greater London Authority Act 1999 (as amended);
- Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework (2005);
- Barnet Council’s Draft Local Plan (Regulation 18 version, January 2020).

17. The relevant issues, corresponding strategic policies, and guidance, are as follows:

- Opportunity area *London Plan; Intend to Publish London Plan;*
- Town centres *London Plan; Intend to Publish London Plan;*
- Housing *London Plan; Intend to Publish London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG;*
- Affordable housing *London Plan; Intend to Publish London Plan; Housing SPG; Housing Strategy; Affordable Housing and Viability SPG;*
- Urban design *London Plan; Intend to Publish London Plan; Shaping Neighbourhoods: Character and Context SPG; Play and Informal Recreation SPG;*
- Historic environment *London Plan; Intend to Publish London Plan;*

- Inclusive design *London Plan; Intend to Publish London Plan; Accessible London: achieving an inclusive environment SPG;*
- Climate change *London Plan; Intend to Publish London Plan Sustainable Design and Construction SPG; London Environment Strategy;*
- Transport *London Plan; Mayor's Transport Strategy.*

Principle of development

Town centre uses and Opportunity Area

18. The site is within the Council's Brent Cross Cricklewood Growth Area, the Brent Cross/Cricklewood Opportunity Area, and Cricklewood (District) town centre extends along Cricklewood Lane on the south-eastern boundary of the site. London Plan Policy 2.13 identifies the Opportunity Area as having capacity to accommodate a minimum of 10,000 new homes and 20,000 additional jobs, while Intend to Publish London Plan Table 2.1 sets an indicative capacity of 9,500 new homes and 26,000 new jobs.

19. London Plan Policies 2.10, 2.11, 4.2 and Policies SD6 and SD8 of the Intend to Publish London Plan support mixed use development in town centres. These policies seek to enhance the vitality and viability of town centres by encouraging strong, resilient, accessible and inclusive hubs, with a diverse range of uses that meet the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses. The Intend to Publish London Plan identifies Cricklewood town centre as having medium commercial growth potential and high residential growth potential.

20. The site currently comprises car-dependent, bulky goods retail units, and extensive surface car parking, which does not fully utilise this site in a highly accessible town centre location in an Opportunity Area. The proposed development would provide up to 1,200 sq.m. of commercial/community around the new public square, fronting onto Cricklewood Lane as part of the town centre, and up to 1,100 residential units, responding positively to the targets and objectives of the above policies. It would also provide a strong link between the town centre and the station, which is currently lacking, with the potential for future improved access from the site to the station. The scheme also allows the enhancement of the existing open space at Cricklewood Green, significantly extending green infrastructure and public realm throughout the site.

Housing supply

21. London Plan Policy 3.3 and Policy H1 of the Intend to Publish London Plan seek to optimise the potential for housing delivery on brownfield sites, especially sites such as this with a PTAL rating of 3-6, within or close to town centres, and currently comprise car parks and low-density retail uses. The proposal would contribute towards meeting the housing targets set for Barnet in the London Plan and Intend to Publish London Plan, which are 2,349 homes per year and 23,640 between 2019-29 homes respectively.

Principle of development conclusion

22. Overall, the development of this highly accessible, under-utilised site within an Opportunity Area and town centre location for residential-led uses is strongly supported, in line with London Plan and Intend to Publish London Plan policies.

Housing

23. The following shows the indicative residential mix and tenures for all phases:

	Affordable Rent (at 65% of market)	Shared ownership	Build to Rent (DMR at 80% of market)	Build to Rent (market)	Market sale	Total
Studio	0	20	24	44	60	148 (13%)
1 bed	11	107	31	97	167	413 (38%)
2 bed	40	114	0	152	128	434 (39%)
3 bed	35	0	0	29	41	105 (10%)
Total	86	241	55	322	396	1,100
35% affordable (hab rooms) (30% affordable rent:70% intermediate)						

Build to Rent

24. London Plan Policy 3.8 recognises the contribution of Build to Rent in addressing housing needs and increasing housing delivery. Policy H11 of the Mayor's Intend to Publish London Plan and the Mayor's Affordable Housing and Viability SPG establish a set of requirements for this tenure including:

- The homes must be held under a covenant for at least 15 years (apart from affordable units, which must be secured in perpetuity);
- A clawback mechanism must be put in place to ensure that there is no financial incentive to break the covenant;
- The units must be self-contained and let separately;
- There must be unified ownership and management of the private and affordable elements of the scheme;
- Longer tenancies (three years or more) must be available to all tenants with break clauses for tenants;
- Rent and service charge certainty for the tenancy period on a basis made clear before the tenancy agreement is signed including any annual increases, which should be formula-linked;
- On-site management;
- Providers must have a complaints procedure in place and be a member of a recognised ombudsman scheme; and

- Providers must not charge up-front fees of any kind to tenants or prospective tenants outside of deposits and rent-in-advance.

25. These requirements must be secured in the section 106 agreement, to be shared with GLA officers for comment and agreement, prior to consideration of any Stage 2 referral.

Affordable housing

26. London Plan Policies 3.11 and 3.12 and Policy H4 of the Intend to Publish London Plan seek to maximise affordable housing delivery in London with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. The Mayor's Affordable Housing and Viability Supplementary Planning Guidance (SPG) seeks to increase the provision of affordable housing in London and embed affordable housing into land prices. The SPG introduced a threshold approach to viability, which is now incorporated within Policy H5 of the Intend to Publish London Plan. Schemes that provide the 35% threshold level of affordable housing on site, without public subsidy, having explored potential additionality through grant funding, and which meet the specified tenure mix can follow the 'fast track route' are not required to submit viability information nor be subject to a late stage viability review.

27. As set out above, the applicant is proposing 35% affordable housing by habitable room, made up of 30% affordable rent and 70% intermediate (61% shared ownership and 9% Discount Market Rent). The proposed phasing will result in the early delivery of affordable housing within the first phase (61%, made up of affordable rent and discount market rent) and the remainder in the second phase (39%, made up of shared ownership), which is welcomed and should be secured by the Council in any planning permission.

28. The applicant's offer of 35% affordable housing by habitable room is welcomed; however, the tenure split does not meet the Council's specified tenure mix of 60% social rented and 40% intermediate; affordable rent units at 65% of market rent do not meet the affordability requirements of the Intend to Publish London Plan; and all of the Discount Market Rent units at 80% of market rents does not meet the affordability requirement for at least 30% of Build to Rent units to be let at London Living Rent (LLR) levels, with the remainder at a range of genuinely affordable rents. The applicant must explore revisions to these rental levels. The proposed affordable housing must be confirmed in accordance with Policies H5 and H11 of the Intend to Publish London Plan and Affordable Housing and Viability SPG for the proposals to be eligible for the fast track route. The applicant should also confirm that it has investigated the potential for grant funding.

29. The full financial viability assessment is under review by GLA officers. Barnet Council is expected to publish the financial viability assessment to ensure transparency of information, in accordance with the Mayor's Affordable Housing and Viability SPG.

30. Once agreed, the proposed affordable housing must be appropriately secured in the section 106 agreement, including the relevant review mechanisms. Affordability thresholds for intermediate tenures must also be secured in the section 106 agreement. A draft section 106 agreement would need to be shared with GLA officers for comment and agreement, prior to consideration of any Stage 2 referral.

Housing Mix

31. London Plan Policy 3.8 states that new development should provide a mix of housing sizes and types, considering local and strategic housing requirements, the needs of different groups, the strategic priority for affordable family housing provision and the need to support the private rented sector. Policy H10 of the Intend to Publish London Plan states that schemes should generally consist of a range of unit sizes and sets out several factors that should be considered when determining the appropriate housing mix of a scheme, including the nature and location of a site. This policy also states that a higher proportion of one- and two-bed units may be more appropriate in locations with higher public transport access and connectivity.

32. As set out above, the indicative proposed unit size mix includes 10% family sized three-bed units, with the remainder studio, one and two-beds. Of the affordable rent units, 35 of the 86 units are proposed to be three-bed, which is welcomed. Considering the location, PTAL and characteristics and the density and form of the proposals, the proposed size mix is appropriate, with the final mix to be secured through reserved matters. The provision of family-sized units should be prioritised within the affordable component and the section 106 agreement should secure minimum provision.

Children's play space

33. Policy 3.6 of the London Plan states that development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Policy S4 of the Intend to Publish London Plan should incorporate high quality, accessible play provision for all ages, of at least 10 sq.m. per child. Play space provision should normally be provided on-site; however, off-site provision may be acceptable where it can be demonstrated that this would address the needs of the development and can be provided nearby within an accessible and safe walking distance, and in these circumstances contributions to off-site provision should be secured by a section 106 agreement. Play space provision should be available to all housing tenures to promote social inclusion.

34. Using the GLA population yield calculator, the play space requirement is 2,777 sq.m for all ages. The illustrative scheme makes provision for 3,614 sq.m of play space, with the majority provided at ground floor level within the public realm, including an extension of the existing adjacent Kara Way playground. Further play space areas are located in the podium and rooftop landscapes. The play space proposed is supported, with the detail to be determined through reserved matters.

Urban design

35. The design principles in Chapter 7 of the London Plan and Chapter 3 of the Intend to Publish London Plan require all developments to achieve a high standard of design. These policies seek to ensure that new buildings and spaces respond to local character, enhance the public realm, and are of the highest quality architecture such that they make a positive contribution to the street and cityscapes. London Plan Policies 7.1 and 7.4 and the Policies D1, D3 and D4 of the Intend to Publish London Plan in particular seek to ensure that new developments are well-designed and fit into the local character of an area, indicating that new buildings and spaces should respond

to form, style and appearance to successfully integrate into the local character of an area.

Site layout

36. The podium block layout creates a logical series of pedestrian and cycle routes, including the key north-south movement route through the centre of the scheme. The landscape-led approach to the routes through the site in the illustrative scheme would contribute significantly towards urban greening, with vehicular and servicing restricted to peripheral routes and between parcels C and D. An aspirational wider masterplan is included that explores potential opportunities to improve connectivity and the site's relationship with the surrounding context and beyond, particularly the Jewson site to the north, which is welcomed and supported.

37. The illustrative scheme achieves a minimum separation distance of 21 metres between buildings in each parcel, which is secured in the Design Guidelines. This is welcomed; however, it is unclear whether residential units facing onto the residential podiums would be able to achieve the required privacy, particularly if single aspect units were included on these inward facing elevations. Example floor layouts for the illustrative scheme should be provided for each parcel (third floor for example).

38. The proposals would provide a strong link between the town centre and the station, which is currently lacking. A new public square is proposed adjacent to Cricklewood Green, lined by active ground floor uses in parcels A and B in the form of flexible commercial/community space. The application demonstrates how the square could be used for a variety of public events. This connects through the scheme via landscape-led routes to further landscaped open spaces and play space, with ground floor residential units in parcels C and D, recognising the quieter nature of these areas of the site. This is supported; however, the illustrative scheme shows relatively limited ground floor residential use, with a predominance of plant, cycle and refuse usage, which may undermine the safety and security of these routes. This should be expanded, and it is suggested that a ground floor 'primary use' parameter plan would give greater assurance of this, and/or minimum proportions of active use in the Design Guidelines.

39. The illustrative scheme gives considerable emphasis to extensive landscape planting within ground level routes and spaces throughout the scheme, as well as at high level. While it is recognised that the proposals are illustrative, they should be a realistic representation of what is possible, taking account of maintenance and service charges. The quality of the landscape planting must be rigorously secured in any permission. Although not precluded by the parameter plans, a more street-based approach to routes through the site is encouraged through reserved matters applications, which would be more in context with surrounding terraced streets, combining front gardens with robust public realm.

Optimising development capacity and residential density

40. London Plan Policy 3.4 and Policy D3 of the Intend to Publish London Plan encourage the optimisation of sites, having regard to local context, design principles, public transport accessibility, and capacity of existing and future transport services. The higher the density of a development, the greater the level of design scrutiny that is

required, particularly qualitative aspects of the design, as described in Policy D4 of the Intend to Publish London Plan.

41. The density of the proposed scheme would be approximately 396 units per hectare, which exceeds the relevant density range of 45-260 units per hectare as set out in Table 3.2 of the London Plan for sites with a PTAL of 4-6 and an urban character setting. It also exceeds the threshold of 350 units per hectare set out in Policy D4 of the Intend to Publish London Plan. The supporting text of London Plan Policy 3.4 confirms that the density matrix should not be applied mechanistically; however, the scheme would need to be of an exemplary design quality to justify densities above the upper range, as emphasised by Intend to Publish London Plan Policy D4. The scheme has been subject to design review and pre-application discussions with Barnet Council, as well as the GLA, and would optimise the development capacity of this currently underutilised site adjacent to a district town centre, with very good accessibility, and within an Opportunity Area. Subject to further information and amendment of the Parameter Plans, and floorplans for the illustrative scheme, the density of the proposals is supported.

Tall buildings, height and massing

42. London Plan Policy 7.7 sets out requirements for tall buildings, which are broadly reflected in Policy D9 of the Intend to Publish London Plan, which states that development plans should define what is considered a tall building for specific localities and identify suitable locations. Requirements for tall buildings include addressing visual impacts at different distances; aiding legibility and wayfinding; having exemplary architecture and materials; avoiding harm to heritage assets; not causing adverse glare; and minimising light pollution. Functional impacts should consider internal and external design; servicing; entrance capacity; area and transport capacity; maximise benefits to the area; and not interfere with communications. Environmental impacts should consider wind, daylight, sunlight, and temperature; air movement (dispersal of pollutants); and noise creation. Cumulative impacts should also be considered.

43. Barnet Council's Core Strategy (2012) identifies general locations for tall buildings (defined as above 8 storeys), including the 'Edgware Road corridor', which links historic town centres and includes existing tall buildings. It states that the corridor forms an important part of Barnet's consolidated growth in the next 15 years, and as it lies in a valley floor, taller buildings are less likely to have a significant impact on key views. Although the Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework does not provide guidance on building heights in this specific location, it states that taller residential buildings should be sensitively located; should not form the dominant residential typology; and when above 15 storeys should be located along the line of the mainline railway. Barnet's emerging Local Plan states that 'tall buildings' (8 storeys or more) may be appropriate in Opportunity Areas and town centres; while 'very tall' buildings (exceeding 14 storeys) will only be supported in Opportunity Areas and only in exceptional circumstances.

44. London Plan Policy 7.6 requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, including light. Intend to Publish London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context. The Housing SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE)

guidelines to assess the daylight and sunlight impacts of new development on surrounding properties and within new developments, taking into account location, context, and broadly comparable housing typologies found in London. Similarly, amendments to the NPPF (2019) state that planning authorities should take a flexible approach when applying daylight and sunlight guidelines where these would inhibit making efficient use of a site and where an acceptable living standard would be achieved. The applicant's Environmental Statement considers the impacts of the proposals taking account of the maximum parameters and the illustrative scheme, finding that adverse daylight, sunlight and overshadowing; visual; and wind impacts could be mitigated at the reserved matters stage. The Heritage, Townscape, and Visual Impact Assessment (HTVIA) contains an assessment of the proposals against tall buildings policies, as well as 17 accurate visual representation wirelines of the illustrative scheme from the surrounding area and further afield.

45. The Development Heights Parameter Plan allows building up to 25 storeys on Parcel A; 18 storeys on Parcel B; 16 storeys on Parcel D; and 12 storeys on Parcel B, which is away from the railway line. The tallest 25 storey building is adjacent to the railway line and Cricklewood Station, serving to mark its location, as well as the entrance to the town centre from the east, and Cricklewood Green. GLA officers support the rationale for locating the tallest building here, which limits impacts on the Conservation Area to the north-east (as discussed below); however, this does give it particular prominence when viewed from streets that are aligned towards it from the south, particularly Oak Grove. The height of the proposals was subject to extensive discussion at pre-application stage, and it is noted that a taller building was considered in this location. Adjacent blocks step down along the railway line to 15 storeys at the northernmost part of the site, in line with the Development Framework guidelines. Being centrally located within the site, these buildings would have less impact on the surrounding areas. Away from the railway line, Parcel B (up to 12 storeys), steps down towards the adjacent consented schemes of up to 9 storeys.

46. The proposals would be a step-change in scale when viewed from the prevailing Victorian/Edwardian surrounding streets; however, the heights proposed are broadly in line with planning policy in this highly accessible town centre and Opportunity Area location. The size of the site provides an exceptional opportunity for high-density housing delivery, with tall buildings that do not unacceptably impact the surroundings. The illustrative scheme demonstrates 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 have been rigorously assessed and are considered to be acceptable. However, the quality of the final design must be rigorously controlled at reserved matters stage. It is noted that the Development Heights Parameter Plan allows development of each parcel up to the maximum height proposed in the illustrative scheme, with no further guidance on height variation in the Design Guidelines. The Parameter Plan does not give sufficient control over the heights of the parcels and should be amended to secure greater height variation within each parcel, more reflective of the illustrative scheme.

Historic environment

47. London Plan Policy 7.8 states that development should identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate. Intend to Publish London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings should conserve their significance, by being sympathetic to the

asset's significance and appreciation within their surroundings. These policies also apply to non-designated heritage assets.

48. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. Regarding listed buildings, all planning decisions should “*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” and regarding conservation areas special attention must be paid to “*the desirability of preserving or enhancing the character or appearance of that area*”. The NPPF states that when considering the impact of the proposal on the significance of a heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be.

49. While the site is not in a conservation area, nor does it contain any listed structures, it is adjacent to the Railway Terraces Conservation Area, which contains locally listed heritage assets. The Conservation Area is made up of five residential terraces built from the 1860s to house railway workers, which the Council's Character Appraisal (2016) describes as a peaceful, tranquil island within a busy urban setting. Other conservation areas are greater than 400 metres away. The Grade II listed Crown public house is approximately 300 metres to the south, a four storey red brick public house from 1900, primarily experienced from Cricklewood Broadway and its associated forecourt.

50. The visual impact of the proposed development on neighbouring heritage assets has been assessed in the applicant's HTVIA, with wirelines of the illustrative scheme. Based on the views provided, the proposed development would have very limited visibility from within the Conservation Area, largely due to the orientation of streets within the Conservation Area. Based on the illustrative scheme, GLA officers consider that no harm would be caused to the significance of the Conservation Area or the locally listed heritage assets within it; however, this is subject to amendment of the Development Heights Parameter Plan as discussed above. The same conclusion applies to the Grade II listed Crown public house, where the illustrative scheme would have very limited visibility due to its distance from the site.

51. Policy 7.1 of the London Plan and Policy HC4 of the Intend to Publish London Plan state that development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. The HTVIA also includes an analysis of the impact of the illustrative scheme on London View Management Framework View 5 – London Panorama from Greenwich Park. From Viewing Point 5A.2 Greenwich Park: the General Wolfe statue, the scheme is unlikely to be perceivable with the naked eye; however, if viewed with a telescopic lens, the tallest 25 storey building would be seen in the backdrop to the view. The height of the building would accord with that established by taller residential buildings to the north of The Monument, Tower Bridge and St Paul's Cathedral, and the relationship between these assets would remain and be unaffected. In particular, the silhouette of St Paul's Dome, the key architectural element in this view would remain unaffected. No harm would be caused to the strategic view.

52. In coming to these conclusions, GLA officers have had special regard to the desirability of preserving listed buildings and their settings (and note that these are preserved), and have paid special attention to the desirability of preserving or

enhancing the character or appearance of conservation areas (and again note that these are preserved).

Residential Quality

53. London Plan Policy 3.5 and Policy D6 of the Intend to Publish London Plan promote quality in new housing provision, with further standards and guidance set out in the Mayor's Housing SPG (2016). Minimum quantitative standards for private internal space, private outdoor space and floor to ceiling heights apply to all tenures and types of self-contained housing.

54. The Design Guidelines secure adherence to the relevant housing quality standards and guidance, including the Mayor's Housing SPG, which is welcomed. However, as detailed above, example floor layouts for the illustrative scheme are required to demonstrate that the required residential quality can be achieved.

Fire safety

55. Policy D12 of the Intend to Publish London Plan states that major applications should be accompanied by a fire statement, prepared by a suitably qualified third party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. Further to the above, Policy D5 of the Intend to Publish London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum, at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the buildings.

56. The proposals have been informed by fire statement developed by a specialist fire consultant. This is summarised in the Design and Access Statement; however, the applicant should provide an outline fire statement (including an evacuation strategy and building management strategy), which is required to be submitted with an outline application. Guidance is available at: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/draft-fire-safety-guidance-pre-consultation-information-only>. The Council should then secure compliance with the agreed fire statement by condition.

Inclusive design

57. London Plan Policy 7.2 and Policy D5 of the Intend to Publish London Plan require that all new development achieves the highest standard of accessible and inclusive design and can be used safely, easily and with dignity by all. London Plan Policy 3.8 and Policy D7 of the Intend to Publish London Plan requires that 90% of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% meets Building Regulation requirement M4(3) 'wheelchair user dwellings', that is, designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

58. The applicant states that 10% of homes will be designed to meet the M4(3) standard for 'wheelchair user dwellings', with the remaining homes designed to meet

the Building Regulations M4(2) standard for 'accessible and adaptable dwellings'. Additionally, the applicant states that the illustrative scheme aligns with Building Regulation Part M standards in order to maximise access for users with mobility, hearing and visual impairments. As such, the application complies with London Plan Policies 3.8 and 7.2 and Policies D5 and D7 of the Intend to Publish London Plan. This should be secured by condition as part of any planning permission.

Transport

Access

59. The primary means of access for pedestrians and cyclists will be from Cricklewood Lane through Cricklewood Green. This will provide convenient and direct access to bus stops and the station, as well as the local centre. Access from Depot Approach will also be available, providing secondary means of non-motorist access. The internal pedestrian route will be largely segregated from the internal vehicular roads, improving safety and quality of the route, which is supported in line with Intend to Publish London Plan Policies D7 and T2.

60. Vehicle access to the development will be from Depot Approach, a private access road over which the development has full vehicular rights. This will connect to an internal road network that retains a traffic-free public realm through the heart of the site, with vehicle access routes for car parking and servicing around the perimeter of the site. The principle of the layout is acceptable, subject to a Stage 1 Road Safety Audit. The existing vehicular access point at Cricklewood Lane will be removed, which is also welcomed.

Car parking

61. The proposal seeks up to 110 disabled car parking spaces for residential use, which represents 10% provision to all dwellings; however, it is intended to provide the minimum 3% from the onset, which is supported. It is also welcomed that the applicant is committed to that a minimum of 22 on-site residential parking spaces (20%) will have active Electric Vehicle Charging Points (EVCP) from the outset and all of the remaining 88 spaces (80%) will have passive EVCP provision, in line with Intend to Publish London Plan requirements. The quantum of EVCPs for the non-residential uses will be determined as part of any reserved matters applications.

62. The applicant has expressed willingness to provide a car club space or a contribution toward its delivery. Since the site is served by very good public transport, this is not considered necessary.

63. A Car Parking Design and Management Plan (CPMP) should be secured to regulate the use of parking on-site in line with Intend to Publish London Plan Policy T6, including a permit system to allocate car parking. The Council should also impose a legal restriction to exempt future residents' rights for a local parking permit.

Trip rate & mode share assessment

64. The proposals are supported by a trip generation and mode share assessment, which is acceptable. The proposed development would reduce daily vehicle-based trips (Including car passengers) from the current 9,853 two-way person trips to 2,219 trips,

which is strongly supported. However, across all trips, 31% are expected by car, 15% by rail, 17% by bus, 36% by foot and 1% by bike. The sustainable share is still some way below the Mayor's strategic target of 80% sustainable travel, and the assessment does not appear to have taken into account the proposed level of parking provision, which should be reviewed accordingly. This assessment nevertheless reinforces the need for restrained parking provision and a robust travel plan for the site.

65. As vehicular activities will be significantly reduced, it is not expected that the highway network in the vicinity would be subject to further adverse vehicular impact from the proposal.

Healthy Streets

66. The applicant has submitted an illustrative proposal for its on-site public realm as well as for Cricklewood Green. The Council is strongly encouraged to continue to work with the applicant in order to secure a high-quality improvement package for Cricklewood Green. The applicant should also ensure the design of pedestrian and cycle routes would provide adequate gradients for wheelchair and buggy users.

67. As part of the Brent Cross/Cricklewood Regeneration proposals, improvements to the Cricklewood Lane/Cricklewood Broadway signal-controlled junction is due to be delivered imminently, to improve capacity and safety of the junction. The Council should consider whether any impacts to pedestrians/cyclists will arise from the proposal on the new junction layout, as well as other junctions in the vicinity.

68. The applicant has carried out a Healthy Streets assessment to the proposed access routes to the site, which indicates that an overall enhancement to walking/cycling environment will be delivered. Development of this scale would usually be supported by an Active Travel Zone (ATZ) assessment, to identify a number of walking and cycling improvement opportunities. The applicant should therefore extend the assessment to consider walking/cycling routes within 20 minutes of journey time, fully in line with TfL's guidance. The Council is strongly encouraged to secure any necessary improvements as necessary.

69. The applicant should consider highway schemes associated with the proposal considering of the Mayor's Vision Zero agenda, ensuring it would be designed to prevent accidents and ensure safety of all road users. Existing accident data in the vicinity of the site should also be studied to identify safety improvement opportunities.

Public Transport

70. It is expected that the proposal would generate an additional 120 and 111 bus trips during the AM and PM peak respectively. The applicant should provide a directional assessment for bus trips to enable a fuller understanding of the impact on bus service capacity. Depending on the outcome of this modelling, TfL may request mitigation, which will be confirmed.

71. It is expected that the overall proposal would generate an additional 133 and 112 rail trips during the AM and PM peak respectively, from Cricklewood Rail station. It is welcomed that the applicant is committed to safeguard land so as not to preclude future southern access into Cricklewood Station. It is also welcomed that the applicant is willing to provide section 106 contributions towards improvements to the pedestrian

route beneath the rail bridge. The Council and the applicant are encouraged to further explore with Network Rail the possibility of providing step free access to the station.

Cycle Parking

72. The proposals include at least 1,846 long-stay spaces and 28 short-stay spaces for the residential element. The long-stay spaces will be provided in secure cycle stores at ground floor level and the short stay spaces in the form of 14 Sheffield loop stands, located close to pedestrian entrances and incorporated into the landscape scheme.

73. This level of provision meets the minimum Intend to Publish London Plan cycle parking standards and is therefore supported. The applicant should also ensure all cycle facilities are designed fully in line with the London Cycle Design standards (LCDS), including at least 5% larger spaces.

74. It is proposed to provide 4 long-stay spaces and 30 short-stay spaces for the A3 use; the B1 use would require 8 long-stay and 2 short-stay space, on the assumption of 600 sq.m. of A3 use and 600 sq.m. of B1 use. As the finalised allocation of space has not yet been determined, any planning permission should secure that all cycle parking is provided in line with the latest London Plan cycle parking standards (at time of reserved matters submission) for each of the respective land uses, with the design to be in accordance with the LCDS.

Servicing

75. In line with the Intend to Publish London Plan Policies T2 and T7F, a Draft Delivery & Servicing Plan (DSP) has been submitted, which is supported. The final DSP should be secured by condition. An internal servicing route has been proposed for the site with swept path analysis provided, which is acceptable subject to a Stage 1 Road Safety Audit.

Construction

76. In line with Intend to Publish London Plan Policy T7, a draft Construction Logistics Plan (CLP) has been produced and submitted in accordance with TfL's guidance, which is welcomed. The final submission and approval of the CLP should be conditioned.

Travel Plan

77. A Framework Travel Plan has been submitted. The applicant should further enhance measures to promote cycling and walking to achieve the 5 year target of 80% trips to be made by sustainable travel modes. References to car club and taxi journeys should also be removed from the travel plan as the site enjoys a very good level of public transport access. The final Travel Plan should be secured by section 106 agreement.

Mayoral Community Infrastructure Levy

78. The development will be subject to Mayoral Community Infrastructure Levy 2 (MCIL2). The rate for the London Borough of Barnet is £60 per square metre of floorspace. The applicant should ensure they are fully aware of the regulations.

Climate change and environment

Energy

79. The applicant has submitted an energy assessment, which is generally in accordance with London Plan Policy 5.2 and Policy SI2 of the Intend to Publish London Plan. Further information has been requested on overheating, district heating, and 'be seen' energy monitoring. A number of conditions have also been requested. Detailed technical comments in respect of energy have been shared with the applicant and the Council.

Whole life-cycle carbon

80. Intend to Publish London Plan Policy SI2 states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. A Whole Life-Cycle Carbon template (produced by the GLA) should be completed in accordance with the assessment guidance. The applicant should use these tools as the design progresses to calculate and reduce WLC emissions against the GLA's benchmarks provided in the guidance. The assessment guidance and template are available on the GLA website at: <https://consult.london.gov.uk/whole-life-cycle-carbon-assessments>.

Circular economy

81. Policy SI7 of the Intend to Publish London Plan requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, whilst Policy D3 requires development proposals to integrate circular economy principles as part of the design process. The GLA has released draft guidance for developers on how to prepare Circular Economy Statements and a 'Design for a circular economy' Primer that helps to explain the principles and benefits of circular economy projects. Therefore, a Circular Economy Statement is required in accordance with the GLA guidance, available at: <https://consult.london.gov.uk/circular-economy-statements>.

Flood risk

82. The site is in Flood Zone 1 and greater than 1 hectare in area. A Flood Risk Assessment (FRA) has been submitted, which considers the risk of flooding from a range of sources. When mitigation measures are considered, the residual flood risk to the site is low. The approach to flood risk management for the proposed development complies with London Plan Policy 5.12 and Policy SI.12 of the Mayor's Intend to Publish London Plan; however, further evidence of the increase in foul sewer capacity by Thames Water should be provided to the Council prior to the commencement of construction. Full details have been provided to the Council and the applicant.

Sustainable drainage

83. The surface water drainage strategy for the proposed development complies with London Plan Policy 5.13 and Intend to Publish London Plan Policy SI.13; however, a number of items should be clarified prior to the commencement of construction. The applicant should provide further details to the Council on the exact discharge locations

of the surface water into the sewer, consider exceedance routes on site and produce a more comprehensive maintenance plan. The applicant should also consider rainwater harvesting as a SuDS measure. Full details have been provided to the Council and the applicant.

Water efficiency

84. The proposed development does not meet the requirements of London Plan Policy 5.15 and Intend to Publish London Plan Policy SI.5 as it does not meet the non-residential water consumption targets of these policies. The applicant should consider water harvesting and reuse to reduce consumption of wholesome water across the entire development site. This can be integrated with the surface water drainage system to provide a dual benefit. Full details have been provided to the Council and the applicant.

Urban greening

85. The applicant should embed urban greening as a fundamental element of site and building design, in line with London Plan Policy 5.10 and Intend to Publish London Plan Policies G1 and G5. The applicant should provide a calculation of the proposed development's Urban Greening Factor, as set out in Policy G5 of the draft New London Plan, and aim to achieve the specified target.

Local planning authority's position

86. Barnet Council planning officers are currently assessing the application. In due course the Council will formally consider the application at planning committee.

Legal considerations

87. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application; or, issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (and any connected application). There is no obligation at this stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

88. There are no financial considerations at this stage.

Conclusion

89. London Plan and Intend to Publish London Plan policies on town centres, opportunity areas, housing, affordable housing, urban design, historic environment, inclusive design, transport, and climate change are relevant to this application. The following strategic planning issues should be addressed to ensure compliance with the London Plan and the Intend to Publish London Plan:

- **Principle of development:** The development of this well-connected, under-utilised site within an opportunity area and town centre location for residential-led uses is strongly supported.
- **Affordable housing:** The 35% affordable housing offer (by habitable room), is welcomed; however, the tenure of 30% affordable rent and 70% intermediate does not meet the Council's specified tenure mix; affordable rent units at 65% of market rent and all of the Build to Rent Discount Market Rent units at 80% of market rents do not meet affordability requirements. Assessment of the Financial Viability Assessment is ongoing.
- **Urban design and historic environment:** The proposals would be a step-change in scale when viewed from the prevailing Victorian/Edwardian surrounding streets; however, the heights proposed are broadly in line with planning policy in this highly accessible town centre and Opportunity Area location. The visual, functional, environmental, and cumulative impacts have been rigorously assessed and are acceptable. The size of the site provides an exceptional opportunity for high-density housing delivery, with tall buildings that do not unacceptably impact the surroundings. The illustrative scheme demonstrates that an appropriate design quality could be achieved, with no harm to the significance of heritage assets; however, this is subject to amendment of the Development Heights Parameter Plan, which does not give sufficient control over building heights. Example floor plans should also be provided and an outline fire statement
- **Transport:** The site is highly accessible with very good public transport access. The proposal is supported; however further information is required on bus service impacts; active travel zone assessment; cycle parking; walking/cycling and public realm improvements; and step-free access to Cricklewood Station. Planning conditions and obligations are required.
- **Climate change and environment:** Further information is required on energy, the circular economy, water-related matters, and urban greening.

For further information, contact GLA Planning Unit (Development Management Team):

Martin Jones, Principal Strategic Planner (case officer)

Email: martin.jones@london.gov.uk

Vanessa Harrison, Team Leader – Development Management

Email: vanessa.harrison@london.gov.uk

Allison Flight, Deputy Head of Development Management

Email: Alison.flight@london.gov.uk

John Finlayson, Head of Development Management

Email: john.finlayson@london.gov.uk

Lucinda Turner, Assistant Director of Planning

Email, Lucinda.turner@london.gov.uk
