



Planning Committee

Tuesday 17 March 2020 at 6.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Denselow (Chair)
Johnson (Vice-Chair)
S Butt
Chappell
Hylton
Mahmood
Maurice
Sangani

Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Kennelly, Lo and
W Mitchell Murray

Councillors

Colwill and Kansagra

For further information contact: Joe Kwateng, Governance Officer
joe.kwateng@brent.gov.uk; 020 8937 1354

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.00pm in Boardrooms 7 and 8

Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party or trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.		
2. Minutes of the previous meeting		1 - 10
APPLICATIONS FOR DECISION		
3. 18/4919 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0	Alperton	15 - 74
4. 19/2891 Land at junction of Cecil Avenue and High Road, Wembley, HA9	Wembley Central	75 - 118
5. 19/1241 Car Park next to Sudbury Town Station, Station Approach, Wembley, HA0 2LA	Sudbury	119 - 158
6. 19/4272 Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ	Northwick Park	159 - 178
7. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.		

Date of the next meeting: Wednesday 15 April 2020



Please remember to switch your mobile phone to silent during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Tuesday 18 February 2020 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Chappell, Hylton, Mahmood, Maurice and Sangani.

ALSO PRESENT: Councillor Kieron Gill.

1. **Declarations of interests**

None.

Approaches.

19/2163 44 Queens Walk NW9 8ER

Councillor Mahmood declared that he received an email about the application.

19/3056 13 The Avenue, London NW6 7NR

All Members declared that they received an email communication about the application.

2. **Announcements**

Prior to the start of the meeting, the Chair provided clarification in relation to certain allegations made in the local press about the publication of the reports. In responding to allegations made in the local press about non-publication of the reports, it was confirmed that the main reports were published within 5 clear days of the meeting as required. He continued that the supplementary report, published the day before the meeting, was not required to be published under the same regime. Ms Saira Tamboo (Senior Planning Lawyer) endorsed that advice.

3. **Minutes of the previous meeting - 22 January 2020**

RESOLVED:-

that the minutes of the previous meeting held on 22 January 2020 be approved as an accurate record of the meeting.

4. **18/4919. 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0**

PROPOSAL: Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising 581 residential units, flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)

RECOMMENDATION: To defer to a future meeting.

Mr David Glover (Development Management Manager) in reference to the supplementary report amended the original recommendation to grant consent to deferral to a future meeting so that further information can be included within the committee report regarding the basis and justification for the condition relating to the land, and the structure of the associated legal agreement(s).

DECISION: Deferred to a future meeting as explained within the supplementary report.

5. 19/2163. 44 Queens Walk, London, NW9 8ER

PROPOSAL: Demolition of existing building and erection of a 2 and 3 storey building accommodating 7 dwellings with installation of new vehicular access (to Queens Walk) and associated landscaping.

RECOMMENDATION: To grant planning permission subject to the conditions and informatives as set out within the Committee reports.

That the Head of Planning is granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters as set out within the Committee reports.

That the Head of Planning is granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990

Ms Victoria McDonagh (North Team Development Management Team Leader) introduced the report and answered members questions.

Mrs Sona Uppal objected to the application and answered Members' questions. Her objections were based on a number of grounds including the following; inadequate consultation, over-development of the site, detrimental to residential amenity, proximity to a local school and traffic (including pedestrian) safety issues, appearance of the proposal not in keeping and out of character with the area and loss of mature oak trees.

Mrs Susan Knowler also objected to the application and answered Members' questions. She also raised a number of issues including; over-development, lack of family size units, unacceptable frontage contrary to the Design Guide for the area, detrimental impact on neighbours and residential amenity. Mrs Knowler added that the proposal could set a precedent for similar undesirable development.

Mr Mark Pender (agent) addressed the Committee and answered members' questions. He referenced the application refused on appeal to the Planning Inspectorate and added that the current application had overcome the concerns expressed by the Inspector including its design, appearance and the overall impact of the development on the surrounding properties. Members heard that the application had addressed issues about outlook and that officers had recommended a planning condition to address the matter relating to obscure glazing. The Council's Tree Officer supported the scheme.

In the ensuing debate, members sought clarifications on a number of issues including; highways, consultation, trees and design. Mr John Fletcher (Highways Officer) explained that with seven parking spaces and eleven cycle spaces, the scheme would achieve the maximum parking standards, adding that a condition would require that details to be submitted setting out an acceptable arrangement that meets LCDS standards for cycle storage. In terms of design, officers added that the current scheme had overcome the concerns that the Inspector expressed on scale, design and the roof all of which complemented the design guide for the area. Members also noted the tree officer's support as amplified in the main report. Officers responded to issues about consultation, adding that consultation requirements had been exceeded.

Members were minded to approve the application as recommended except for Councillor Maurice who voted against it on grounds of excessive bulk and the design, out of character.

DECISION: Granted planning permission as recommended.
(Voting was recorded as follows: For 7, Against 1, Abstentions 0)

6. 18/4920. 1-8 INC Neville House & Neville House Garages, Neville Road, 1-64 INC Winterleys and Seahorse Day Nursery, Albert Road, 113-128 Carlton House and Carlton House Hall, Canterbury Terrace London, NW6

PROPOSAL: Demolition of all existing buildings and erection of a part six, nine, ten and twelve storey building arranged around a courtyard (Western Building) providing 135 residential units including a concierge and residential communal room at ground floor and a part four, five, eight, nine and ten storey L shaped building (Eastern Building) providing 84 residential units. Construction of a basement under the Western Building with a car lift and access from Albert Road. The provision of a pedestrian and cycle shared surface along Neville Road, with associated cycle provision, bin stores, landscaping and ancillary works (Revised Description).

RECOMMENDATION: Grant planning permission subject to subject to any Stage 2 Direction by the Mayor of London pursuant to the Mayor of London Order, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Development Management or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement

That the Head of Planning is granted delegated authority to issue the planning permission and impose conditions to secure the matters set out within the Committee reports.

That the Head of Planning is granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee not that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is granted delegated authority to refuse planning permission.

Ms Sarah Dilley (Principal Planning Officer) introduced the report and answered Members' questions. In reference to the supplementary report, she clarified matters including some changes to the planning obligations, analysis of the impact of daylight and sunlight on surrounding properties.

Mr Pete Firmin raised objections to the application including inadequate affordable housing units, unaffordable parking, homes that would not meet Brent needs and issues with the reporting of daylight and sunlight.

Mr Peter Van der Zwan (agent) addressed the Committee and answered Members' questions. He highlighted that the community engagement for the application was well attended and that the submitted scheme incorporated residents' aspirations and preferences. He added that the scheme that would also deliver 219 affordable homes was a continuation of the on-going regeneration of the South Kilburn Estate. He clarified that the affordable housing was the maximum possible, based on robust financial viability assessment with early and late stage reviews. He responded to other matters including parking, layout and entrances.

Officers responded to questions about a number of matters including: housing mix and tenure, parking, design, scale and massing, revisions that have been made to the scheme and daylight / sunlight. Officers clarified the car parking allocation and added that as Neville Road would be adopted, the Council would ensure that it complied with standards including the provision of street lighting.

DECISION: Granted planning permission as recommended and changes to the planning obligations as detailed within the supplementary report.
(Voting was unanimous as follows: For 8, Against 0, Abstentions 0)

7. 19/3056. 13 The Avenue, London, NW6 7NR

PROPOSAL: Demolition of existing dwellinghouse and erection of a part-3 and part-4 storey development comprising 9 residential units with roof terraces, enlargement of vehicular access on Brondesbury Park and creation of vehicular access on The Avenue, provision of car and cycle parking, refuse storage, landscaping and subdivision of garden space.

RECOMMENDATION: To grant planning permission subject to conditions.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

Ms Sarah Dilley (Principal Planning Officer) introduced the report and answered Members' questions. In reference to the supplementary report, she responded to issues raised by members about nearby open spaces and drew Members' attention to the updated condition 9 as set out within the supplementary report.

Ms Sheery Atkins objector raised a number of concerns including loss of amenity and privacy for surrounding residents, that the design was out of character, too dense, overbearing and that there would be transport impacts, taking into consideration the cumulative impact of developments coming forward in the area including the SEN school in The Avenue.

Ms Claire Lyons, raised a number of objections, including design, scale and character, adding that the proposal would constitute an over-development of the site with unsympathetic design and bulk and out of character within the area.

Councillor Gill ward member addressed the Committee. Councillor Gill raised objections to the proposed development for a number of reasons including; over-development, out of character with the streetscene, additional pollution within an Air Quality Management Area and danger to pedestrian and vehicular safety at a busy junction without adequate risk assessment.

Ms Laura Jenkinson and Jonathan Cross (agent) addressed the Committee and answered Members' questions. Ms Jenkinson informed Members that the application had been revised following comments from residents' engagement. She added that the application that incorporated private amenity space, would exceed space standards, provide dedicated parking and significant landscaping complied with policies. Mr Cross highlighted the architectural merits of the scheme.

In the ensuing discussion, members sought clarification on a number of issues including; design, massing, transportation, air quality management and privacy. Members heard that the application complied with policy CP17 in terms of scale, acceptable materials, height and garden space. Furthermore, as the application was relatively a small scale development, there was no requirement for transport assessment to be submitted. The proposal was considered unlikely to give rise to transportation issues of concern and the access was considered to be safe as it was sited about 45 metres from the nearest junction. Furthermore, only major applications required air quality management assessment and that the Council's Environmental Health raised no objections to the application. Officers advised that the application largely complied with SPD1, but did not comply with SPD1 in relation to the 45 degree guidance taken from an adjoining garden.

All Members were minded to grant planning permission except Councillor Maurice who was minded to vote against the recommendation on grounds of bulk and out of character.

DECISION: Granted planning permission as recommended and revisions to condition 9 as set out within the supplementary report.
(Voting was recorded as follows: For 7, Against 1, Abstention 0).

8. 18/3591. 5A-G Inc, Exeter Road, London, NW2 4SJ

PROPOSAL: Demolition of existing rear extension and construction of a single storey ground floor rear extension and excavation to create a basement level to facilitate the conversion of the 3 existing ground floor self-contained flats into 3 x self-contained duplex flats at ground and lower ground floor level; new front boundary wall and new entrance gates; lowering of the ground level to side and rear; rear terraces with metal railings; new side entrance door; new windows to side elevation; new lightwell to front garden; felling of rear garden trees (ash tree T1 and a small group of sycamores G2) and replacement tree planting, subdivision of the rear garden, cycle/waste storage and associated landscaping.

RECOMMENDATION: To grant planning permission subject to the conditions set out within the Committee reports.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions to secure the matters set out within the Committee reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee not that such change(s) could reasonably have led to a different decision having been reached by the Committee.

Mr Sean Newton (Principal Planning Officer) introduced the report and answered members' questions. In reference to the supplementary report, he drew Members' attention to the additional objections received and officers' responses to them, minor typographical error as set out within the supplementary report and reiterated the recommendation for approval.

Ms Donna Giles objected to the application for several reasons including the following; potential flooding, damage to the foundations of her property difficulties selling her flat in the future, impacts of her health and impact on the character of the Conservation area, which could set a precedent for similar developments in the area.

Mr Paul Handley also objected for a number of reasons including the following; lack of preparatory site specific hydrological investigations, the need for a detailed construction management plan and structural statement which would respect the high risk shallow foundations of local properties and thus seek to prevent structural damage to nearby local properties, that the Council should require party wall agreements to be entered into and substantial security deposits. Mr Handley referenced the basement policies of Camden Council, Royal Borough of Kensington and Chelsea and Westminster City Council as best practices and requested the Committee to consider adopting the basement policies of those boroughs.

Mr Michael Doyle (agent) addressed the Committee and answered Members' questions. He submitted that the proposal, which complied with London Standards and the National Policy Framework on Basements, would improve the appearance of the current derelict building. He drew Members' attention to the recommended condition for Construction Management Plan to ensure the minimum construction impact. He assured Members that the applicant would continue to engage with neighbours and the Council's building regulation on the scheme.

In response to members' questions, Mr Newton submitted that Officers had tested Brent's basement policy against National Framework at a public inquiry and found to be sound. He added that the site was not within a flood risk area and that the structural integrity of adjoining properties were outside of the planning regime.

Members were minded to grant planning permission as recommended with the exception of Councillors S Butt and Maurice who dissented due to potential impact on nearby properties.

DECISION: Granted planning permission as recommended.
(Voting was recorded as follows: For 6, Against 2, Abstention 0).

9. 19/3409. 1-12E INC and 14A-18B INC The Elms, Nicoll Road, London, NW10 9AA

PROPOSAL: Creation of 3 self-contained units involving the construction of a 4th floor level with terraces and balustrades above the residential block of flats known as Nos. 1-18B The Elms, Nicoll Road

RECOMMENDATION: To grant planning permission subject to conditions as set out within the Committee reports.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters as set out within the Committee reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Mr Patrick Doyle (Principal Planning Officer) introduced the report and answered members' questions. He referenced the supplementary report that corrected typographical errors in the main report and reiterated the recommendation for approval.

Mr Peter Graham objected to the application for a number of reasons including; excessive bulk, poor design, loss of daylight and sunlight, overlooking and loss of privacy, increased demand for parking, increased congestion and provision of inadequate drainage and refuse facilities. Mr Graham added that as the previously built 4th floor was not of brick construction, the existing building would not be able to sustain the proposal.

Mr Daniel James (agent) informed the Committee that the proposal would be set back 3.5metres to allow the floor to sit back and hence minimise impact. In responding to the objector's claims, Mr James added that the building had significant capacity to take another storey and that the external materials for the previous extensions had been approved by the Council.

In response to members' questions, Mr Doyle clarified that officers had recommended a wide scope of conditions within the main report that sought to address the concerns raised by the objectors to the application.

DECISION: Granted planning permission as recommended subject minor amendments as set out within the supplementary report.

(Voting was unanimous as follows: For 8, Against 0, Abstentions 0)

10. Any Other Urgent Business

None.

The meeting closed at 9.30 pm

COUNCILLOR J. DENSELOW
Chair

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APPLICATIONS FOR DECISION

Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Brent comprises the following documents:
 - London Plan March 2016
 - Brent Core Strategy 2010
 - Brent Site Specific Allocations 2011
 - West London Waste Plan 2015
 - Wembley Action Area Plan 2015
 - Sudbury Town Neighbourhood Plan 2015
 - Saved 2004 Unitary Development Plan Policies 2014
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that

adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
 - **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

Provision of infrastructure

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail. Similarly, Brent Council's CIL is also payable. These would be paid on the commencement of the development.
13. Brent Council's CIL provides an income stream to the Council to fund (either in whole or in part) the provision, improvement, replacement, operation or maintenance of the following types of new and existing infrastructure:
 - public realm infrastructure, including town centre improvement projects and street trees;
 - roads and other transport facilities;
 - schools and other educational facilities;
 - parks, open space, and sporting and recreational facilities;
 - community & cultural infrastructure;
 - medical facilities;
 - renewable energy and sustainability infrastructure; and
 - flood defences,
14. except unless the need for specific infrastructure contributions is identified in the Section 106 Planning Obligations Supplementary Planning Document or where section 106 arrangements will continue to apply if the infrastructure is required to make the development acceptable in planning terms.
15. Full details are in the Regulation 123 List is available from the Council's website: www.brent.gov.uk.

16. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

Further information

17. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

Public speaking

18. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.

Recommendation

19. The Committee to take any decisions recommended in the attached report(s).

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 March, 2020
03
18/4919

SITE INFORMATION

RECEIVED	20 December, 2018
WARD	Alperton
PLANNING AREA	
LOCATION	1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0
PROPOSAL	Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising 581 residential units, flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)
PLAN NO'S	Refer to condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_143296</p> <p><u>When viewing this as a Hard Copy</u> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "18/4919" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the following planning obligations:

- a. Payment of Council's reasonable legal and professional costs
- b. Notification of commencement 28 days prior to material start
- c. Provision of 56 x 3 bedroom affordable rented units (at no more than 65% of open market rents, inclusive of service charges, and capped at Local Housing Allowance rates), disposed on a freehold / minimum 125 year leasehold to a Registered Provider and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council on initial lets and 75% nomination rights for the Council on subsequent lets.
- d. Provision of 24 x 1 bed and 25 x 2 bed shared ownership units (as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider, and subject to an appropriate Shared Ownership nominations agreement with the Council, that secures reasonable local priority to the units).
- e. Early stage viability review (drafted in line with standard GLA review clause wording) to be submitted where material start in relation to the first residential phase does not commence within 2 years of planning permission date. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Any additional on-site affordable housing to target a policy compliant tenure split unless an alternative approach is agreed with the LPA. Viability review to be based on an agreed Benchmark Land Value of £27,025,000.
- f. Middle stage viability review (drafted in line with standard GLA review clause wording) to be submitted at or after 50% occupation of the private residential dwellings. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Any additional on-site affordable housing to target a policy compliant tenure split unless an alternative approach is agreed with the LPA. Viability review to be based on an agreed Benchmark Land Value of £27,025,000. Not more than 65% of the private dwellings to be occupied until viability review approved in writing by the LPA.
- g. Late stage viability review (drafted in line with standard GLA review clause wording) to be submitted at or after 75% occupation of the private residential development. An offsite affordable housing payment to be made where an uplift in profit is identified. Viability review to be based on an agreed Benchmark Land Value of £27,025,000. Not more than 90% of the private dwellings to be occupied until viability review approved in writing by the LPA.
- h. Provision of 545sqm of affordable workspace - to be disposed of for no more than 50% of OMR/OMV for a minimum term of 15 years, remain affordable for the lifetime of the development and be leased to an affordable workspace provider approved by the Council.
- i. To not occupy more than 50% of the private residential units in block G until the affordable workspace on the first floor of this block has been leased to an affordable workspace provider, unless agreed in writing by the Council.
- j. In the event that an affordable workspace provider cannot be secured following 2 years of marketing, pay a commuted sum commensurate with the value of the affordable workspace (as demonstrated through FVA), estimated to be £1,340,000.
- k. Not later than 3 months prior to the anticipated date of practical completion of the entire development, procure that the affordable workspace provider submits an affordable workspace plan for the Council's approval. Following this, to not occupy more than 50% of the dwellings in Block F until the affordable workspace plan has been approved in writing by the Local Planning Authority and thereafter implemented, including details of fit out not including any furniture. This requirement to fall away in that event that part (j) is triggered.

- l. Contribution towards carbon offsetting in line with GLA formula.
- m. BREEAM 'Excellent' within the commercial floor space of the development.
- n. Submission and approval and implementation of Training and Employment plan.
- o. a sum of £150,000 towards the implementation of a Controlled Parking Zone in the area.
- p. S38/S278 highway works under the Highways act 1980 to provide: (i) construction and adoption of the main site access road connecting Mount Pleasant and Woodside End in general accordance with the layout set out in drawing 17-335-09, including 2m wide footways, 2m kerb radii at the entrance to the northern car park and dropped kerbs and tactile paving at all junctions; (ii) construction of the northern site access road from Woodside Place including a turning head and pedestrian link (where deliverable) to Woodside Close in general accordance with the layout set out in drawing BM32835/02-00-SH-A-01-0001/D0-3; (iii) construction of a traffic calming scheme in Woodside Avenue and adjoining streets incorporating speed reducing features at intervals of 60-90m, improved footway surfacing and dropped kerbs/tactile paving at all junctions, in accordance with a scheme to be submitted to and approved by the Local Highway Authority following consultation with local residents and stakeholders; and (iv) construction of improvements to the existing pedestrian crossing points on either side of the junction of Mount Pleasant and Woodstock Avenue including enlarged traffic islands, dropped kerbs and tactile paving.
- q. a restriction to prohibit future residents from obtaining on-street parking permits in any future CPZ that is introduced in the area.
- r. submission and approval of a Residential Travel Plan prior to occupation of the development.
- s. Establishment of a Car Club within the site including the provision of suitable parking spaces and subsidising of resident membership fees.
- t. Construction of a pedestrian path alongside the Grand Union Canal with pedestrian links from the main spine road through the site and designation of those routes as permissive paths.
- u. To notify the LPA prior to the first occupation of any part of the commercial floor space and to confirm the use class/es under which that part of the commercial floor space will operate. Thereafter, a contribution will be payable, prior to the first occupation of the relevant part of the commercial floor space, towards bus capacity. The payment amount required will vary as follows (final figures to be subject to agreement with Transport for London):
 - in respect of a part of that Contributing Floorspace to be used within Use Class A1 the sum of £284 per square metre GIA;
 - in respect of a part of that Contributing Floorspace to be used within Use Class D1 or D2 the sum of £213 per square metre GIA; and
 - in respect of a part of that Contributing Floorspace to be used within Use Class A2, A3 or B1 or other use the sum of £145 per square metre GIA.
- v. Contribution towards accessibility improvements at Alperton Station: £166,000.
- w. Indexation of contributions in line with inflation.
- x. Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

Compliance

1. 5 years consent
2. Approved plans
3. No commencement until relevant land is bound by a Section 106 Agreement (Arsenal condition)
4. Phasing plan to be adhered to unless formally updated
5. Provision of disabled adaptable units
6. Provision of car and bicycle parking and refuse storage
7. Commercial Use Classes
8. Commercial unit size restriction
9. Water consumption limitation
10. Provision of communal aerial and satellite dish system for each building
11. Revoke C4 permitted development rights
12. Non-road mobile machinery power restriction
13. Flood/drainage/SuDS details to be secured
14. Biodiversity enhancement/mitigation to be secured
15. Secure District Heat Network connection on plan 6277 M 101 P

Pre-commencement

16. Submit Construction Logistics Plan
17. Submit survey of the waterway wall
18. Submit Canal impact assessment
19. Submit Risk Assessment and Method Statement for the moorings
20. Submit changes to the Air Quality report in relation to energy strategy and AQNA
21. Submit CMS

Post-commencement

22. Submit Land Contamination study
23. Submit details of Electric Vehicle Charging points
24. Submit overheating details
25. Submit external material samples
26. Submit details of pedestrian comfort and microclimate mitigation
27. Submit changes to the external noise report
28. Submit landscaping and external lighting proposals
29. Submit PV panel details
30. Submit CEMP in relation to drainage

Pre-occupation/use

31. Wastewater network upgrades or occupation phasing plan
32. Extraction of effluvia for commercial kitchens
33. Submit parking design and management plan
34. Submit delivery and servicing plan
35. Submit plant noise testing if necessary

Informatives

1. CIL liability
2. Party wall information
3. Building near boundary information
4. External materials
5. Guidance notes from Thames Water
6. Guidance notes from the Canal and River Trust
7. London Living Wage note
8. Fire safety advisory note
9. Any other informative(s) considered necessary by the Head of Planning


That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the

committee.

That, if by the “expiry date” of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

	<h3>Brent</h3>	<h3>Planning Committee Map</h3>
<p>Site address: 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0</p>		
<p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>		



This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the full clearance of the existing site and re-development of the land within the provision of seven buildings ranging in height from four storeys to 14 storeys and a three storey terrace of four family houses. A single storey commercial building is also proposed at the canal edge. The buildings are to contain predominantly residential development however ground floor/first floor commercial floorspace will be provided within Blocks F, G and the pavilion building located alongside the canal. The overall number of residential units proposed across the site is 581 split between 254x 1 bedroom units, 213x 2 bedroom units and 114x 3 bedroom units. The percentage of family sized homes (3 bed+) across the scheme is 20%.

The proposal will integrate within the existing built fabric of the surrounding neighbourhood. The existing culs-de-sac of Woodside Place and Woodside Close are to be extended into through routes for the use of pedestrians, cyclists and servicing/emergency vehicles and will form a large part of the public realm of the new development. Woodside End is to be extended to link up with Woodside End at a new T-junction and will be made accessible for through traffic and be adopted by the Council.

EXISTING

The site forms a large industrial estate (about 2.45 hectares) comprising about 60 industrial/warehouse businesses, mostly car repair businesses. The site extends from the northern towpath of the Grand Union Canal in the south to the rear garden boundaries of houses fronting Mount Pleasant and Woodside Close in the north and east. The site also bounds the under-construction Abbey Wharf residential development to the east and residential properties fronting Woodside Place and Woodside End to the west. The site slopes downward from the northern edge of the site down to the canal edge as one travels south through the site – the total fall across the site is about 7 metres.

The site is described within Brent's site specific allocations document as "vacant and poor quality industrial buildings embedded within suburban residential fabric. Disused community facility in current grounds.

AMENDMENTS SINCE SUBMISSION

At the point of submission a slightly different tenure mix of 251 x 1 bed, 214 x 2 bed, 116 x 3 bed was proposed. Compared to the final version of the proposal (254 x 1 bed, 213 x 2 bed, 114 x 3 bed), this is the same overall number of flats and also contains the exact same number and split of affordable units. Officers do not consider that this very minor change to the unit mix materially affects the proposal.

During the course of the application, a revised location plan was submitted which identified a more precise red line than the location plan that was submitted during the application. The revised location plan did not propose any movement of the red line, just that the specific location of it be more precisely pinpointed. This submission followed comments raised by the Canal and River Trust in relation to it not being precisely clear where the line of the Canal and River Trust ownership was being shown on the submitted documents. The revised plan followed the land registry boundaries accurately in confirming the relationship.

Given the immaterial nature of this change, no further consultation was carried out as a result of this submission.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

- 1. Representations received:** 385 properties were notified of the development, in addition to site notices and a press notice being published. 1 objection was received on grounds of excessive height/massing and associated impact relating to light loss. The Greater London Authority (GLA) and Transport for London (TfL) have considered the plans and largely support the proposal although do raise concerns in relation to the affordable housing offer and the energy strategy for the development. However, your officers consider that the development is acceptable on both of these accounts.
- 2. Provision of new homes and commercial units (including affordable workspace):** Your officers give

great weight to the viable delivery of a substantial number of private and affordable housing (581 units) and new commercial floorspace (1,254sqm), both private and affordable, in line with the adopted Development Plan.

3. The impact of a building of this height and design in this location: The proposal replaces a 1930s industrial estate with a modern residential development spread across 8 residential buildings. The development's architecture and built form strikes a balance between respecting its surrounding suburban context and establishing a density that responds positively to the borough's housing delivery requirements. The use of tall buildings (11 storeys and 14 storeys respectively) is considered to be justified since these elements are located centrally in the site and are to be surrounded by lower scale development which would establish a suitable transition between the denser proposed development and the existing context comprised of lower-scale suburban housing,

4. Quality of the resulting residential accommodation: The residential accommodation proposed is of sufficiently high quality. The flats would generally have good outlook and light. The levels of external amenity space within the proposed development do not accord with those specified within Policy DMP19. However, given the level and quality of amenity space proposed including provision of new public open space within the site, the quality of accommodation for future residents is considered to be good.

5. Affordable housing and mix of units: The maximum reasonable amount of affordable housing has been provided on a near policy compliant tenure split. This includes 22.8% affordable housing provision with a tenure split of 65:35 between affordable rented and intermediate flats when measured in terms of habitable rooms. 100% of the affordable rented accommodation is comprised of 3 bedroom flats, responding strongly to the acute need in this tenure. The viability has been robustly tested with input from industry experts and it has been demonstrated that this is the maximum reasonable amount that can be provided on site. The requirements of affordable housing obligations are considered to have been met and a stringent three stage viability review will be secured through S106, to ensure any uplift in revenues beyond those assumed can be captured in either further on-site or off-site provision. The mix of units accords relatively closely with the standards within the local plan.

6. Neighbouring amenity: There would be a loss of light and sunlight to some windows of surrounding buildings. The impact is considered to be acceptable given the urban context of the site. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits.

7. Highways and transportation: The scheme would provide suitable provision of car and cycle parking and will encourage sustainable travel patterns. Additional highway improvements will be secured to ensure the development would not have a negative impact on the existing highway. To encourage sustainable travel patterns, the scheme will provide 1,101 cycle parking spaces, 185 car parking spaces and will be permit restricted with the exception of blue badge parking spaces. Financial contributions of £150,000 towards extending CPZ's into the area, between £513,000 and £717,250 towards bus service enhancements and £166,000 towards step free accessibility improvements to Alperton Station are to be made.

8. Trees, landscaping and public realm: Significant landscaping improvements are proposed with a large net gain in green spaces and tree planting across the site, including the establishment of an attractive public pedestrian route alongside the Grand Union Canal. Significant publicly accessible soft landscaping and play spaces are proposed, centred on a wide 'boulevard' style route between Mount Pleasant and the canal, a landscape transition zone between blocks north of the new public road through the site and alongside the new pedestrian canalside route. This will be secured through various condition and S106 obligations.

9. Environmental impact, sustainability and energy: The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. The S106 agreement will require the development's commercial floor space to achieve BREEAM 'Excellent'.

10. Flooding and Drainage: A SuDs and drainage strategy will be secured by condition to mitigate the risks associated with this. The development will also substantially improve the drainage capacity of the site through attenuation measures.

RELEVANT SITE HISTORY

The site has no relevant planning history.

CONSULTATIONS

On 07/03/2019, 385 properties were notified of the development proposal in the surrounding areas. In addition, site notices were erected at the entrances to the manufacturing estate on 07/05/2019. A notice of the application was printed in the local press on 31/10/2019,

Public Consultation

One objection was received from a nearby occupier and two neutral comments were received, one from a neighbouring landowner and one from the Inland Waterways Association (Middlesex branch) (IWA). The comments made are summarised as follows:

Comment	Officer Response
[nearby occupier] 14 storeys is extremely high and will be imposing	This is addressed at paragraphs 63-65 below
[nearby occupier] Light will be lost into our home and the character of the area is slowly being lost	This is addressed at paragraphs 63-65 & 93-156 below
[adjoining landowner] The triangular site adjoining the subject site to the north west, which is accessed from Woodside Avenue would have its access limited by this development. The Alperton masterplan shows a connection from the east being maintained as part of the redevelopment. lack of access to the triangular site to the east, asserting that the Alperton masterplan shows a connection from the east being maintained as part of redevelopment.	This is addressed at paragraph 13 below
[adjoining landowner - received after the publishing of the initial committee report in February 2020] Vehicular access to the triangular site is shown in the Development Plan as coming from the adjoining site. However, proposals for the adjoining site do not include an access to this site. Despite formally objecting to this omission, a vehicular access is not included and this point is not addressed in the Committee report. It could render the adjoining site undevelopable unless the Council consider access from Woodside Avenue in a flexible way. The Council's discussion of the impact on adjoining sites does not refer to the point raised in the objection about vehicular access	The committee report, at paragraph 13, confirms that the neighbouring site is not considered to be compromised from a development perspective. In reaching this view, officers were aware of the existing site constraints, including the existing access between Woodside Avenue and the site. The Development Plan did not show an access through the application site to the adjoining Woodside Avenue site. This was shown within the Alperton Masterplan SPD. However, this provides guidance and the layouts shown within this are purely indicative.
[adjoining landowner - received after the publishing of the initial committee report in February 2020] The adopted Site Allocations DPD (2011) identifies a major allocation including the adjoining land and the application site. The DPD states that the 'Council will expect a comprehensive development...'. This approach is reiterated in the emerging Local Plan. Sites that come forward on a piecemeal basis	The DPD document does specify: The Council will expect a comprehensive development following an agreed masterplan that sets out land uses and proposed development in more detail. The majority of the site allocation is proposed to come forward in a comprehensive fashion, with the application site including all of the

<p>must take account of the Masterplan aspirations and should definitely not stymie development on adjoining allocated sites.</p>	<p>allocation with the exception of the land situated to the North West of the application site. This is considered sufficient to address the potential "bad neighbour" relationship between the industrial uses whereby the industrial uses could affect the amenities of future residents and the presence of residential dwellings could have affected the operation of the industrial uses.</p> <p>As discussed above, the proposal is not considered to materially affect the deliverability of the adjoining Woodside Avenue site</p>
<p>[IWA] Supportive of the scheme in general, with reference to the opening up of the northern side of the canal and the creation of active frontages onto the canal, with community public pathway, cycle route and seating areas. The approach to elevational massing and height at the canal frontage (alternating between 3 and 8 storeys) was also noted as being consistent with design principles established for other development sites in Alperton, and appropriately lower than the gateway canalside buildings at Alperton House and Minavil House.</p>	<p>Noted</p>
<p>[IWA] Concern about the placement of the pavilion building close to the canal, with it being felt that building placement does not provide sufficient space for gathering and access.</p> <p>Concern was also raised regarding the CGI appearing to show a relatively high retaining wall to the north bank of the canal which erodes the relationship between the canal and the canal-side.</p> <p>Finally, concern was raised about the possibility of contaminated surface water runoff into the canal during construction, given the fall down to the canal across the site. It is requested that the construction method statement condition includes consideration of preventing run-off, which would be a reasonable inclusion.</p>	<p>Officers have worked closely with the Canal and River Trust on this development in terms of improving the development's relationship with the canal. This is discussed below. Revised drawings showing the relationship between the pavilion and canal more clearly have also been submitted. The Canal and River Trust have not objected to the pavilion building although have requested a 1 metre wide verge along the canal edge to provide some habitat.</p>

Internal Consultations

Local Lead Flood Authority – No objection

Environmental Health - No objection, although awaiting comments in relation to land contamination

External and Statutory Body Consultations

The Greater London Authority (GLA) and Transport for London (TfL):

GLA Comment	Officer Response
Proposal generally supported	Noted

Concerns raised regarding the affordable housing offer being low	Officers at Brent are satisfied that an increase in the affordable housing offer could not reasonably be required, following in depth financial analysis – see paragraphs 27 to 49 below.
Further information relating to carbon dioxide reductions required	The Council are satisfied that the proposal meets the Mayor's policy in respect of carbon savings (LP policy 5.2). More detailed discussions between the applicant and the GLA are taking place ahead of a Stage 2 referral, in particular in respect of the appropriateness of using a CHP system.
Further work on trip generation and mode share requested	Additional work was carried out in relation to this which informed revised contributions to local transport capacity.
Financial contributions required to mitigate impact on local bus services and to improve accessibility at Alperton tube station	Financial contributions have been agreed between TfL and the applicant and will be secured through a s106 agreement.
TfL Comment	Officer Response
Concern about a lack of commercial short stay cycle storage being shown	Revised plans have since been submitted indicating 19 short term cycle spaces within the public realm, around the entrances to blocks G, F and E.
Request to remove some on street parking spaces to the basement to minimise car dominance in the public realm	Brent officers remain comfortable with the level proposed as it is considered that this strikes a good balance between ensuring practical and suitable living arrangements within this suburban location with a low PTAL level and the need to encourage sustainable forms of transport within new developments.
Concern that the applicant's trip estimates underestimate impact on the highway and public transport	Trip estimates now revised to a level accepted by TfL
Contributions to bus capacity improvements and accessibility improvements at Alperton tube station required	Contributions secured within s106 agreement

Thames Water –

- Condition required in relation to confirming suitable capacity of foul water infrastructure to accommodate development.

The Canal and River Trust –

- Condition required in relation to showing vehicular barriers and a 1m wide habitat verge at the edge of the canal for Canal and River Trust approval.
- Condition requiring a pre and post construction survey of the waterway wall to be submitted and approved in consultation with the Canal and River Trust to ensure that the wall will not be structurally compromised.

Pre-application Consultation

In order to give the local community an opportunity to view, consider and provide feedback on the proposals, a public exhibition of the proposal was held in St James church on Stanley Avenue on Thursday 13th and Friday 14th September 2018 from 4-8pm. The applicant provided a drop-in exhibition to display the emerging plans for residents, Councillors and any other interested parties to come and view the plans and ask questions of the design team members. The exhibition event was promoted to the local community on Tuesday 4th September with 1,100 leaflets hand delivered to homes.

Actions to inform and engage the local community included meetings with Heather Park Neighbourhood Watch, engagement with Councillors including ward Councillors and the Leader of the Council and 1,100 leaflets delivered to residents in the local area. The aims of the consultation process were:

- To inform local residents of the plans for development at Alperton Manufacturing Estate
- To allow the local community the opportunity to comment on the proposed plans

Two responses were received as a result of the consultation, the responses raised the following points:

- Improvements should be made to the 224 bus route
 - Improvements should be made to GP services and community services locally
- The new towpath along the canal is welcomed and will aesthetically improve the area

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies DPD, the 2011 Site Specific Allocations Document and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

The London Plan 2016

- 2.13 – Opportunity areas and intensification areas
- 3.3 - Increasing Housing Supply
- 3.4 - Optimising housing potential
- 3.5 – Quality and Design of Housing Development
- 3.6 - Children and young person's play and informal recreation facilities
- 3.8 - Housing Choice
- 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes -
- 5.2 - Minimising Carbon Dioxide emissions
- 5.12 - Flood Risk Management
- 5.13 - Sustainable Drainage
- 5.15 - Water Use and Supplies
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 7.2 - An inclusive environment

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP5: Placemaking
- CP6: Design & Density in Place Shaping
- CP8: Alperton Growth Area
- CP15: Infrastructure to Support Development
- CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21: A Balanced Housing Stock

Brent Development Management Policies (2016)

- DMP 1: Development Management General Policy
- DMP 9: Waterside Development
- DMP 9 A: Managing Flood Risk
- DMP 9 B: On Site Water Management and Surface Water Attenuation
- DMP 11: Forming an Access on to a Road
- DMP 12: Parking
- DMP 13: Movement of Goods and Materials
- DMP 15: Affordable Housing
- DMP 18: Dwelling Size and Residential Outbuildings
- DMP 19: Residential Amenity Space

Site Specific Allocations Document 2011

A.6 – Woodside Avenue

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)
Mayor of London's Affordable Housing and Viability SPG 2017
Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018
Alperton Masterplan – Site Allocation A6 (2011)

DETAILED CONSIDERATIONS

This application was originally reported to Planning Committee in February 2020. When referred to planning committee in February, the recommendation to grant consent was subject to a number of conditions, including condition 3 that would prevent the commencement of development within a specific phase unless the land within that phase is bound by a Section 106 agreement.

Ahead of the February Planning Committee taking place, it was recommended that that the determination of this application was deferred to a later planning committee meeting so that further information could be included within the committee report regarding the basis and justification for condition 3, and the structure of the associated legal agreement(s). This information has now been provided and forms part of the committee report information below.

The following paragraphs sets out the main issues relevant to this proposal:

- Principle of development
- Affordable housing provision and tenure mix
- Scale, height, massing and design of the development within its local context
- Design and layout
- Quality of residential accommodation
- Impact on amenities of neighbouring properties
- Transport
- Sustainability, Tree and Flooding Considerations
- Environmental health

1. The development proposal is extensive and includes a number of different proposed buildings/blocks, all of which are clearly organised within a range from Block A to Block M (although there is no Block I) on the submitted plans. This same approach to block numbering will be used within the discussions below.

Principle of development

2. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the

current London Plan includes a minimum annual monitoring target for Brent at 1,525 additional homes per year between 2015 and 2025. This target is proposed to increase to 2,915 for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London. However, the London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019 has suggested this target be reduced to 2,325 dwellings per annum, on account of contributions from small sites being recommended for a decrease within the report. Emerging local plan policy BH1 reflects this target.

3. Within local policy, Brent Policy CP8 sets out a target of at least 1,600 new homes being delivered in the Alperton Growth Area between 2019/20 – 2028/29, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 6,000 homes across the same growth area within the emerging Local Plan (policy BSWG1). Whilst the development meets the requirements of Core Strategy policy CP2 in principle, the need for housing has increased significantly since the adoption of this policy in 2010 and these increasing targets necessitate the need for a greater delivery of homes within Brent than is anticipated in adopted policy.
4. The site is specifically allocated by the Council for mixed but residential-led uses in both the adopted 2011 Site Specific Allocations DPD (with an indicative capacity of 220 residential units) and site allocation BSWA5 in the emerging Local Plan (with an increased indicative capacity of 590 residential units). Brent's adopted site specific allocation describes an acceptable development of the site as follows:
 5. "Mixed use including residential, amenity space and workspace for appropriate B1, D1 and A Class Uses. The Council will expect a comprehensive development following an agreed masterplan that sets out land uses and proposed development in more detail. The development will bring forward a proportion of managed affordable workspace. Improvements will be sought to public transport as part of any proposal to develop the site. The development will exploit the canal-side location. Proposals should conserve and enhance the adjacent canal's site of metropolitan nature conservation importance designation."
6. The development proposed broadly meets all criteria mentioned above, including the provision of affordable workspace. The proposed volume of residential units (581) significantly exceeds that indicated within the adopted 2011 site allocation document however the substantial size of the site is acknowledged and the changed context from 2011 in terms of housing pressure and projected housing numbers as set by the GLA has significantly changed the context within which the allocation brief must be seen. The revised indicative capacity of 590 within the emerging Local Plan reflects this changed context. The increase in unit numbers from the allocation document is therefore supported in principle subject to appropriate demonstration that design, impact and amenity provisions will not be unreasonably compromised as a result of the density of the development proposal.
7. Within the emerging site allocation, it recognises the need for some re-provision of employment floorspace along the ground floors of the new buildings to be provided, given that the site is existing employment land and Brent's status as a provide capacity borough. In addition the emerging site allocation supports the use of other potential uses such as small scale retail, commercial leisure or community uses (e.g. nursery). The plans propose four separate commercial units.
8. On the north side of the site the commercial offer is formed of a 645sqm market commercial space within a ground floor commercial unit (Block G) and 345sqm affordable workspace within a first floor commercial unit directly above the market unit (also Block G). On the south side of the site, the offer is in the form of a 200sqm unit of affordable workspace within a building at the eastern side of the site (Block F), close to the main entrance to the site from Mount Pleasant, fronting Woodside End, and across from the commercial spaces on the north side of the site, thus forming a cluster of commercial frontage at the main node of the development. An additional 64sqm of retail floor space is to be provided within a small pavilion building at the south western corner of the site, at the point where the linear park connects with the main canal side frontage. Overall, the commercial provisions amount to 709sqm of market commercial space and 545sqm of affordable workspace, representing an overall commercial offer of 1254sqm which is split between 57% market and 43% affordable.
9. The commercial offer is positive and the healthy proportion of affordable workspace is welcomed and responds well to the expectations of the site allocation, which seeks a meaningful amount of affordable workspace, offsetting the net loss of employment floor space (notwithstanding that the site has been de-designated as employment land). Permission is sought for the affordable workspace to fall within the B1(c) use class and for the market commercial space to fall flexibly within use classes A1, A2, A3, A4 (retail uses), B1 (offices or commercial uses appropriate within a residential area) or D1 (institutions) and D2 (assembly and leisure).

10. The affordable workspace is to be secured at no more than 50% of the market rent. It is acknowledged that the areas so designated as affordable workspace are smaller than would be ideal and a set of requirements have been set out in the Heads of Terms that seek to mitigate the potential downsides of this, including for the units to be fit out by the developer.
11. The market commercial unit is more than 500sqm in size and Brent policies CP16 and DMP2 are of relevance. The site is not within a designated town centre and DMP2 stipulates that units larger than 500sqm should not be supported outside of town centres unless demonstrated as acceptable by an accompanying Retail Impact Assessment. A condition will therefore require that no retail units shall operate that are larger than 499sqm in size, unless otherwise agreed in writing by the LPA. This condition will necessitate the subdivision of the 645sqm market commercial unit, unless suitable Retail Impact Assessments confirm acceptability, or a use that meets a local need (e.g. health services) is to be provided.

Consideration of the remainder of the site allocation

12. Consideration also needs to be given to the wider SSA that includes the triangular piece of land to the North West and the adjoining site allocation along the canal to the west (A.5) which does not sit within the applicant's land. Whilst the triangular piece of land forms part of the site allocation A.6, it is common place for site allocations to come forward in a fragmented formation due to various matters such as land ownership. It is however important that bringing forward a site allocation in a fragmented approach does not compromise the wider delivery of the site allocation. This is recognised within the emerging site allocation which notes that whilst it is preferred for development to come forward as part of a comprehensive masterplan, any individual schemes should not compromise the wider delivery of the site allocation in an efficient manner. The development would be designed such that there would be scope to extend the canal towpath into the neighbouring allocation (A.5) if and when development comes forward on this site. The triangular site to the north is not compromised as the part of the development site that backs onto it is used as garden space for block K, meaning no windows or overbearing massing is within close proximity of the site. There are also no habitable room windows in the flank elevations that are closest to site allocation A.5 and this site also remains suitably uncompromised from a development perspective.

Consideration of ownership within the application site and applying the Arsenal condition

13. Following deferral of the application from Brent Council's February Planning Committee, further information in relation to the application of the 'Arsenal' Condition (condition 3 on the draft decision notice) has been prepared for Committee members' consideration below.
14. The developer has made efforts to acquire all of the land parcels within the site prior to engaging with the planning process. However, some land parcels within the site remain outside of the developer's ownership. The Council would not ordinarily grant planning permission in the absence of a completed section 106 agreement which bound all necessary interests. That is not possible where ownership has not been acquired.
15. Given this situation, a planning condition which would prevent development from occurring unless and until all parties with any legal or equitable interest in the land comprised in that part or phase of development are subject to and bound by the terms of the section 106 agreement (necessary to mitigate the impacts of the development) is being recommended for this application. This type of condition was applied by the London Borough of Islington in the planning permission for the development of the Arsenal FC's Emirates Stadium (hence these are now commonly referred to as 'Arsenal conditions').
16. Government guidance (planning practice guidance) states as follows in relation such conditions:

"A negatively worded condition limiting the development that can take place until a planning obligation or other agreement has been entered into is unlikely to be appropriate in the majority of cases. Ensuring that any planning obligation or other agreement is entered into prior to granting planning permission is the best way to deliver sufficient certainty for all parties about what is being agreed. It encourages the parties to finalise the planning obligation or other agreement in a timely manner and is important in the interests of maintaining transparency.

However, in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be

appropriate, where there is clear evidence that the delivery of the development would otherwise be at serious risk (this may apply in the case of particularly complex development schemes). In such cases the 6 tests should also be met.”

17. Officers consider that the exceptional circumstances envisaged in the above guidance clearly exist. The proposal comprises of the redevelopment of a site with fragmented ownership which is subject to a site allocation and which specifies comprehensive development. The site currently comprises of dilapidated industrial buildings occupied for industrial use, resulting in poor neighbour relationships with the adjoining development sites. A significant level of site remediation is also required. The proposal would represent a comprehensive phased development of multiple blocks designed for a variety of different uses and including new open space, routes and highways. As explained elsewhere in this report, the site is in need of regeneration and would meet a number of strategic objectives set out in the development plan.
18. It is considered that this comprehensive scheme would deliver significant benefits for Brent, including:
 - A high volume of high quality housing units (including affordable housing units), equating to 38% of the adopted yearly target for the borough and 25% of the emerging yearly target following the October 2019 London Plan Examination.
 - The provision of affordable workspaces within Alperton in line with the site allocation brief
 - The delivery of a new through road/route that would significantly improve east-west connectivity across Alperton, for the benefit of both existing and future residents.
 - The delivery of a new canal-side amenity space for public use, further improving east-west pedestrian connectivity in Alperton.
19. The developer who has ownership of the majority of the site has advised the Council that they have been trying to assemble the entire site to allow comprehensive development to take place for a number of years and a number of parts remain outstanding, such that it is not realistic to believe that all of the existing owners of this site (necessary to give meaningful effect to the section 106 agreement) will be willing to enter into the section 106 agreement before the planning permission is to be granted. Moreover, although the remaining parts may be acquired by the developer by way of subsequent negotiations with their owners, it is possible that compulsory purchase orders may be required to assemble the remaining parts.
20. Without these parts, the scheme would result in a proposal that does not represent a comprehensive development of the site. Given the current extent of the applicant's land ownership, the first phase of the development (Phase 1a - Blocks L and M) is the only construction phase that could be delivered in full without further land being acquired. Significant elements of infrastructure too, such as the new through road, could not be delivered without this. This would also affect the delivery of housing and open spaces. It is therefore considered that, the delivery of the site would be put at serious risk without the 'Arsenal condition'.
21. The condition also complies with the six tests for conditions as below:
 1. necessary – the condition is necessary as it is required to ensure that development cannot take place on any part of the site without that part being bound by the section 106 agreement
 2. relevant to planning – the condition ensures that the planning obligations set out in the section 106 agreement, which are relevant to planning, will be complied with across the entire site as it is brought forward
 3. relevant to the development to be permitted – the planning obligations are set out in the Report are clearly relevant to the development;
 4. enforceable – the condition can be enforced by enforcement, breach of condition or stop notices as necessary, preventing development in breach until the necessary section 106 agreement is entered into
 5. precise – it can clearly be established whether all land within a phase is bound by section 106 agreements (see further below)
 6. reasonable in all other respects – the condition is reasonable, not least as it allows development to proceed in phasing.
22. In terms of the drafting of the condition, the following wording is proposed and has been agreed as robust

with the Council's legal team:

No part or phase of development (save for enabling works and demolition) shall commence within Phases 1, 2, 3, 4, 5, 6 and/or 7 as shown on the approved Phasing Plan with reference PL5, unless and until all estates and interests comprised in that part or phase of development are subject to and bound by the terms relating to Phase 1a, as appropriate, set out in the Section 106 Agreement dated [] made between the Council (1) and [(2)] (with the intent that all of the covenants contained therein will be enforceable without limit of time not only against all of the owners of the land, but also their successors in title and any person corporate or otherwise claiming through or under them an interest or estate in the land)

23. Officers will be able to judge whether what is proposed by future section 106 agreement is substantially on the same terms. It is noteworthy that Government guidance states:

Where consideration is given to using a negatively worded condition of this sort, it is important that the local planning authority discusses with the applicant before planning permission is granted the need for a planning obligation or other agreement and the appropriateness of using a condition. The heads of terms or principal terms need to be agreed prior to planning permission being granted to ensure that the test of necessity is met and in the interests of transparency

24. This is not a case where heads of terms or principal terms need to be agreed – there will be a full section 106 agreement binding the majority of the site and complete transparency as to the necessary section 106 terms.
25. In practice, as the ownership of each phase is completed, it is envisaged that a supplemental deed (under section 106) will be entered into in relation to the outstanding interests in which the owners covenant to be bound by with the terms of the existing section 106 agreement. The form of supplemental deed can be annexed to the section 106 agreement.

Housing mix, affordable housing provision and tenure mix

26. London Plan policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
27. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough will be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more, such as this scheme. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.
28. The applicant's submitted FVA indicates that the development of the site would return a deficit even where no affordable housing is proposed. Nonetheless, the applicants have offered 18% of the development as affordable housing (22% when measured by habitable room) – on a 55% affordable rent / 45% intermediate tenure split (65% affordable rent / 35% intermediate tenure split when measured by habitable room). The affordable rented units are all three bedroom family units, responding positively to a strong need for such housing in this tenure. The affordable rent levels have been secured with a cap at 65% of the Open Market Rent and capped at Local Housing Allowance rates (although the 65% cap is significantly lower than this rate).

29. The residential mix is set out below:

		Affordable	Intermediate	
Units	Private	Affordable Rent	Shared Ownership	Total
1 bed	230	0	24	254 (43%)
2 bed	188	0	25	213 (37%)
3 bed	58	56	0	114 (20%)
Total	476 (82%)	56 (10%)	49 (8%)	581 (100%)

- 30. The Council has worked closely with industry experts at BNP Paribas and agrees that the offer does represent more than the maximum reasonable amount of affordable housing given the projected costs and revenues, and therefore represents an acceptable offer. BNP Paribas note that the development is subject to some unavoidable extenuating costs including: the nature of land assembly given the fragmented ownership across the site, significant soil contamination, the need to redeliver a Thames Water pumping station and the need to extend Woodside End to adoptable standard between its current end and Mount Pleasant. Despite the offer being acceptable (and thus exceeding the maximum reasonable amount of affordable housing that the site can deliver), the offer falls short of the 50% policy compliant target set out in policy DMP15 and an early and late stage review mechanism will therefore be secured in a s106 agreement to capture any uplift in affordable housing.
- 31. All buildings are to be provided with entrances of a similar standard, ensuring that the development will be tenure blind.
- 32. Brent's Core Strategy seeks for at least 25% of units to be family sized (three bedrooms or more). The proposal achieves a good proportion of family sized accommodation (20%), which has seen a significant increase from the initial pre-app stages, for which the initial proposal was just 7.4% family homes. The focus on family accommodation is emphasised within the Alperton masterplan document, whereby the 'Waterside Residential Neighbourhood' is promoted as a location where development proposals should be focussed more towards larger units. On balance, the 20% provision of family homes is considered acceptable given the scheme viability position, for which it has been confirmed that the agreed affordable housing level is far in excess of the maximum viable amount.
- 33. The affordable housing is proposed to be contained entirely within the northern site, specifically within blocks K, J and G. Within the affordable housing offer there are no tenure specific blocks, with the larger affordable rented and smaller intermediate units being provided together throughout the blocks. Block J is mostly an affordable block but also includes 2 private units within the same core, seeing 3 distinct tenures sharing a single core. The approach to peppering the affordable housing across the blocks and varying the tenures is positive and will help to establish mixed communities.

34. The residential provisions within each of the affordable blocks is set out in the table below:

Affordable Block	Private Units	3 Bedroom Affordable Rented Units	1 & 2 Bedroom Shared Ownership Units	Total Units
G	0	18	11	29
J	2	16	18	36 (34 Affordable)
K	0	22	20	42
Total Units	2	56	49	107 (105 Affordable)

Discussion of Greater London Authority (GLA) position on affordable housing

- 35. It should be noted that the GLA disagree with the currently agreed viability position that has been reached between Brent and Brent's financial viability consultants (BNPP). The GLA therefore consider that the scheme is not necessarily providing the maximum reasonable amount of affordable housing. This view is strongly resisted by officers at Brent, supported by independent analysis undertaken by BNPP.
- 36. The two main areas of disagreement in respect of viability are as follows:
Benchmark Land Value
- 37. The GLA have stated that they have approached the rental value of the property based upon a multiple of the Rateable Value of the units (where available).
- 38. BNPP do not consider this to be a suitable approach given the letting evidence which is available and the photographic schedule of condition for each of the units which has been undertaken. Based upon this information, it is possible to make an informed judgment with respect to the existing use value of each unit as opposed to relying on an arbitrary multiple of a figure which as discussed by the Applicant and the GLA at the meeting. It is not known how and when it was determined and if indeed, it has been challenged by and tenants. Tenants are only likely to challenge a rateable value if it is considered to exceed the market rent; if the converse is trued the rateable value will remain unchallenged.
- 39. The range of existing use value figures referenced by the GLA on this approach is significantly below any

of the values which have been arrived at by a number of firms of surveyors (including BNPP) on a desktop basis.

40. BNP Paribas' view on this is shared by two viability consultants appointed by the applicant (Montagu Evans and Colliers). To seek further resolve on this point, the applicant has offered to underwrite the costs in appointing a fourth consultant of the GLA's choosing to carry out a formal red-book valuation as a means to agree a final benchmark land value position. As of yet, the GLA have not accepted this offer.
41. For the purposes of the review mechanism, Brent officers and the applicant have agreed on a Benchmark Land Value of circa £27,025,000.

Estimated Private Residential Values

42. The GLA confirmed that the information they have with respect to reservation values for a nearby site (Grand Union/Northfields) was based upon information given by their sales office.
43. The Grand Union/Northfields scheme is clearly a relevant comparable, however at this stage given the paucity of information available which is independently verifiable and the other evidence available, it would not be appropriate to significantly increase the private sales values for this development based upon this scheme alone.
44. In addition, it will be necessary to make appropriate allowances for any difference in unit size and capital value as well as the superior location in terms of access to public transport placemaking effect that such a large development will benefit from in the context of the proposed development.
45. An appropriately drafted Section 106 review mechanism would capture any appropriate increase in residential values (and construction costs) over the course of the development as well as more granular evidence at the Grand Union development when it becomes available.
46. In seeking to address this point robustly, officers have required the applicants to be bound by both early stage and middle stage viability reviews, which would require appropriate viability indicators to be updated and scrutinised independently prior to 50% occupation of the scheme. It is likely that this would allow confirmed sales values of units in the Grand Union/Northfields development to form a material comparable in viability terms. Both of these review mechanisms would seek to secure additional on-site affordable housing where an increase in profit is identified.
47. A standard late stage review clause would also be applied, which would seek an off-site affordable housing contribution where additional profit is identified at a late stage in the development.

Further matters of disagreement

48. The GLA has also raised the following matters in relation to the affordable housing proposal, which are responded to accordingly below:

GLA Concern	Brent Response
The viability position being relied on by the applicant results in a significant deficit which raises concerns around delivery and there being a logical inconsistency.	As per RICS guidance, financial viability appraisals are carried out on a present day costs and values basis. There is no reasonable alternative but to base viability on expertly modelled costs and revenues. Given that this process has been undertaken, Brent have no reasonable grounds to dispute the viability position further than has already been done.
Later stage viability review mechanisms are subject to a share of the surplus with the developer and therefore the full amount will not be available for additional affordable housing.	Whilst it is within the Mayor's guidance that not all of additional surpluses benefit the Council at the late review stage, it is the case within early stage viability reviews that 100% of revenue uplift is funnelled into affordable housing provision. The heads of terms appropriately reflect that the early and middle stage reviews will be treated as early stage reviews in the

	sense that 100% of the revenue uplift identified will be channelled into the delivery of on-site affordable housing.
It is important that Brent secure GLA standard review clause wording in any S106 agreement.	Brent agree to the use of the GLA standard review clauses within the S106 agreement. The use of the standard review clauses is to be set out within the heads of terms.
The GLA consider that calculating affordable rent as a percentage of market rent may have the effect of making such units not truly affordable over time. The affordable rented units should be set at London Affordable Rent levels.	Whilst London Affordable Rent is a more affordable tenure than the 65% of the open market rent capped units secured within the development, there is no reasonable grounds to require the use of this tenure given that the maximum reasonable amount of affordable housing has already been demonstrably provided. In addition, the 65% open market rent capped units results in a product with a good level of affordability that is significantly below Local Housing Allowance caps and also below the upper limit of affordable rented products (80% of the open market rent, inclusive of service charge).
It is the view of GLA officers that the scheme can support 30% affordable housing, assuming all are let as Brent Affordable Rent tenancies.	The GLA has not provided an appraisal demonstrating a residual land value for the site that would viably accommodate the delivery of 30% affordable housing.

Design

49. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. Overall, officers consider that the proposal responds positively to this policy and guidance context and the specific elements of its design including: general layout, public realm, height and massing and architecture/materiality are discussed in the following sections.

Layout and public realm

50. The development site is large in size (about 2.45ha) and can broadly be split into two halves. A level change is present across the site, with the lowest point at the canal edge on the southern edge of the site and the highest part of the site being that in the northern half. The fall across the site from north to south is about 7 metres.

Layout of Northern Side

51. The northern half of the development proposal is formed of predominantly low-rise flatted development, whose urban grain is defined by a continuation of the cul-de-sac roads which currently terminate at the edges of this part of the site. This includes Woodside Close and Woodside End, which are extended southward and eastward respectively from their current ends to intersect in the central eastern part of the site. Woodside End is then proposed to extend further east to form a new T-junction with Mount Pleasant and will act as the main thoroughfare across the site from east to west; this will also form the only new road within the development site that is proposed to be adopted and open to public vehicular traffic. The final additional vehicular road will be Woodside Place, extended eastward from its current end to intersect with the extended Woodside Close in the north-eastern part of the site. Aside from Woodside End (the main road through the site), all other new roads will be closed off to local traffic by bollards and will be for pedestrian use and essential vehicular use (eg. Refuse collection, deliveries) only. The part of the extension to Woodside Close immediately north of the junction with Woodside End will be soft landscaped and comprised of a narrower pedestrian pathway and play space, having the feel of a small pocket park. This landscaped transition space will act as both an attractive street feature as well as an effective means of addressing level change across this part of the site. All of new roads internal to the

site will be formed of a shared surface, which will emphasise pedestrian priority.

52. The western side of the north part of the site is formed of two partial perimeter blocks in the form of a part 3, part 4 and part 5 storey L-shaped building (fronting Woodside Close and Woodside Place) containing 42 units (block K) and a part 4, part 6 storey and part 11 storey U-shaped building (fronting Woodside Place, Woodside Close and Woodside End) containing 114 units (blocks H and J). This marks the second tallest part of the development, with the 11 storey massing fronting on the corner of Woodside End (the main road through the site) and Woodside Close. Given its central location in the site, the 11 storey building, whilst certainly tall in the local context is broadly supported as a reasonable height increase appropriate for the centre-of-site location. These two buildings are to be provided with rear garden spaces away from the streets they front. The U-shaped building's garden will be podium form with a parking basement underneath (accessed from ramp on Woodside End), also containing cycle and bin stores.
53. The eastern side of the north part of the site is formed of three smaller buildings: A part 4 and part 6 storey building (fronting Woodside End and Woodside Close) containing 29 units and a large commercial space at ground and first floor levels (block G), a 4 storey building to the north (fronting Woodside Close) containing 13 units (block M) and finally a 3 storey terrace of 4 townhouses to the north eastern edge of the site, also fronting Woodside Close (block L). The houses forming block L represent the only non-flatted development in the site and will offer spacious family homes with large private gardens.
54. The proposals for the northern site are summarised in the table below:

Blocks	G	H	J	K	L	M
Height/s	4 & 6 storeys	3 & 11 storeys	4 & 6 storeys	3, 4 & 5 storeys	3 storeys	4 storeys
Commercial use at lower levels	645sqm – Market 345sqm – Affordable	None	None	None	None	None
Residential units	29 x Affordable	78 x Private	2 x Private 34 x Affordable	42 x Affordable	4 x Private	13 x Private
Total Residential units	202 Units – (97 x Private [48%] & 105 x Affordable [52%])					

Layout of Southern Side

55. The southern half is taller and denser and is formed of a large city/perimeter block in the west and the centre (blocks B, C, D and E) and two smaller buildings that separates the city block from a 'linear park' style public recreation area along the eastern edge of this part of the site (blocks A and F). The buildings along this section front the Grand Union Canal on their south sides and define the focal spaces for the development site, which is to be the linear park corridor (shared across the boundary with Abbey Wharf to the east) and the canal front, accessed from the linear park link. The city block is varied in its heights, ranging from 4 to 14 storeys (containing 267 units), whilst the two smaller buildings are both 8 storeys in height (containing 63 and 49 units respectively). The two smaller buildings are to retain a commercial focus at ground floor, with affordable workspace being provided at this level. The focus of commercial floorspace on the eastern side of the site, close to the junction with Mount Pleasant is logical and should help to establish a stronger neighbourhood centre. The 14 storey massing is focused at the centre point of the development, along the new Woodside End frontage and aligned centrally at the southern end of the extended Woodside Close to frame the view along it. The 14 storey massing is also directly opposite the 11 storey massing (the tallest point of the development on the north side of the road) forming the dense centre part of the site.
56. A large podium garden is proposed centrally in the city block atop a basement car park which is to be accessed from a minor access road which spurs off from Woodside End.
57. A final new route through the site is a large pedestrianised corridor between the city block and the two smaller blocks and linear park on the east side which leads to a wide flight of steps down to the canal frontage. The steps address the level change that is seen in this part of the site. This presents an alternative means of access to the canal aside from the linear park and would be more direct for

residents in the northern half of the site. The steps are supported as both a means of access and as a visual feature of the environment, an alternative ramped route for disabled users is achievable through the linear park link which runs parallel to this route.

58. The proposals for the southern site are summarised in the table below:

Blocks	A	B	C	D	E	F
Height/s	8 storeys	4 & 8 storeys	4 & 8 storeys	5, 6 & 7 storeys	6, 7 & 14 storeys	8 storeys
Commercial use at lower levels	None (64sqm – Market commercial in pavilion to south)	None	None	None	None	200sqm - Affordable
Residential units	63 x Private	57 x Private	74 x Private	56 x Private	80 x Private	49 x Private
Total Residential units	379 Units [100% Private]					

Removal and re-provision of pumping station

59. The site currently contains a sewage pumping station within the responsibility of Thames Water. The existing pumping station is located broadly in the middle of the site between the east and west boundaries and close to the canal frontage, broadly where blocks B and C are proposed. The applicant is having to remove and re-provide this pumping station as part of the works. The re-located pumping station is to be located at the South Western corner of the site, close to the western wing of block C. The applicant has confirmed that the pumping station will not emit noise or vibration above the surface and that the works to deliver it will be undertaken at the point where the south site is demolished ahead of new construction.

Public Realm

60. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. Largely, all building facades that front a street within the development site are active at ground floor level, with the focus generally on residential frontages although commercial frontage along parts of the extended Woodside End also form a notable element of the scheme. Ground floor units front onto the street and are accessible from the street rather than from the cores. This will significantly increase street activity and further embed a residential character. Appropriate defensible spaces, which form part of the landscaping plan, will establish a suitable soft landscaped privacy buffer between the ground floor residential windows and the defensible spaces.

61. The development site will involve a substantial coverage of new public realm, including high value public realm fronting the canal. An extensive landscaping proposal has been submitted incorporating a large amount of street tree planting and numerous landscaping features. The pedestrian corridor along the eastern edge of the site and the canal frontage itself is the clear focal point of the landscaping strategy, being the prime connection between the commercial node at Mount Pleasant and the canal. The environment along this corridor is to be shared with the consented Abbey Wharf development.

Scale, height, massing and design of the development within its local context

Height and Massing

62. Policy BD2 of the emerging Local Plan directs tall buildings to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. This site sits within the tall building zone. Furthermore, the emerging site allocation notes that development coming forward should be denser than the surrounding suburban character. The allocation states that the site is suitable for tall buildings of a mid-rise height, that sits well subject to detailed design analysis showing no adverse impacts and a satisfactory relationship in terms of scale and massing. This should be delivered in context with the residential properties in the neighbouring Abbey Wharf development which rises to six storeys and the surrounding two storey residential properties elsewhere that are likely to remain.

63. Whilst clearly of substantially greater massing than Abbey Wharf in its central core, the massing would, from most viewpoints, appear less prominent in this location, being buffered from view by the surrounding

built form which is of a lower height that evokes the scale of Abbey Wharf more strongly. Officers consider that the general approach to massing is comfortable. The approach sees:

- 3, 4 and 5 storey massing at the edges of the site where the adjacent context is suburban housing;
- 8 storey massing adjacent to the 6 storey Abbey Wharf development;
- Part 4 and part 8 storey massing fronting the Grand Union Canal;
- Greater massing located centrally in the development, away from the lower scale context, 6 and 11 storeys in the northern part of the site and 14 storeys in the southern part of the site.

64. This approach establishes a clear transition from smaller buildings close to the suburban edges of the site, stepping up to the tallest features centrally. It is acknowledged that the central massing, particularly the 14 storey high point of the development, is development which would be significantly higher than its surroundings, however officers note that the majority of the site will be comprised of moderately sized buildings which would relate suitably to their surroundings whilst also establishing a denser suburban fabric as required by the site allocation briefs. The denser nature of this development compared to its surroundings would also be conducive to meaningful housing delivery in line with emerging London Plan housing targets for the borough, and thus making efficient use of this brownfield site. In summary, a key part of the height and massing strategy's success is the positioning of lower buildings around the periphery of the site, forming a substantial visual buffer between the surrounding streetscene and the central part of the site, obscuring much of the prominence of the 14 storey high point of the proposal.

Architecture and Materiality

65. The applicant's plans indicate a strong focus on 1930s light industrial vernacular in terms of architecture and materiality. The key visual motif across the development site is the use of typical industrial style 'zig zag' roof forms atop the blocks and a combination of red brick, light brick and metallic style panels with a corrugated appearance along the external walls. All of these features strongly evoke the location's industrial heritage but also present a pleasing and distinctive visual design language for a new residential district. The architecture and materiality is therefore supported in principle. This material palette will foster a strong residential feel at the lower levels but still evoke the neighbourhood's industrial past at the upper levels when seen from a greater distance. In relation to the buildings whose top levels are proposed to be clad in metal, officers feel that a more pleasing appearance might be achieved by pushing brick further up the buildings and reducing the size of the metal cladding layer at the top. The metal cladding has a very striking appearance and a more sparing use of it is felt to likely result in a better looking development.

66. A standard condition will require material samples to be submitted for officer approval, but in this case, will also require alternative balances between brick cladding and metal cladding to be tested in plan form and for the balance between these two types of cladding to be finalised by condition.

67. The scale, massing and visual design of the proposed buildings will clearly appear different from the long-established suburban dwellinghouses that define the surrounding context. The focus on traditional brick facades for the buildings and the commitment to limiting height and massing around the edges of the site would provide an element of continuity between the surrounding houses and the new developments whilst the more modern approach to the architecture and denser core elements would provide a suitable response to current housing pressures and would also provide an element of continuity with the Abbey Wharf development on the adjacent site.

68. The architecture and materials approach is supported, subject to the above conditions.

Quality of residential accommodation

69. The quality of the proposed residential units is generally high with deck access cores which have fewer than 8 units allowing for a high proportion of dual aspect units. All units meet the relevant space standards, with external amenity provided in the form of communal gardens, balconies and private terraces. The orientation of the blocks means that most of the units have east/west aspect maximising penetration of sunlight. 10% of homes have been designed to be adaptable for disabled users, meeting relevant London Plan policy requirements.

70. A number of the proposed buildings have been designed to maximise dual aspect flats by having communal access corridors to flats which are open air and located along the outside edges of the buildings. This allows internal rooms which are positioned adjacent to these corridors to still benefit from outlook visible from across the corridor. Within the corridors, openings have been placed appropriately to

ensure that windows to habitable rooms are able to benefit from the outlook beyond these corridors. Blocks K, J, H and M in the north site and blocks B, C, D and E in the south site utilise this to achieve a greater number of flats with dual aspect than they would otherwise. In the north site 55% of flats have dual aspect, whilst in the south site 54% of flats have dual aspect. This is considered to be an acceptable amount within this form of development.

71. In terms of privacy between blocks, the proposal meets all standards set out in SPD1 (2018), with the exception of blocks L and M in the north site, which have rear windows which face towards the rear gardens of properties along Mount Pleasant. The distance from the rear facing windows of the blocks to the rear of the original houses is 18m, however, where these houses have been extended this distance is reduced. The closest relationship is between windows serving the communal corridor to Block M and the rear wall of no. 142 Mount Pleasant, where the rear window separation distance is 14.45m. Despite not meeting the 18m standard in all instances, consideration is given to the fact that it is only by virtue of extensions to the properties along Mount Pleasant that the standard is not met. The gardens to these properties are shallow and, in a number of cases, the garden depth is shallower than 9m. By contrast, the distance from the windows in the rear of blocks L and M to the rear garden boundaries with these Mount Pleasant properties is in excess of 9m. Full adherence to the 18m separation standard given this scenario would push the development further into the site unreasonably. A flexible approach has been taken given the need to make efficient use of land in the growth area setting.
72. The separation between blocks A and F in the south site is 16m. Within the two facing elevations are both primary and secondary habitable room windows. The architects have placed the windows so that they are deliberately offset from one another's line of sight to reduce the potential for overlooking between these habitable rooms. Furthermore, it is noted that a public route separates the two blocks in this location, reinforcing a setting with a public character between the blocks rather than a more private arrangement typically found between rear gardens. Given the above, officers consider that the 16m separation between Block A's northern façade and block F's southern façade is justified and would not result in a relationship which unduly detracted from the privacy of the units.

Amenity Space

73. Policy DMP19 states the following:

"All new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats)."

74. The policy requirement in relation to external private amenity space is for it to be "sufficiency of size". Whilst there is a normal "expectation" for 20sqm per flat and 50sqm for family housing (including ground floor flats), that is not an absolute policy requirement in all cases. This is reinforced by the supporting text to the policy which provides that:

"10.39 New development should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space".

75. In meeting the above requirements, it is expected that at least a part of each flat's required amenity space will be private space and as such, all units should be provided with a London Plan/Housing SPG compliant balcony/terrace. Within dense developments there is an expectation that a shortfall in amenity space provision can acceptably be made up through communal garden space as much as is possible, which would be a secondary form of amenity space beyond the flats' balconies.
76. The proposal for four communal gardens for the use of residents at ground level is welcomed. One of these is to be located centrally between blocks B, C, D and E, serving all residents of these blocks and measuring 694.2sqm in size. Secondly, a fourth floor podium garden measuring 117.4sqm links together blocks B and C and would be usable by all residents in these blocks. Thirdly, a ground floor garden is provided for all residents in blocks J (an affordable block) and H measuring 832.2sqm in size and a fourth garden serves block K (also an affordable block) on the ground floor, measuring 705.6sqm in size. Private ground floor residential gardens are also provided for the terrace of four houses (block L) (about 50sqm on average). Aside from the fourth floor podium serving blocks B and C, no rooftop gardens are proposed, although the roofs to blocks, B, C, D, E and H are utilised as photovoltaic arrays. Each flat in the development will be provided with its own private terrace or balcony. All of these terraces will comply

with the London Plan standards and many will be very generously sized, utilising both internal and external outdoor spaces to maximise balcony space, with a number being as large as 30sqm in size.

77. In addition to the private and enclosed communal amenity spaces, the proposal will deliver new landscaped public realm, both in the form of green space for general recreation and as designated child play space, referred to as doorstep play (more information on total play provision below). These spaces will provide a benefit to the wider community although will most directly benefit residents of this development and in particular the residents whose blocks sit alongside the relevant public amenity spaces. Given the extent and quality of the public amenity space proposed, officers have included these spaces within amenity space calculations for the development as a whole and would consider that they contribute to the overall residential quality offered within the scheme.

78. Officers consider that the following public amenity spaces should reasonably form part of the residential amenity space offer:

- Southern site (1,319sqm):

- Equipped doorstep play to the east of blocks A and F (395sqm)
- Landscaped space between blocks A and B (347sqm) of which part is equipped doorstep play (179sqm)
- Landscaped space alongside new canal towpath (577sqm) of which part is equipped doorstep play (191sqm)

- Northern site (421sqm):

- Equipped doorstep play between blocks G, H and J (421sqm)

79. Overall, the amenity space provision, and associated shortfalls below DMP19 (where relevant) is as follows:

Southern Site

Block	A	B	C	D	E	F	Total
Number of units	63	57	74	56	80	49	379
Number of those units which are 3 bedroom ground floor units (50sqm standard)	1	1	1	1	1	0	5
Amenity space standard (DMP19)	1,290	1,170	1,510	1,150	1,630	980	7,730
SHORTFALL - PRIVATE	911.3	633.6	898	676.6	986.3	667.3	4,773.1
Total share of communal space	0	199.5	259	145.6	208	0	812.1
ADJUSTED SHORTFALL (incl. communal)	911.3	434.1	639	531	778.3	667.3	3,961
Total share of public space	188.67	170.71	221.62	167.71	239.59	146.75	1,135.05
FINAL ADJUSTED SHORTFALL (incl. communal and public)	722.63	263.39	417.38	363.29	538.71	520.55	2,825.95
LOWEST INDIVIDUAL UNIT AMENITY	7.99 Shortfall	11.79 Shortfall	11.79 Shortfall	10.59 Shortfall	10.59 Shortfall	7.99 Shortfall	

SPACE (Private + Communal + Public) for a 20sqm standard unit	of 12.01	of 8.21	of 8.21	of 9.41	of 9.41	of 12.01	
LOWEST INDIVIDUAL UNIT AMENITY SPACE (Private + Communal + Public) for a 50sqm standard unit	12.99 Shortfall of 37.01	24.99 Shortfall of 25.01	24.69 Shortfall of 25.31	36.89 Shortfall of 13.11	23.99 Shortfall of 26.01	N/A	

Northern Site

Block	G (aff)	H	J (aff)	K (aff)	L	M	Total
Number of units	29	78	36	42	4	13	202
Number of those units which are 3 bedroom ground floor units (50sqm standard)?	1	0	3	3	4	0	11
Amenity space standard (DMP19)	610	1,560	810	930	200	260	4,370
SHORTFALL - PRIVATE	350.3	932.2	448.9	407	0	122.8	2,261.2
Total share of communal space	0	569.4	262.8	705.6	0	0	1,537.8
ADJUSTED SHORTFALL (incl. communal)	350.3	362.8	186.1	0	0	122.8	1,022
Total share of public space	86.85	233.60	107.81	125.78	11.98	38.93	604.95
FINAL ADJUSTED SHORTFALL (incl. communal and public)	263.45	129.2	78.29	0	0	83.87	554.81
LOWEST INDIVIDUAL UNIT AMENITY SPACE (Private + Communal + Public) for a 20sqm standard unit	7.99 Shortfall of 12.01	15.98 Shortfall of 4.02	14.21 Shortfall of 5.79	25.59 Shortfall of 0	N/A	8.89 Shortfall of 11.11	
LOWEST INDIVIDUAL UNIT AMENITY SPACE (Private + Communal + Public) for a 50sqm standard unit	12.99 Shortfall of 37.01	N/A	17.29 Shortfall of 32.71	41.99 Shortfall of 8.01	63.59 Shortfall of 0	N/A	

80. In the context of this scheme, DMP19 would stipulate an amenity space standard of 12,100sqm and, taking the above into account, the proposal sees a shortfall against this policy standard of 3,380.76sqm. Overall, whilst the scheme does not comply with the levels of amenity space set out in DMP19, the amenity space is considered to be of good quality, resulting in a high standard of residential

accommodation.

Play Space

81. Policy 3.6 of the London Plan requires that on site play space is provided to service the expected child population of the development. The applicants have set out a play space strategy which provides on-site play spaces in line with GLA's child yield matrix. The child yield matrix would require 2,706sqm of on-site play space based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting. This quantum of play space would be split between enclosed courtyard podium play for 0-4 year olds (1,515sqm) and equipped doorstep play for 5-11 year olds (1,184sqm). Neighbourhood play for 11+ year olds would not be provided on site and the nearby parks of Mount Pleasant Open Space and Heather Park would effectively serve this purpose.
82. The enclosed courtyard podium playspaces are provided within all three of those spaces within the scheme, with a 453sqm play space forming part of blocks' B, C, D and E podium garden, a 598sqm play space forming part of blocks' J and H podium garden and a 464sqm play space forming part of block K's podium garden. Together, these play spaces amount to 1,515sqm of 0-4 year old play space, and the two larger play spaces (those serving blocks J, H and K) will be accessible to residents of the affordable blocks J and K.
83. The equipped doorstep play is proposed within 5 separate spaces around the public parts of the site, which also form part of the public amenity space offer of the development. The largest (421sqm) will be in the landscaped transition space between blocks J, H and G, two smaller spaces (224sqm + 171sqm) will be provided along the western side of the linear park space between blocks A, F and the Abbey Wharf development and two other spaces (191sqm + 179sqm) will be within the canal frontage. These spaces together comprise 1,186sqm of 5-11 year old play space and will also be play spaces that will benefit the wider public.
84. Together, the play spaces amount to 2,701sqm, falling just 5sqm (0.18%) short of the expected on site quantum (2,706sqm) and is strongly welcomed. Detailed plans of the play spaces and their individual features will be secured through the landscaping conditions.

Development Phasing

85. The development is to be phased as follows:

Pre-construction phases

- Demolition and decontamination of the north site
- Demolition and decontamination of the south site

Construction phases (affordable blocks denoted in **bold**)

- Construction of blocks L and M - *Phase 1a*
- Construction of block **K** - *Phase 1*
- Construction of basement below blocks J and H and new road through the centre of site - *Phase 2*
- Construction of blocks **J**, H and **G** - *Phase 3*
- Construction of basement below B, C, D and E - *Phase 4*
- Construction of blocks D and C - *Phase 5*
- Construction of blocks E and B - *Phase 6*
- Construction of blocks F and A - *Phase 7*

86. The phasing plan would see all of the scheme's affordable housing delivered within the first four block construction phases (phases 1 and 3) which is welcomed.
87. The applicants have confirmed that the first residential completions are planned to be delivered within 3.5 years of consent being granted and continuing at a rate of about 100 units per year. This would result in a total build period of 8.5 to 9.5 years. The phasing would see the site developed from north to south.
88. A number of the conditions within the decision notice as well as clauses within the S106 agreement have time triggers that account for the phasing plan.

Impact on amenities of neighbouring properties

89. The site is surrounded by a large number of properties. Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring properties in terms of losses of privacy and the creation of a sense of enclosure. There is clearly a sensitivity around the edges of the site in relation to the small scale housing along Woodside End, Woodside Place, Woodside Close and Mount Pleasant, as well as the backs of the houses fronting the north side of Carlyon Road across the canal. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the development's performance against them are explained below.

Privacy

90. In order to retain acceptable privacy levels to properties, the amenity impact considerations consider that all primary habitable room windows within the property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites, except where the view on to that property would be to a part of the property which would serve as low value amenity space (e.g. the side access around a house). All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, the proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). These standards are in the interests of protecting the privacy of neighbouring occupiers.

91. The above standards are achieved both internally between proposed blocks and between the proposed development and surrounding existing development with the exceptions of situations outlined above in paragraphs 57 and 58. Some further caveats to this are also detailed as follows. Block A will be positioned about 21m from the main western façade of Abbey Wharf, exceeding expectations in SPD1 guidelines for facing window separations. The red line boundary between these sites sits about halfway between these two façades. As with block A, block F borders with Abbey Wharf to the east. The block will sit about 21m from the main western façade of Abbey Wharf, exceeding expectations in SPD1 guidelines for facing window separations. The red line boundary between these sites sits about halfway between these two façades. To the west, the industrial context would not warrant consideration against these criteria. The block sits about 7m from the boundary with the industrial properties, although will not have any habitable windows which would rely on outlook across this site. As such, the placement of this block within 7m of the neighbouring industrial site is not considered to result in any prejudice the develop-ability of the neighbouring site.

Overshadowing & Losses of Light

92. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge of an affected property (including side and rear garden boundaries) towards the proposed buildings. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height at the nearest habitable room windows within neighbouring properties that face towards the proposed buildings.

93. In the event that these relationships cannot be achieved, a careful balance of this harm in the context of the other considerations should be made. A full test of daylight and sunlight impact on surrounding properties can also assist in understanding and weighing up the harm in the balance of considerations. Daylight and sunlight testing has been carried out and is discussed in the next section.

94. Given the extent of the site, the tests of overshadowing and light loss as per the 45 and 30 degree line criteria will be reported building by building, as per the below.

South site

Block A

95. Blocks A borders with Abbey Wharf to the east and 119 to 125 Carlyon Road to the south, across the Grand Union Canal. The separation with Abbey Wharf (in excess of 20m) is substantial and has been discussed above in relation to privacy. Despite the generous separation, the heights of the buildings are such that the 30 degree line test will not be met from the windows of the lower levels of the Abbey Wharf building, and the same is true of the proposed flats facing towards Abbey Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship is

considered to be acceptable.

96. At its closest point, the block will sit 34.75m from the boundary with residential gardens along Carlyon Road (119 Carlyon Road is the closest). At this distance, the proposal will meet the 45 degree testing from this garden space. At its closest point, the block will sit 51m from the rear elevation of a dwelling along Carlyon Road (123 Carlyon Road). The 30-degree line test from this elevation will be marginally failed (by about 0.3 metres). The 30-degree line test will be passed from other properties along here, as it is a deep extension at no. 123 which is bringing the rear elevation closer to the development than with other properties.

Blocks B and C

97. Blocks B and C border with 87 to 113 Carlyon Road to the south, industrial units to the west and 34 and 36 Woodside End to the north.
98. To the south, the block will sit 30.5m from the Carlyon Road gardens (at the closest point, to 99 Carlyon Road) and 45m from the Carlyon Road dwellinghouses (at the closest point, to 109 Carlyon Road). Relative to the garden boundary, the 45-degree line test is met for all properties. The 30-degree line test is failed to a small extent (maximum of 2m height) at properties that have been extended, although the test is fully met for un-extended properties.
99. To the north, the block will sit 22m from the rear boundary of properties along Woodside End and 38m the rear wall of 34 Woodside End and 41m from the rear wall of 36 Woodside End. The 45 degree and 30 degree tests are comfortably passed relative to these properties.

Block D

100. Block D borders with 36 Woodside End to the west.
101. Block D has been designed to give significant clearance to 36 Woodside End as Block D's central garden space will sit largely along the edge of this property. For the 3 metres of depth beyond the dwellinghouse and into the garden of 36 Woodside End, the development will project at a relatively close distance of 9.4m. This relationship would not meet 45 degree testing, although would meet 1:2 rule testing which is considered to be a relevant policy in this context, when considering a projection alongside the rear of a domestic property. The property at 36 Woodside End would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character.

Block E

102. Block E is located centrally in the site, away from boundaries and does not raise concerns relating to overshadowing & losses of light.

Block F

103. Block F is located along the eastern edge of the site, across from the emerging Abbey Wharf development. The separation with Abbey Wharf (in excess of 20m) is substantial and has been discussed above in relation to privacy. Despite the generous separation, the heights of the buildings are such that the 30 degree line test will not be met from the windows of the lower levels of the Abbey Wharf building, but the same is true of the proposed flats facing towards Abbey Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship still considered to be acceptable.

North site

Block G

104. Block G sits adjacent to the rear boundary of 148 and 150 Mount Pleasant. 148 and 150 Mount Pleasant is a solely commercial retail building and does not warrant testing against residential amenity standards.

Block H

105. Block H borders with 11 Woodside End.

106. Similar to the approach taken with Block D, block H has been designed to give significant clearance to its neighbouring property as its central garden space will sit largely along the edge of this property. For 1.5 metres of depth beyond the dwellinghouse and into the garden of 11 Woodside End, the development will project at a relatively close distance of 3.75m. This relationship would not meet 45 degree testing, although would meet the 1:2 rule test. The property at 11 Woodside End would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character

Block J

107. Block J borders with 12 Woodside Place.

108. Similar to the approach taken with Blocks D and H, block J has been designed to give significant clearance to its neighbouring property as its central garden space will sit largely along the edge of this property. For 4.2 metres of depth beyond the dwellinghouse and into the garden of 12 Woodside Place the development will project at a relatively close distance of 3.6 metres. This relationship would not meet 45 degree testing and would also fail 1:2 rule guidance. The property at 12 Woodside Place would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character. Nonetheless, the lack of compliance when assessed against both 1:2 rule relationship and 45-degree line testing is acknowledged.

Block K

109. Block K borders with 11 Woodside Place and 36 Woodside Close.

110. Similar to the approach taken with Blocks, D, H and J, block K has been designed to give significant clearance to its neighbouring property at 11 Woodside Place as its central garden space will sit largely along the edge of this property. For 4.5 metres of depth beyond the dwellinghouse and into the garden of 11 Woodside Place the development will project at a relatively close distance of 3.8 metres. This relationship would not meet 45 degree testing and would also fail 1:2 rule testing which is considered to be relevant in this context, when considering a projection alongside the rear of a domestic property. The property at 11 Woodside Place would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character. Nonetheless, the lack of compliance when assessed against both 1:2 rule relationship and 45-degree line testing is acknowledged.

111. The northern part of this block borders close to the rear garden boundary with 36 Woodside Close. 36 Woodside Close's main rear elevation doesn't look towards the development, although block K will extend within close proximity of the garden (about 2.5m). The first 6m of the garden will see a noteworthy breach of the 45 degree line in terms of impact on that part of the rear garden of 36 Woodside Close. The building of block K will extend about 7m above the 45 degree line taken from this boundary.

Block L

112. Block L borders with the rear gardens of 122-144 Mount Pleasant.

113. Block L is the smallest block and is formed of the four terraced town houses to a height of three storeys. When testing the proposed block in the context of the affected houses, all of the relevant testing with the 45 degree and 30 degree lines is passed.

Block M

114. Block M borders with 134-146 Mount Pleasant.

115. Block M is formed of one of the smaller blocks of apartments on the north site, rising to a height of 4 storeys. When testing the proposed block in the context of the affected houses, all of the relevant testing with the 45 degree lines is passed, however when considering windows at the rear of the outriggers to these properties, the 30 degree line testing is marginally failed, with the worst breach being by a height of 1.75m.

Summary

116. Overall, the development has a guidance compliant relationship with its surroundings in many respects, although there are some breaches of SPD guidance as follows:
117. A number of properties for which 30 degree line, 45 degree line, and (where relevant) 1:2 rule testing is not fully complied with. To summarise, in terms of properties whose rear gardens and rear windows face the development site, all properties are compliant with guidance with the exception of some properties which have been extended and which sit along the north side of Carlyon Road, with the most severe breach to these properties stemming from block C, whose roof level extends above the 30 degree line from the Carlyon Road properties by up to about 2 metres. In addition, as a result of the height and placement of block M, some properties along the west side of Mount Pleasant will see windows in their outriggers fail 30 degree line testing, with the most severe breach seeing block M's roof project above the 30 degree line by about 1.75m. In addition, 36 Woodside Close will see a 6m deep section of its garden enclosed by a structure that is about 7m in excess of the 45 degree line. This results from the height and placement of Block K; however, this property is oriented away from the development and the main aspect from the house into the garden will retain an open character.
118. In terms of properties which sit alongside the development site and have a side-to-side relationship with it, 11 and 36 Woodside End sit alongside blocks H and D respectively and fail 45 degree testing for parts of the garden closest to the rear of the house. However, given the side-to-side relationship it has been deemed appropriate to apply the 1:2 guidance. The 1:2 guidance is complied with in these cases. 11 and 12 Woodside Place sit alongside blocks K and J respectively and fail 45 degree testing as with the above properties. In these cases, 1:2 rule testing is also failed, with the 1:2 guidance being breached by a depth of 2.6m relative to 11 Woodside Place and 2.4m relative to 12 Woodside Place.
119. Given the scale of development, the degree of non-compliance against SPD1 criteria is considered minor and is considered acceptable given the substantial benefits of this proposal.

Daylight, Sunlight and Overshadowing

120. The applicants have submitted a daylight, sunlight and overshadowing assessment prepared by suitably qualified experts. The report looks at impacts this development would have on surrounding properties in terms of changes to daylight and sunlight exposure. Overall, testing shows that 80% of potentially affected windows will meet the typical recommendations (as set by the BRE) for good daylight and 86% of potentially affected windows will meet the typical recommendations for good sunlight.
121. Daylight testing is carried out through two tests, the Vertical Sky Component (VSC) and the No Sky Line (NSL) tests. The VSC test analyses impact on windows based on how much of the sky would be visible from the window in existing and proposed scenarios. The results are expressed in comparative percentage terms and the BRE considers a VSC score of less than 27% and less than 0.8 times its former value to result in reduced daylight to that window which is likely to be noticeable. The NSL test analyses the parts of a room from which the sky would be visible through particular windows in existing and proposed scenarios in percentage terms. The BRE considers an NSL score of less than 0.8 times its former value to result in reduced daylight that is likely to be noticeable. Generally, windows/rooms that pass one or both of the above tests are considered to result in BRE compliance.
122. Sunlight testing is carried out through the Annual Probable Sunlight Hours (APSH) tests. The APSH testing assesses windows that may be affected by the development whose orientations are within 90 degrees due south. The testing considers if these relevant windows can receive one quarter of the annual probable sunlight hours (APSH) based on the built form that may obstruct it. A second test considers whether at least 5% of the APSH will be received during the winter months between the autumn and spring equinoxes. If both tests are passed, then the room should receive enough daylight to maintain a good living environment.
123. BRE testing is to be used as a guide rather than strictly enforced. The BRE guidelines identify that the standards they establish generally represent acceptable impact in the context of a low density residential area and it is therefore widely understood that some flexibility and reasonably flexible judgement needs to be exercised at sites where a more urban character is sought. It is generally understood that across growth areas in London, VSC figures of between 10% and 20% are considered to be an acceptable reduced standard where a more urban character will be part and parcel of development that is intended to significantly boost housing numbers.
124. In terms of the individual breakdown, buildings along the following roads were tested for impact

as they had the potential to be detrimentally affected by the proposal: Woodside Close, Woodside Place, Woodside End, Carlyon Road and Mount Pleasant. In addition, the emerging Abbey Wharf development was tested for impact, although the considerations for Abbey Wharf are slightly different given that the building does not represent an established residential environment and is instead an emerging residential environment. The individual tests are discussed below.

Woodside Close

125. Woodside Close is a road which borders the site from the north, some of the houses along here directly adjoin the site and have been tested for impact. Of the tested properties, 41, 43 and 47 Woodside Close (odds) and 26-36 Woodside Close (evens) will pass all BRE tests and will not experience any noticeable change in their daylight and sunlight under BRE guidelines.
126. Numbers 45 and 49 Woodside Close will experience some losses under BRE testing. 8 out of 12 of the windows tested on these properties meet the guidelines for the VSC test but the other 4 (2 at each property) fail, with reductions of between 21 and 35%. However, these windows are slim slot windows that form parts of bays whose other windows comfortably meet BRE criteria. As such, there is a clear justification for this impact being acceptable. These properties pass all tests associated with NSL and APSH testing.
127. 51 Woodside Close had 25 windows tested for VSC with 20 out of 25 passing. The other 5 experience relative reductions in the range of 20-29% (only slightly below the 20% reduction or 0.8 times former value benchmark for acceptability). 4 of the 5 failed windows are panes within the curved ground floor bay, although at least four other panes in this bay meet BRE criteria. The final window serves a utility room which has two other windows, thus also providing a clear justification for accepting this impact. This property passes all tests associated with NSL and APSH testing.

Woodside Place

128. Woodside Place is a road which borders the site from the west. 4 properties (9, 10, 11 and 12) along this road were tested and all saw some deficiency in BRE compliance. For the house pair at no's 9 and 11, 16 of the 20 tested windows satisfy VSC criteria with the other 4 experience reductions in the ranged between 24% and 30%, but, all represent thin slot windows in the side of squared bays where the main windows serving these rooms would comfortably meet BRE recommendations. All criteria relating to NSL testing and APSH testing will be comfortably met.
129. In relation to testing at 10 and 12 Woodside Place, 21/23 tested windows will satisfy VSC criteria with the two deficient windows again representing secondary panes within bays. NSL and APSH testing is fully satisfied.

Woodside End

130. Woodside End borders the site from the west and is the road which would be extended through the site. Numbers 26-32 (evens) met all BRE tests whilst numbers 9, 11, 34 and 36 see some failures. Across numbers 9 and 11, 24 out of 24 tested pass VSC testing, with 9 of those failing representing secondary pane windows to six-pane bay windows (reductions range between 23-39%). The 10th failing window is a secondary window within the flank of 11 Woodside End, close to the rear corner of the property. It is assumed that this window serves as a secondary window to a dual aspect room, whose main window would be to the rear. NSL and APSH testing is passed in full.
131. Numbers 34 and 36 see 24 of 30 tested windows meeting VSC criteria. Five of the six failures (23-55% reductions) are again to individual secondary panes within bays whilst the sixth window is a window within a side dormer window which looks over to the development site. This window has been established through extension of the property and currently enjoys very unobstructed views across the Abbey Industrial site, owing to its positioning at the end of the street. The window would retain 17% VSC from a starting point of 38% which falls below BRE recommendations. The window would also fail NSL testing, with a 42% reduction versus an acceptability benchmark of 20%. The window would pass APSH testing. The window likely serves a habitable room in this loft environment, but paying mind to its highly unobstructed nature at present and the inevitability of some impact where dense regeneration is proposed, the impact to this window is to be accepted on balance.

Carlyon Road

132. Carlyon Road runs east to west to the south of the site, and is separated from the site by the Grand Union Canal. Houses on the north side of Carlyon Road back on to the southern towpath of the canal and some would sit directly across from the proposed development across the canal.
133. Numbers 85 – 135 (odds) have all been tested as potentially affected properties, with numbers 85 – 95, 125 – 129 and 133 – 135 meeting BRE guidance in full. This leaves numbers 97 – 123 and 131 (15 properties) as deficient in BRE terms. Across these properties 78 windows have been tested for VSC and 39 (50%) pass the test. The other 39 windows will experience relative reductions in VSC between 20 and 25%, slightly short of the 20% BRE acceptability criteria. NSL testing and APSH testing is passed in all cases.
134. The quantity of windows which fall short of standards (39) is notable, however the testing confirms that the extent of the failures to each of these windows is generally fairly small (up to 5% worse than the acceptable standard) and as such it is considered that the actual experienced outcome would likely be similar to a BRE compliant scenario. In view of the other benefits of the scheme, the impact to these properties is to be accepted.

Mount Pleasant

135. Mount Pleasant runs to the east of the northern part of the site. Compared to the other roads tested, the houses along Mount Pleasant are older and have projecting outrigger features along their rear extents. This results in a number of the windows alongside the outriggers with low existing levels of light which, when subjected to the daylight modelling are very sensitive to changes in the environment in terms of the modelling, with relatively small absolute changes in the light being reflected as larger and somewhat misleading as percentage alterations. The BRE acknowledges this where its guidance states that “a larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above.”
136. 19 properties along this road were tested, including 77-87 (odds) and 120-146 (evens). 8 of the properties saw some breaches of BRE guidelines, whilst 11 were in full compliance. Numbers 128, 132 and 136 all saw some breaches of VSC but full compliance with NSL and APSH tests. At 128, 6 out of 7 windows meet VSC with the failure seeing a reduction in value by 22%. At 132, 6 out of 8 windows meet VSC with the two failures seeing reduction by 21-22%. At 136, 5 of 7 windows meet VSC with the two failures seeing reduction by 24-26%. These windows are generally rear bedroom windows with single aspect.
137. At number 138, 4 out of 7 windows will meet VSC criteria, with the three failing windows seeing reductions between 21 and 31%. NSL testing is met. APSH testing is not fully met as there is one room to this property (out of four tested) which fails the winter APSH test since only 1% of its APSH are likely to be experienced in the winter, where at least 5% is expected. However, this window will experience 33% of its APSH in the yearly context, notably exceeding the minimum expectation of 25%.
138. At number 140, 1 of 5 windows will meet VSC criteria, with the four failing windows seeing reductions between 20 and 32%. All of the rooms of the property will meet NSL criteria bar one which would experience a reduction of 32%. The room will retain light coverage to 67% of its extent and is served by a window that receives 25.5% VSC. The property meets sunlight testing guidelines.
139. At number 142, 1 out of 6 windows will meet VSC criteria, with the five breaching windows experiencing a reduction between 24 and 36%. Three of these windows have their existing baseline daylight obstructed by the rear additions to which they are adjacent, meaning that even in the existing scenario they fail VSC testing, with a figure of below 27% in the existing scenario. The other two windows are unobstructed but retain VSC figures which are close to the compliance levels (27%) of 24-26%. In terms of NSL testing, 1 out of 5 tested rooms meet BRE criteria. 2 of the 4 failed rooms experience reductions of between 24 and 26% which is only modestly beyond the guideline of 20%. The other two would experience reductions between 52 and 58%, however both of these rooms are located in a deep extension and are unusually close to their rear garden fence which limits daylight penetration to these rooms. In terms of APSH testing, 2 out of 5 rooms meet criteria for annual and winter APSH. Of the remaining 3, 2 meet BRE criteria for annual APSH but fall short on the 5% winter APSH benchmark, retaining 2-3% winter APSH rather than 5%. The remaining room is obstructed by the rear addition to which it is adjacent and does not meet BRE criteria in its existing scenario anyway. Despite this, the room retains 17% annual APSH, which falls short of the 25% target.

140. At number 144, 1 of 9 windows meet VSC criteria, with the 8 failures experienced relative reductions between 24 and 40%. Four of these windows are obstructed by the rear additions to which they adjoin resulting in sub 19% existing VSC for these windows. The remaining unobstructed windows will retain 19-23% VSC (where the target is 27%). NSL testing is met for all rooms. For APSH testing, 3 of 6 rooms meet BRE criteria, with 3 rooms failing on winter APSH levels (retaining 2-3% versus a target of 5). All rooms comply with year round APSH targets.
141. Number 146 has particularly deep outrigger rear additions which sees windows with low existing levels of light and leaves these windows very sensitive to changes in the environment. At this property 4 of 7 windows meet the VSC criteria with the 3 that fail to do so seeing reductions between 24% and 50%. One of these windows is heavily obstructed by the rear projection it is alongside, whilst the other two have highly unobstructed views (with existing VSC levels of 34-38% that reduce to 17-23% which is still relatively close to the target of 27%). All of the rooms meet NSL testing. In APSH testing, 1 of 4 rooms tested meets the BRE criteria for both annual and winter scenarios. 2 of the other rooms will achieve annual targets but not winter targets, retaining 1-3% versus a target of 5%. The remaining room is through to be a kitchen and retains 19% annual APSH, below the 25% target.

Abbey Wharf

142. Abbey Wharf is the emerging development to the east of the south part of the development site. A key element of the Abbey Wharf development is the use of projecting balconies which overhang each of the windows below. The BRE guidelines acknowledge such situations as an additional constraint on achieving good daylight and sunlight levels as the balconies will establish a baseline position where the top part of the sky is blocked out. This means that even a modest obstruction opposite may result in a large relative impact on the VSC. To negate the effect of this, the applicants have tested a 'no balcony' scenario as well as a 'with balcony' scenario.
143. The existing site would also experience highly unobstructed views across the site given the existing low rise nature of the current uses. The growth area status and site designation seeking a development of density would naturally result in significant implications for the views becoming notably more obstructed. It is noted that the buildings proposed closest to Abbey Wharf would be of a similar height to Abbey Wharf itself, incurring a proportionate impact consistent with the emerging built form across both Abbey Wharf and the proposed development.
144. 254 windows were tested for VSC compliance and 152 (60%) of these windows passed the test. The failure range was significant, ranging from 29-82%. The more notable losses occur to the 56 windows that are recessed below large projecting balconies which is a defining characteristic of this building – the range of impact to these windows is 25-82%. Where balconies are not present, the impact to those 46 windows sits in a more modest 29-54% range. Where the balconies are removed and re-tested in this hypothetical scenario, VSC figures of over 16.5% are achieved in all cases, which compares favourably to the figures returned for the unobstructed windows and also compares favourably with many accepted VSC ranges at other growth areas in London. The residential typologies are clearly comparable to typologies seen across London and in Brent (such as Wembley) and the potential impact of the VSC figures is therefore considered differently and is still deemed acceptable, especially given that these residential units represent emerging homes rather than existing homes.
145. In terms of NSL testing, 97 of 193 rooms (50) meet BRE criteria. Those that fail the criteria experience relative reductions of 21-72%. 64 of the rooms falling short are bedrooms and 32 are open plan living spaces with kitchens. As is the case with VSC, the rooms currently receive abnormally high levels of daylight due to the nature of the development site at present.
146. In terms of APSH testing, 147 of 191 south facing rooms (77%) tested meet BRE criteria across both annual and winter scenarios. The remaining 44 rooms are all bedrooms oversailed by balconies and experience reductions of up to 87.5%. However, the 'no balconies' hypothetical test has returned results showing that all of these rooms meet APSH guidelines when the balconies are removed. This confirms that the impacts shown by the testing are far more attributable to the presence of balconies than by the proposal itself.

Overshadowing

147. BRE overshadowing guidance seeks to establish criteria for retaining good levels of direct light to garden and other outdoor amenity spaces. The criteria for an acceptable impact is for at least 50% of a garden space to receive at least 2 hours of direct sunlight on the 21st March.

148. 31 separate private garden spaces were seen as potentially affected by this development. 25 (80.6%) of these garden spaces meet BRE overshadowing guidance, whilst 6 fall short of the target. The gardens which fall short serve 124, 134, 136, 140, 144 and 146 Mount Pleasant. 124 Mount Pleasant falls short of guidance as 49% of its garden receives the 2 hours of sunlight, just 1% short of the target. This also represents a 20.1% change on the existing situation. 134, 136 and 140 Mount Pleasant experience slightly greater reductions compared to the existing, of 22% to 31%. Finally, 144 and 146 Mount Pleasant will experience material reductions in light to their gardens with 9.3% and 0% of these gardens received at least 2 hours of direct sunlight respectively.

149. To provide an additional point of comparison, the same test has been carried out for the day with the most sunlight hours (21st June) where it is found that all of the gardens will experience 2 hours of direct sunlight to over 50% of their areas. This will ensure that even the gardens which are affected to a notable extent will retain good daylight in the summer months, even if their overall daylight exposure is below BRE guide lines.

Summary

150. A large array of properties surrounding the site have been tested for relevant daylight and sunlight impacts. In the case of residential properties to the north and west (Woodside Place, Woodside End and Woodside Close), all of the properties will comply with BRE standards for daylight and sunlight, or possess very clear contextual features which justify accepting BRE breaches (breached windows serving secondary windows or peripheral panes of bay windows). One window in 36 Woodside End would fall short of daylight expectations and would serve a primary window to a habitable room. However, this window sits in a side dormer extension and currently benefits from an unusually unobstructed view across the site, at the end of its road.

151. In the case of Carlyon Road, VSC breaches are observed in some instances to rear facing windows and the quantity of windows which fall short of standards (39) is notable. However, the testing confirms that the extent of the failures to each of these windows is generally fairly small (up to 5% worse than the acceptable standard) and as such it is considered that the actual experienced outcome would likely be similar to a BRE compliant scenario.

152. In the case of properties along Mount Pleasant, the houses are older and have projecting outrigger features along their rear extents. This results in a number of the windows alongside the outriggers with low existing levels of light which, when subjected to the daylight modelling are very sensitive to changes in the environment in terms of the modelling, with relatively small absolute changes in the light being reflected as larger and somewhat misleading as percentage alterations. The BRE acknowledges this where its guidance states that “a larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above.” Some breaches of both daylight and sunlight tests are observed across these houses, although a number of these breaches are attributable to poor existing conditions along these properties.

153. The emerging Abbey Wharf site sees 40% of affected windows failing VSC testing, although it is acknowledged that the urban character of this block and its immediate siting next to another allocated site in a growth area does warrant reasonable acceptance of a more flexible standard (15% VSC) which would be consistent with the urban grain which is proposed and building typologies in other London growth areas. In terms of daylight testing, whilst a number of windows fall short of standards, supplementary testing has shown that this is attributable to the presence of oversailing balconies within the Abbey Wharf development rather than the proposal of this development.

154. Six residential gardens along Mount Pleasant will fall short of overshadowing guidelines for retaining good levels of direct sunlight to garden spaces, with two of these gardens failing to a material extent. All gardens meet an adjusted standard for direct sunlight during the summer solstice.

155. Taken as a whole, 75% of tested windows meet VSC guidance for daylight, 80% of rooms tested meet NSL guidance for daylight, 86% of rooms tested meet APSH guidance for sunlight and 80% of gardens meet overshadowing guidance. This clearly indicates that a notable percentage of surrounding sites will fall short of BRE expectations, but this also indicates a relatively high pass rate given the growth area status and the clear intent for this site to adopt a denser massing than its surroundings. Given the significant regenerative benefits of the scheme and the substantial number of new homes that will be delivered by it, officers accept the daylight and sunlight

impacts of the scheme and do not consider them to reflect an unusual or anomalous scenario given the scale of the development.

Transport

156. The scale of this development is such that it would be likely to have a significant impact on local transport networks. A Transport Assessment is therefore required to consider this impact and this has been prepared and submitted with the application.

Car parking

157. In terms of car parking, the site does not have good access to public transport services, so the higher residential allowances set out in Table 6 at Appendix 1 of the adopted DMP 2016 apply. The location of the site to the northwest of the Dudding Hill railway line also means that the Outer London employment standard of one space per 200m² applies.

158. The proposed residential units would therefore be allowed up to 639 car parking spaces. Between 6-15 spaces would be allowed for the commercial and affordable workspace areas, depending upon the exact subdivision between these uses.

159. The scheme proposes the provision of 172 off-street residential car parking spaces in the basement and undercroft car parks, plus nine on-street spaces and four spaces on the driveways of the houses. This accords with maximum standards, with the provision of 20 spaces at the outset for disabled drivers meeting Brent's and TfL's standards for Blue Badge parking. Headroom of 3.4m is shown for both car parks, allowing access by high-top conversion vehicles for wheelchairs.

160. The ratio of spaces to flats would be only about 32% though, giving rise to potential concerns regarding overspill parking in the surrounding heavily parked area. The continuing heavily parked nature of the surrounding area during both the daytime and overnight has been confirmed by parking surveys undertaken through the Transport Assessment in April 2018.

161. Car ownership data from the 2011 Census suggests that about 0.81 cars per flat are owned by residents in this area, which would result in about 287 cars overspilling from this development if car ownership stays at this level. With the Woodside Avenue area in particular experiencing high levels of parking, including extensive footway parking, this is a potential cause for concern.

162. To address this, it is recommended that £150,000 be provided towards the funding of a future Controlled Parking Zone in the area, with a 'permit-free' restriction also placed on all dwellings within this development to prohibit residents from obtaining permits once a CPZ is introduced. This will help to protect the amenities of existing residents in the Woodside Avenue area and further afield and help to maintain safe access to and from the site by vehicles and pedestrians.

163. No off-street parking is proposed for the commercial units and this is welcomed, helping to encourage the use of public transport to and from the site by staff and visitors.

164. Notwithstanding the above car parking provision, TfL have encouraged the further reduction in car parking on site. In response, Brent officers remain comfortable with the level proposed as it is considered that this strikes a good balance between ensuring practical and suitable living arrangements within this location with a low PTAL level and the need to encourage sustainable forms of transport within new developments.

165. TfL also requested that the 9 allocated car parking spaces on street are removed to minimise the car dominance of the public realm and to remove the 4 visitor parking bays across the road from block L as they are unnecessary. The 9 on street parking spaces are in the form of 4 private drive-ways to the houses forming block L and 5 parallel spaces to the rear of block M within a loop road around this block. The applicants have considered this request and have agreed to the removal of the 4 visitor parking bays and to instead replace this space within 1 bay for the use of a car club, as would be required as part of the applicant's travel plan obligations.

166. A Car Park Management Plan has been included within the Transport Assessment. Access to spaces within the car park is to be via a key fob operated barrier system, with fobs leased annually to allow flexibility in allocation as residents move in and out of the development in future years. Enforcement will

be undertaken using cameras and patrols. Details of the car park management plan are recommended to be conditioned to any forthcoming consent.

167. At least 20% of spaces will require active electric vehicle charging points and a further 20% passive charging points and this has been acknowledged in the Transport Assessment. However, the applicants are proposing to provide 20% active and 80% passive charging points, in line with the draft London Plan requirements, which is welcomed. Once again, it is recommended that EVCP are conditioned to any forthcoming consent.

Cycling

168. The London Plan requires the provision of at least 910 long-term and 15 short-term bicycle parking spaces for residents, plus up to about 15 long- and short-term parking spaces for the commercial units (depending on their exact use).

169. A total of 1,069 secure long-term spaces on single-tier racks are indicated in storage rooms around the edges of the car parks and on the ground floors of blocks at the northern end of the site to meet long-stay requirements. A further 19 'Sheffield' stands (38 spaces) are shown within the public realm, around the entrances to blocks G, F and E. to provide visitor spaces. Originally, just 16 such visitor spaces were shown, however additional stands were added following TfL comments identifying a shortfall in visitor cycle parking.

Servicing

170. In terms of servicing, the commercial units generally require access by 8m rigid vehicles, although a food retailer occupying the larger unit could require access by 12m urban artic vehicles. A parallel lay-by for loading measuring 14m x 3.5m to accommodate a large vehicle or two vans is proposed alongside the new spine road close to the commercial units to meet requirements.

171. For the residential units, the main spine road and the cul-de-sac from Woodside Place provide good penetration through the site to access bin stores and entrance cores for most Blocks. Further access to Blocks A, B and C along the southern side of the site will be provided via shared surface areas for use by pedestrians and service and emergency vehicles only.

172. Fire appliances would therefore be able to access all blocks in the development and a Fire Safety Strategy has been prepared to demonstrate that Building Regulation requirements will be met.

173. Refuse vehicles can also get to a point within 10m of all bin stores on the northern part of the site. However, most of the bin storage for the southern part of the site is located around the edge of the basement car park, so a management arrangement whereby bins are brought out to a central collection point close to the car park access ramp will be employed on collection days.

174. This will form part of a Delivery and Servicing Plan for the site; a Framework version of which has been included in the Transport Assessment. This sets out how the anticipated 47 deliveries that will be made to the development each day can be managed to reduce their impact.

175. The intention, once the development is occupied, is to gather survey data for all deliveries to the site over a two week period and to seek areas where deliveries by the same supplier or of similar goods could be consolidated to reduce overall vehicle movements. The other main aim will be to encourage off-peak deliveries where possible and whilst it is assumed that a delivery booking system will be used to achieve this, it has not been confirmed. Nevertheless, the Delivery & Servicing Plan will be a live document that will be subject to continuing review and submission and operation of a final DSP should be secured through an appropriate planning condition.

Access routes

176. The main access to the development will be via a new central spine road through the site, connecting Mount Pleasant and Woodside End. This will be expected to be adopted as public highway through a S38 Agreement.

177. The road has been shown with an asphalt carriageway of 5.5m width with a 2m wide footway along its northern side and a 1.7m footway on its southern side laid in block paving. The southern footway should be widened to 2m to meet highway design standards, and revised details to achieve 2m wide southern

footpath are recommended to be conditioned

178. Otherwise, the carriageway could potentially accommodate casual pay and display parking along one side of the street for visitors. However, there is a pinch-point where the new road passes the corner of 150 Mount Pleasant, so the carriageway has been reduced to 3.5m width for a distance of 8m in this location. This will only allow single-file traffic flow, but this will serve as a traffic calming feature. Priority signs are proposed to indicate a right-of-way for vehicles entering the estate.
179. Aside from the pinch point, two speed tables are proposed in block paving along the length of the new road raised up to be flush with the footways with tactile paving to encourage crossing. These are welcomed as further traffic calming features, as is the 20mph speed limit proposed for the road.
180. As the new link road could offer potential scope for traffic to bypass peak-hour queues along Mount Pleasant, further S278 works to introduce traffic calming in Woodside Avenue, Woodside End and adjoining streets, with a 20mph speed limit, are also sought.
181. The kerb radii at the junction of the new road with Mount Pleasant are proposed to be increased to about 10m with the proposal to allow turning into and out of the site by refuse vehicles without overrunning opposing traffic lanes.
182. The accesses from the main spine road into the car parks are generally fine. The southern basement car park will be accessed via a 5.5m driveway to a gradient of 8.5% along the western side of the site, turning 90° into an 18m long, 7.5m wide (incl. 500mm margins & central strip), 12.2% (with transition lengths) gradient ramp into the basement. The northern undercroft car park is shown accessed via a 7.5m wide (incl. margins and median strip) ramp to a gradient of 10% directly from the spine road. The kerb radii at this entrance can be reduced to 2m or so though, as only access by cars is proposed. All junctions along the spine road will need to be provided with suitable dropped kerbs and tactile paving, which is missing from the detailed landscape drawings.
183. Oversailing balconies are proposed over the footway in two locations on Blocks F and G and oversailing licences under S177 of the Highways Act 1980 will be required for these.
184. The other vehicular access road into the site will be from Woodside Place, forming a cul-de-sac. This is again recommended for adoption through a S38 Agreement as far as the site boundary with Woodside Close and including the southern length of the T-shaped turning head (n.b. the loop to the rear of Block M is not considered suitable for adoption). This would mean that the five parking spaces indicated along the street would be incorporated into any future CPZ though, which would mean that with the proposed 'car-free' agreement, they would only effectively be available to Blue Badge holders or to casual visitors on a potential pay and display basis.
185. This cul-de-sac is proposed to be surfaced entirely in block paving and a smaller upstand of 25m or so between the footways and carriageway would be fine to provide more of a shared surface feel to the street. As with the spine road, an increased width of 2m for the southern footway is required (this could be taken from the carriageway width) and the kerb line needs to merge smoothly into the existing kerblines of Woodside Place.
186. The proposed provision of a pedestrian link to Woodside Close, comprising both a flight of 10 steps and a 30m long, 1.2m wide ramp, both with suitable corduroy tactile paving, is particularly welcomed in terms of providing permeability to and through the site for pedestrians and these links should also be included in the adoption agreement. This link will provide access from the northern end of the site to both Woodside Close and via a Brent Council maintained footpath to Mount Pleasant (westwards).
187. The scheme also includes pedestrian links on either side of the site to the Grand Union Canal, plus a path along the canal bank which would link to a new path fronting the adjoining development at Abbey Wharf. These paths are also welcomed, but would not be suitable for adoption as publicly maintainable highway. They should instead be secured as permissive paths for use by the public.

Transport Impact

188. To understand the volumes of traffic generated by the site at present, cameras were placed at the four separate entrances to the estate over a three day period (incl. a Saturday) in April 2018. These identified a maximum total of 1338 vehicular movements into and out of the estate between 7am-7pm on a

weekday. This in turn translated to average existing weekday peak hour flows of 33 arrivals/16 departures in the am peak hour (8-9am) and 54 arrivals/57 departures in the pm peak hour (5-6pm).

189. Journey to work data from the 2011 Census for the immediate area was then used to translate these flows into a multi-modal profile of total trips to and from the site by all modes, on the basis of an average of 42.6% of trips being by car drivers.
190. Estimates of future trips to and from the site by all modes of transport were then drawn from comparisons with seven other residential developments in outer London that have low levels of off-street parking. These sites comprise a mixture of town centre and suburban sites and are thus considered to produce an accurate comparison to this proposal.
191. For the commercial units, trip rates have been derived from comparisons with two office developments and three convenience foodstores in London, which are considered to represent a worst case.
192. In terms of vehicular trips (incl. taxis and delivery vans), the development is estimated to generate 57 arrivals/62 departures in the morning peak hour (8-9am) and 46 arrivals/44 departures in the evening peak hour (5-6pm).
193. When compared with existing flows into and out of the manufacturing estate, only the morning peak hour would therefore be likely to see an increase in traffic as a result of this development, with the afternoon peak hour seeing a fall in overall traffic flows.
194. The impact of the development on the priority road junctions of Woodside Avenue/Mount Pleasant and the main site access/Mount Pleasant was then tested using standard junction modelling software, including an allowance for future traffic growth to 2028. This exercise showed neither junction operating beyond 20% of its capacity in either peak hour, thus leaving plenty of spare capacity, so there are no concerns with the impact of traffic on junction capacity along Mount Pleasant.
195. With regard to flows further afield, the increase in the morning peak hour flows along Mount Pleasant would average about 4-5% above existing flows, which is not considered significant enough to cause concern. Flows in the evening peak hour would again fall from present values.
196. For other modes of transport, overall rail and Underground trips are estimated to increase by 73 trips in the morning peak hour and by 10 trips in the evening peak hour compared with the existing situation. Assuming Underground trips use Alperton station and rail trips use Stonebridge Park station, then this would amount to an additional 2-3 passengers per Underground train and 3-4 passengers per London Overground train in the morning peak hour, with less than one additional passenger per train in the evening peak hour. Discussions have taken place with TfL and an agreed contribution of £166,000 has been secured towards improvement of the step free accessibility of the closest tube station (Alperton). This would be secured within the section 106 agreement.
197. For buses, an additional 50 journeys in the morning peak hour and 8 journeys in the evening peak hour are predicted. This would amount to approximately one additional passenger per bus on average on the five bus services passing within 640 metres of the site in the morning peak hour, which is not considered to be significant.
198. However, only route 224 (4 buses/hour) currently passes close to the site along Mount Pleasant, with the other routes calling at Alperton station as the nearest stop. Transport for London propose to amend this by extending route 83 along Mount Pleasant and Beresford Avenue to terminate at Stonebridge Park station, which would be of use to residents of this development using that station. Whilst some funding has been secured for this from the nearby Northfields development, further funding may also be sought by TfL from this development, as this site would also benefit from such an extension.
199. It has been agreed between the applicant and TfL that the bus capacity contribution can change dependent on whether the commercial units are eventually occupied by A, B or D uses, as they attract different trip rates. The s106 agreement can capture this nuance. The bus contribution will be used to increase capacity along local bus routes since local bus services have been identified as at or over capacity by TfL, a trend which the trips generated by this development would likely worsen without suitable mitigation. The contribution amounts as agreed are as follows:

Bus Capacity Improvements:

In the event of a B use coming forward on site only: £513,000

In the event of a D or B & D uses coming forward on site: £622,250

In the event of an A or A & B or A & D or A, B & D uses coming forward on site: £717,250

200. For non-motorised modes, walking journeys are estimated to increase by 82 trips in the morning peak hour and 49 trips in the evening peak hour, whilst cycling trips are predicted to rise by 8 trips in the morning peak and 4 trips in the evening peak hour.
201. To assess the impact that these additional journeys may have on the road network, the quality of the existing surrounding pedestrian and cycling environments has been assessed using PERS and CERS audits.
202. The worst performing routes in this respect were Woodside Avenue and adjoining streets, where on-street parking causes significant obstruction, the quality of the paving is poor, the footways are interrupted by numerous dropped kerbs and where there is a shortage of dropped kerbs and tactile paving at junction crossing points.
203. Comments above have already referred to the likely need for a CPZ in the area to mitigate parking impact, for which a financial contribution is sought. This would help to address the footway parking issue if pursued.
204. Earlier comments have also referred to the need for S278 works along Woodside Avenue to provide traffic calming and any such scheme should also address the quality of the footways where necessary, such as through the provision of dropped kerbs and tactile paving at junctions.
205. In terms of crossing points, the PERS audit also identified shortcomings with the existing pedestrian refuges on either side of the Mount Pleasant/Woodstock Road junction, in terms of narrow width and lack of dropped kerbs and tactile paving. It is therefore recommended that improvements to these crossing points are also added to the scope of the S278 works.
206. It is also noted that although the junction of Mount Pleasant/Ealing Road scores well, it has limited pedestrian crossing provision. However, this is subject to further study and potential mitigation works connected with the nearby Northfields development proposals (ref: 18/0321), with Brent having separately developed a preliminary design for improvements. No further S106 funding is therefore sought from this development.
207. For public transport stops, it was noted that the two nearest stops along Mount Pleasant lack shelters and are squeezed between driveways to adjacent houses. However, it would be difficult to rectify this given the shortage of space available and as these are not major stops, this concern can be disregarded.
208. Shortcomings at Alperton station include lack of step-free access and lack of mapping information. A scheme to improve the forecourt area has been prepared, but requires final approval and implementation by TfL as land owners of the forecourt area. Funding towards this (and step-free access) would be a suitable use for any CIL funding from the development.
209. The CERS audit of cycling facilities rated most of the links and junctions around the site as average, so thus able to benefit from improvements such as cycle lanes.
210. However, the traffic-free east-west cycle route close to the site along the Grand Union canal towpath was not included in the audit, whilst the new spine road through the site will ultimately deliver a new pedestrian-cyclist link through the site to link to Atlip Road and Alperton station, as and when adjoining sites come forward for development.
211. For the route towards Stonebridge Park station, the Northfields development will also provide a new cycleway along Beresford Avenue and old North Circular Road. Intervening sites between this development and the Northfields site are generally providing increased highway width along their frontages as and when they come forward, which would ultimately provide additional space to extend allow a cycleway to be extended along Beresford Avenue to connect to this site.
212. The CERS audit also noted a shortage of cycle parking facilities at Stonebridge Park station, but there are proposed developments close to that station that would be better placed to deliver such facilities.
213. The accident history for the area over the five year period January 2013-December 2017 has also been

examined. This identified twelve accidents within about 200 metres of the site, predominantly along Mount Pleasant. One accident resulted in serious injury, whilst both a pedestrian accident and a cyclist accident were recorded at the zebra crossing to the east of the site. However, there were no particular recurring accident patterns in close vicinity of the site that would be likely to be exacerbated by this proposal.

214. A cluster of accidents was recorded further west at the junction of Ealing Road and Mount Pleasant and this area is known to have a poor accident history. A road safety scheme is shortly to be implemented along Ealing Road and as mentioned above, a preliminary design for improvements to pedestrian crossing facilities at the Mount Pleasant junction has been drawn up that can be funded from the Northfields development junction works budget.

Travel Plan

215. To help to minimise car journeys and encourage greater use of sustainable transport to and from the site, a Residential Travel Plan has been prepared.

216. This aims to reduce the proportion of trips made to and from the site by car drivers by 10 percentage points from an estimated baseline of 17% to 7% over a five-year period. Please note though that the timescales for the Travel Plan may need to be adjusted depending upon the length of the overall construction programme, as it is to be delivered over 10 phases.

217. The Travel Plan is to be managed by a site-wide Travel Plan Co-ordinator, whose duties will include the provision of transport and marketing information through display boards, marketing brochures and welcome packs for new residents, promotion of cycling and encouragement of car sharing and Car Clubs at the site.

218. The proposed measures are very limited though (no mention is made of personalised journey planning for example) and there is a lack of firm detail or commitment regarding measures in the Travel Plan. In particular, no information has been provided on any engagement with a potential Car Club operator to ensure that the requisite financial support will be provided to establish Car Club vehicles on the site. To this end, it is essential that at least two years free membership of the Car Club is offered to all new residents of the development to help to make a scheme viable. Given the lack of detail in the Travel Plan, it is recommended that a Car Club be secured separately in the S106 Agreement for the development.

219. The Travel Plan is to be monitored biennially, with the first survey undertaken within the first year of occupation to firmly establish a baseline position. All surveys are confirmed as being in line with TRICS and/or i-TRACE methodology, as required.

220. As things stand, the submitted Travel Plan is too lacking in details and firm commitments to serve as a final document, but forms a reasonable framework from which a final Travel Plan can be developed and finalised prior to occupation of the development.

Construction Management

221. Finally, a Framework Construction Logistics Plan has been submitted with the application. Whilst the construction programme has yet to be drawn up in detail, this framework plan sets out some principles regarding the management of construction works.

222. Works will be confined to 8am-6pm on weekdays and 8am-1pm on Saturdays, with HGV movements restricted to those hours and avoiding peak hours (7-8am & 5-6pm). All vehicles will approach and leave the site to/from the east, via North Circular Road, Beresford Avenue and Mount Pleasant, entering the site at the existing main access from Mount Pleasant. This is confirmed as being the most appropriate route, keeping traffic away from residential areas and the congested Ealing Road as much as possible.

223. Deliveries will be pre-booked and drivers required to phone ahead to ensure there is sufficient space within the site to receive the delivery.

224. Use of the Grand Union Canal for deliveries should also be explored.

225. It is confirmed that the site will be self-contained, with hoardings set up to protect the site that will not need to encroach over the public highway. All unloading and parking will take place within the site, although staff will nevertheless be encouraged to use public transport. The retention of pedestrian and

cyclist access from Woodside End will assist in this respect.

226. It is confirmed that wheel-washing facilities will be provided to minimise any muck carried onto the highway, whilst any damage to the highway will be monitored and repaired.

227. The Framework Construction Logistics Plan is therefore fine, but will need to be developed into a final document in line with TfL guidance prior to works commencing on site, once the main contractor is appointed and the construction programme is finalised.

Sustainability and Energy

228. The applicant has included an Energy and Sustainability Statement to address major development sustainability requirements as set out in Policy 5.2 of the adopted London Plan.

229. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated within the residential part of the development is confirmed to emit 79 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 587 regulated tonnes per annum when designed to meet minimum building regulation requirements. This equates to an 87% reduction on the minimum Building Regulations (2013) as required within the London Plan. A carbon-offset payment is required to achieve the zero carbon goal. The offset payment shall cover a 30-year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment (approx. £142,200) will be secured through the Section 106 agreement.

230. The details of the energy efficiency improvements are as follows:

Be Lean (total savings from 'be lean': 60 tonnes / 10%)

A number of passive design measures and measures improving energy efficiency of building services have been included in the design to help to reduce the CO₂ emissions. MVHR ventilation is to be used in all flats in achieving these savings.

Be Clean (total savings from 'be clean': 165 tonnes / 28%)

The use of a gas powered Combined Heat and Power (CHP) system to minimise energy demand. The CHP will provide 86% of heat for space heating and hot water. The remaining 14% of heat demand will be covered by high efficiency gas boilers. Plans have been submitted that show how the CHP could be connected up to a future district heat network (if and when available), future proofing the development from this perspective – this would be secured by condition. The air quality report (discussed below) confirms that the CHP plant would meet a minimum emissions standard, and this is set out as one of the proposed air quality impact mitigation measures.

Be Green (total savings from 'be green': 283 tonnes / 48%)

A photovoltaic potential will be maximised by providing PV panels to all available roof space. It is expected that the flat roofs and pitched roofs will accommodate up to 1,841 PV panels with a total peak output of 662 kWp, when using the highest efficiency panels (Sunpower X22-360). The panels will be facing SE and SW to align with the buildings orientation and will be installed at a 15 deg pitch on the flat roofs and 15-35 degree pitch on the pitched roofs. This system will generate 545 MWh electricity per year, offsetting 283 tonnes of CO₂.

231. The GLA has reviewed the energy and sustainability aspects of the proposal in depth and further information and analysis of the energy strategy has been exchanged with the GLA since the GLA's stage 1 response.

232. Policy CP19 of Brent's core strategy stipulates a requirement for all major non-residential floorspace (where the cumulative non-residential floorspace exceeds 1,000sqm) to achieve a BREEAM rating of 'Excellent'. The commercial floorspace is in excess of 1,000sqm and a S106 obligation will therefore be imposed which secures appropriate BREEAM verification, with testing being undertaken at both pre build and post build stages.

Overheating

233. An overheating analysis has been undertaken in order to assess performance of the proposed development against criteria of thermal comfort and urban climate projections. A sample of the expected worst performing residential units, sample corridor and a sample commercial unit were modelled. The predicted internal temperature was simulated considering all aspects of occupancy, solar

gain and predicted internal heat gains. Specific weather conditions were tested to consider the building performance against urban heat island effects and projected future climate conditions.

234. The calculation results show that all tested residential units meet thermal comfort overheating criteria under 'future near extreme summer' conditions, demonstrating that the building is resilient to overheating during its lifetime. A complete series of tests, including 2 additional projected weather files representing distinct near-extreme summer conditions, informed the overheating strategy, which includes passive design considerations and mechanical ventilation. Mechanical cooling is not necessary for the residential units. However, commercial units are likely to require mechanical cooling to comply with thermal comfort requirements. Mechanical ventilation with heat recovery and summer bypass is required for ground floor residential units to comply with relevant criteria. It is also proposed for the commercial units, although the mechanical heating on its own does achieve compliance with overheating criteria for the commercial units.

235. Subsequent to the submission of the overheating assessment, non-material plan changes were requested and received which resulted in a number of habitable room windows being made larger, in the interests of providing more daylight into flats. This potentially has implications for the overheating assessment and associated mitigation. A condition will require that the overheating assessments and mitigation are updated to reflect the revised plans, and that the relevant mitigation is implemented prior to occupation.

Drainage and Flooding

236. The applicant has submitted a drainage strategy and flood risk assessment with the application, which have been reviewed by Brent's Local Lead Flood Authority. The Local Lead Flood Authority makes the following observations:

237. This development falls within the Flood Zone 1 and the risk of flooding is very low. There are no historical records of any flooding at this site but there have been a number of isolated incidents of the onsite pumping station for the foul sewer system failing. This pumping station is part of the public sewer network and within the responsibility of Thames Water. As discussed earlier, the new development will deliver a new pumping station and this will be to a high standard with a minimal risk of failure.

238. In order to reduce the risks of flooding in the area and within the development site, the development will provide storage tanks, permeable paving and green roofs for surface water discharge with a flow control device. The flow will be restricted to 9 l/s. In addition, the proposals to introduce landscaping across the site will also reduce the flow compared to the non-permeable surfaces that are currently present across the site.

239. This proposal will result in a reduction in the surface water discharge to the existing drainage network from the site by approximately 80%. As a result, this development will reduce the flood risk in this area and will minimise associated risks for prospective residents of the site.

240. Existing surface water is discharged to the Grand Union Canal and it is proposed that the proposed development will utilise the existing outfalls to discharge to the Canal. The Canal and River Trust, who have commented in respect of the impact on the canal, have not raised concerns in relation to this.

241. A condition will require that the drainage and flood risk documents are adhered to in full.

Construction Management

242. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A requirement for a construction method statement is to therefore form a condition of the consent. The applicant did submit a Construction Management Plan however this is not suitable for this size of development and does not provide any details on whether any piling works will be undertaken. Full details will be secured through the full condition requirement.

Noise Impact

243. The applicant has submitted a noise impact assessment which has identified that the sources of environmental noise are relatively low and the internal conditions of all flats would fall within the

acceptable range recommended in BS8233:2014. Potential for unacceptable noise impact in relation to construction and demolition for existing residents has been identified. The applicant's noise impact assessment includes a recommendation for Method Statements in relation to construction noise to be submitted. Similar details are to be required through a construction method statement which will be required by condition (as identified above).

244. Environmental Health officers have reviewed this assessment and agree with its methodology.

Air Quality

245. The proposed site is within an air quality management area and therefore due to the size of the development the applicant is required to carry out an air quality impact assessment that should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. The applicant has provided an air quality assessment by Aether dated November 2018. This assessment methodology is accepted however the report was compiled prior to onsite energy generation being finalised and an updated air quality will therefore be needed. Brent's Environment Health officers are also not satisfied that the report clearly demonstrates an air quality strategy that will achieve the air quality neutral requirements set out in the Mayor's guidance. These matters will need to be addressed and an appropriate condition will require the submission of these details at a later date.

246. Brent is currently part of the 'London low emission construction partnership'. Therefore, the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. A condition will require that these requirements are met.

Contaminated Land

247. A land contamination assessment has been submitted with the application. The assessment is awaiting review from Brent's Environmental Health officers. Depending on the conclusions of the Environmental Health officers, a condition relating to further assessment into contaminated land may or may not be needed. In the draft decision notice, a condition requiring a full contamination assessment to be submitted has been included, although this may require amendment or removal in the final decision notice based on the outcome of officer review. As stated within the recommendation, the Head of Planning would reserve the right to amend this condition accordingly following presentation at committee.

Ecology, Trees and Landscaping

248. The applicants have submitted a preliminary ecological assessment with the application. The report establishes the existing ecological value of the site and sets out a strategy for protecting and enhancing existing biodiversity on site. The application site was determined to be of negligible ecological interest, comprising industrial buildings and hardstanding. However, the buildings may support nesting birds and the adjacent canal could see use by bats as a foraging and commuting corridor.

249. The lack of notable ecological impacts identified would result in there being no further consideration of ecology at a later stage warranted, with the preliminary ecological study providing sufficient detail to inform the planning proposals.

250. Despite the lack of impact, the applicant's ecological assessment sets out a schedule of biodiversity mitigation and enhancements that will help to ensure a net gain in biodiversity is achieved through the development. The enhancements recommended for this site comprise:

- The installation of green/brown roofs and/or green/living walls
- The installation of bat boxes on elevations of the buildings adjacent to the canal
- The installation of bird next boxes into the external walls of the new buildings
- The use of native and/or wildlife friendly tree and shrub species
- The establishment of areas of species-rich wildflower grassland within areas of amenity grassland

251. A condition will require all of these aspects of mitigation and enhancement to be implemented.

252. The site sees minimal tree coverage, being heavily comprised of hardstanding and tight knit industrial development. The proposal would introduce extensive tree planting across the site which is welcomed. Tree planting is proposed along all of the new streets within the development. Brent's tree officer strongly

supports this and has requested that a detailed landscaping condition includes details of all proposed tree species, as well as details of a rain garden and the use of high retention soil for tree planting.

253. A comprehensive landscaping strategy forms part of the proposal which seeks to significantly improve the natural plant life and ecological value of the site. In terms of the public realm of the development, all new streets created by the development would see street tree planting, including a wide landscaping strip along the new adopted thoroughfare through the centre of the site. There will also be a particular focus on extensive landscaping by the canal frontage at the southern end of the site, with large grassed areas, defensible planting between the building lines and this area and numerous street trees. Significant planting is also proposed within the communal podium gardens, including strips of defensible planting around the edges of these spaces to assist with resident privacy and a large landscaping buffer at the northern end of the site to maximise softness to the edge of the site where it adjoins the triangular plot of land to the north west and to the houses at the rear.

254. The landscaping strategy is strongly welcomed and clearly offers a significant improvement compared to the existing situation, which currently sees a minimal/practically non-existent landscaping offer.

255. A condition will require that an external lighting plan is submitted.

Wind and Microclimate

256. A wind and microclimate report has been submitted. The results of the testing and associated mitigating landscaping result in a development that is designed to be a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrians) and that the development does not introduce any critical impact on the surrounding areas and on the existing buildings. However, some areas where wind levels would exceed general tolerances have been identified, with those locations all being by the entrances to some of the blocks. Suitable wind mitigation has been recommended within the report and this mitigation would largely be achievable through additional vegetation which would buffer gusts of wind at these locations.

257. A condition will require that the mitigation measures set out in the wind and microclimate report are implemented prior to the first occupation.

Fire Safety

258. The applicant has submitted a report setting out that the functional requirements of Part B of the Building Regulations can be satisfied for the development, in respect of fire safety. The report sets out preliminary details in respect of an evacuation strategy, a means of warning and escape system, the use of sprinkler systems in the taller blocks, minimisation of travel distances for residents, smoke ventilation, provision of refuge areas, emergency escape signage and lighting, limitation of internal and external fire spread and access and facilities for the fire and rescue service.

259. Fire safety is not a formal planning consideration; however, officers have sought to ensure that fire safety is an aspect that has been considered from the outset. Whilst more detailed design work will inevitably be needed, the fire safety report submitted provides a clear indication that fire safety is being considered and confirms, at this early stage, that the development is already likely to comply with the relevant part of the Building Regulations governing fire safety.

Archaeology

260. The applicant has submitted an archaeological assessment to consider whether any subterranean heritage assets are likely to be encountered during the building of the development. For this purpose, it is confirmed that the site does not fall within an archaeological priority area as defined by Brent Council and that no archaeological designated heritage assets, as defined by the NPPF, are recorded as being on or in close proximity to the site.

261. The site can be considered to have a general low archaeological potential for all past periods of human activity and past activities and uses (industrial) on the site are considered likely to have had a severe negative archaeological impact. The survey's author does not recommend any further archaeological mitigation measures to be needed in this particular instance. Brent's heritage officer agrees with the findings of the report and does not consider that any planning conditions in relation to

archaeological findings are needed.

Equalities

262. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

263. Officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of legal agreement.

264. The levels of external amenity space within the proposed development do not accord with those specified within Policy DMP19. However, given the level and quality of amenity space proposed, provision of public open space and the proximity to Grand Union Canal, the quality of accommodation for future residents is considered to be good. The limited conflict is substantially outweighed by the very considerably benefits of the proposed development.

CIL DETAILS

This application is liable to pay **£9,874,118.19** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): 18964 sq. m.

Total amount of floorspace on completion (G): 60529.77 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	39521.63		27139.49	£200.00	£0.00	£8,141,846.48	£0.00
(Brent) General business use	1382.63		949.45	£40.00	£0.00	£56,967.09	£0.00
(Brent) Social housing	19625.51		13476.83	£0.00	£0.00	£0.00	£0.00
(Mayoral) Dwelling houses	39521.63		27139.49	£0.00	£60.00	£0.00	£1,618,676.62
(Mayoral) General business use	1382.63		949.45	£0.00	£60.00	£0.00	£56,628.00
(Mayoral) Social housing	19625.51		13476.83	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (lc)	224	336
BCIS figure for year in which the planning permission was granted (lp)	336	
TOTAL CHARGEABLE AMOUNT	£8,198,813.57	£1,675,304.62

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

**Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



Application No: 18/4919

To: Mrs R Jubb
Bell Cornwell LLP
Unit 2
Meridian Office Park
Osborn Way
Hook
RG27 9HY

I refer to your application dated **20/12/2018** proposing the following:

Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising 581 residential units, flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)

and accompanied by plans or documents listed here:
Refer to condition 2

at **1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 09/03/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

The National Planning Policy Framework (2018 - revised 2019)
The London Plan (2016)
Brent Core Strategy (2010)
Brent Development Management Policies (2016)
Brent Site Specific Allocations Document (2011)
SPD1: Design Guide for New Development (2018)
Alperton Masterplan (2011)
Brent Draft Local Plan (2018)

- 1 The development to which this permission relates must be begun not later than the expiration of five years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

Proposed South Site Basement - BM32835-01-B1-SH-A-01-00B1 D0-1
Proposed South Site Ground Floor - BM32835-01-00-SH-A-01-0001 D0-2
Proposed South Site First Floor - BM32835-01-01-SH-A-01-0002 D0-2
Proposed South Site Second Floor - BM32835-01-02-SH-A-01-0003 D0-2
Proposed South Site Third Floor - BM32835-01-03-SH-A-01-0004 D0-2
Proposed South Site Fourth Floor - BM32835-01-04-SH-A-01-0005 D0-2
Proposed South Site Fifth Floor - BM32835-01-05-SH-A-01-0006 D0-3
Proposed South Site Sixth Floor - BM32835-01-06-SH-A-01-0007 D0-3
Proposed South Site Seventh Floor - BM32835-01-07-SH-A-01-0008 D0-3
Proposed South Site Eighth Floor - BM32835-01-08-SH-A-01-0009 D0-2
Proposed South Site Ninth Floor - BM32835-01-09-SH-A-01-0010 D0-2
Proposed South Site Tenth Floor - BM32835-01-10-SH-A-01-0011 D0-2
Proposed South Site Eleventh Floor - BM32835-01-11-SH-A-01-0012 D0-2
Proposed South Site Twelfth Floor - BM32835-01-12-SH-A-01-0013 D0-2
Proposed South Site Thirteenth Floor - BM32835-01-13-SH-A-01-0014 D0-2
Proposed South Site Roof Plan - BM32835-01-R1-SH-A-01-00R1 D0-1

Proposed North Site Basement - BM32835-02-B1-SH-A-01-00B1 D0-1
Proposed North Site Ground Floor - BM32835-02-00-SH-A-01-0001 D0-3
Proposed North Site First Floor - BM32835-02-01-SH-A-01-0002 D0-3
Proposed North Site Second Floor - BM32835-02-02-SH-A-01-0003 D0-3
Proposed North Site Third Floor - BM32835-02-03-SH-A-01-0004 D0-3
Proposed North Site Fourth Floor - BM32835-02-04-SH-A-01-0005 D0-3
Proposed North Site Fifth Floor - BM32835-02-05-SH-A-01-0006 D0-3
Proposed North Site Sixth Floor - BM32835-02-06-SH-A-01-0007 D0-3
Proposed North Site Seventh Floor - BM32835-02-07-SH-A-01-0008 D0-3
Proposed North Site Eighth Floor - BM32835-02-08-SH-A-01-0009 D0-3
Proposed North Site Ninth Floor - BM32835-02-09-SH-A-01-0010 D0-3
Proposed North Site Roof Plan - BM32835-02-R1-SH-A-01-00R1 D0-2

Proposed South Elevations 01 & 02 - BM32835-01-ZZ-SH-A-03-0001 D0-2
Proposed South Elevations 03 & 04 - BM32835-01-ZZ-SH-A-03-0002 D0-3
Proposed South Elevations 05 & 06 - BM32835-01-ZZ-SH-A-03-0003 D0-3
Proposed South Elevations 07 & 08 - BM32835-01-ZZ-SH-A-03-0004 D0-2
Proposed South Elevations 09 & 10 - BM32835-01-ZZ-SH-A-03-0005 D0-1

Proposed North Elevations 11 & 12 - BM32835-02-ZZ-SH-A-03-0006 D0-3
Proposed North Elevations 13 & 14 - BM32835-02-ZZ-SH-A-03-0007 D0-3
Proposed North Elevations 15 & 16 - BM32835-02-ZZ-SH-A-03-0008 D0-3
Proposed North Elevations 17 & 18 - BM32835-02-ZZ-SH-A-03-0009 D0-3
Proposed North Elevations 19 & 20 - BM32835-02-ZZ-SH-A-03-0010 D0-3
Proposed North Elevations 21 & 22 - BM32835-02-ZZ-SH-A-03-0011 D0-2
Proposed North Elevations 23 - BM32835-02-ZZ-SH-A-03-0012 D0-1 D0-2

Proposed Basement Plan - BM32835-00-B-SH-A-90-00B1 D0-1
Proposed Ground Floor Plan - BM32835-00-00-SH-A-90-0001 D0-2
Proposed First Floor Plan - BM32835-00-01-SH-A-90-0002 D0-2
Proposed Second Floor Plan - BM32835-00-02-SH-A-90-0003 D0-2
Proposed Third Floor Plan - BM32835-00-03-SH-A-90-0004 D0-2
Proposed Fourth Floor Plan - BM32835-00-04-SH-A-90-0005 D0-2
Proposed Fifth Floor Plan - BM32835-00-05-SH-A-90-0006 D0-2
Proposed Sixth Floor Plan - BM32835-00-06-SH-A-90-0007 D0-2
Proposed Seventh Floor Plan - BM32835-00-07-SH-A-90-0008 D0-2
Proposed Eighth Floor Plan - BM32835-00-08-SH-A-90-0009 D0-2
Proposed Ninth Floor Plan - BM32835-00-09-SH-A-90-0010 D0-2
Proposed Tenth Floor Plan - BM32835-00-10-SH-A-90-0011 D0-2
Proposed Eleventh Floor Plan - BM32835-00-11-SH-A-90-0012 D0-2
Proposed Twelfth Floor Plan - BM32835-00-12-SH-A-90-0013 D0-2
Proposed Thirteenth Floor Plan - BM32835-00-13-SH-A-90-0014 D0-2
Proposed Roof Plan - BM32835-00-R1-SH-A-90-00R1 D0-1

Existing Site Location Plan - BM32835-00-00-SH-A-90-1001 D0-2
Proposed Site Location Plan - BM32835-00-00-SH-A-90-1002 D0-2
Proposed Block Plan - BM32835-00-00-SH-A-90-1004 D0-2

Hard & Soft GA Plan Legend - 32835-SW-XX-RD-L-91-100 D0-1
Hard & Soft GA Plan 01 - 32835-SW-XX-RD-L-91-101 D0-2
Hard & Soft GA Plan 02 - 32835-SW-XX-RD-L-91-102 D0-2
Hard & Soft GA Plan 03 - 32835-SW-XX-RD-L-91-103 D0-1
Hard & Soft GA Plan 04 - 32835-SW-XX-RD-L-91-104 D0-1
Hard & Soft GA Plan 05 - 32835-SW-XX-RD-L-91-105 D0-1
Hard & Soft GA Plan 06 - 32835-SW-XX-RD-L-91-106 D0-2
Hard & Soft GA Plan 07 - 32835-SW-XX-RD-L-91-107 D0-1
Hard & Soft GA Plan 08 - 32835-SW-XX-RD-L-91-108 D0-1
Hard & Soft GA Plan 09 - 32835-SW-XX-RD-L-91-109 D0-2

Landscape Masterplan - 32835-00-G1-SH-A-91-0001 D0-2

Proposed Ground Floor Plan Canal Public Pathway Intersecting Red Line Boundary -
BM32835-01-00-SH-A-01-0015 S2-1

District Heat Network Future Connection - 6277-M101-P

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No part or phase of development (save for enabling works and demolition) shall commence within Phases 1, 2, 3, 4, 5, 6 and/or 7 as shown on the approved Phasing Plan with reference PL5, unless and until all estates and interests comprised in that part or phase of development are subject to and bound by the terms relating to Phase 1a, as appropriate, set out in the Section 106 Agreement dated [] made between the Council (1) and [(2)] (with the intent that all of the covenants contained therein will be enforceable without limit of time not only against all of the owners of the land, but also their successors in title and any person corporate or otherwise claiming through or under them an interest or estate in the land)

Reason: To ensure that the potential impacts of the development are mitigated through the obligations set out within the Section 106 legal agreement.

- 4 The development hereby approved shall be carried out in full accordance with the phasing plan

with reference: PL1, PL2, PL3, PL4 and PL5.

The phases of development identified on this plan are to be referred to for the purposes of considering other relevant conditions pursuant to this planning permission that require details to be discharged on a phase-by-phase basis.

The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority. Any revised phasing plan submitted shall show the location of phases, the sequencing for those phases and indicative timescales for their delivery. Any revised phasing plan which is approved in writing by the Local Planning Authority shall be implemented in full from the point at which it is approved. Any revised phasing plan which is approved in writing by the Local Planning Authority, shall, for the purposes of considering other relevant conditions pursuant to this planning permission that require details to be discharged on a phase-by-phase basis, become the relevant phasing plan to refer to.

Reason: To allow the Local Planning Authority to understand the relevant phase of development that is subject to condition discharge, and to ensure coordination between the phasing plan as approved.

- 5 The development hereby approved should be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ with the exception of the relevant disabled car parking spaces which shall provide a 1200mm space on one side of the parking space.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8

- 6 The car parking spaces, bicycle storage and residential and commercial refuse stores for each phase of the development shall be provided and made available prior to the first occupation of the relevant phase of the development hereby approved. These provisions shall thereafter be maintained for the lifetime of the development unless alternative details are first approved in writing by the Local Planning Authority.

Reason: To ensure that the development complies with parking and refuse requirements.

- 7 a) The affordable workspaces within the first floor of block G and ground floor of block F shall only be used for purposes within the use class B1(c), unless otherwise agreed in writing by the Local Planning Authority.
- b) The 645sqm commercial unit within the basement and ground floor of block G shall only be used for purposes within uses classes A1, A2, A3, A4, B1, D1 or D2, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate use of the retail units in line with expectations.

- 8 Unless otherwise agreed in writing by the Local Planning Authority, no individual commercial unit larger than 499 square metres of gross internal area shall operate within the development site.

Reason: To ensure that the vitality of Brent’s retail centres is not detrimentally affected by this development.

- 9 The development hereby approved shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 10 A communal television aerial and satellite dish system for each building shall be provided, linking to all residential units within that building unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 11 The residential units hereby approved shall at no time be converted from use class C3 residential to a use class C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any equivalent provision in any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 12 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14.

- 13 Unless alternative details are first agreed in writing by the Local Planning Authority, the details of mitigation set out in section 7 of the submitted Flood Risk Assessment (prepared by Odyssey, dated December 2018) and the drainage and SuDS strategies set out in sections 4 and 5 of the submitted Drainage Strategy (prepared by Odyssey, dated November 2018) shall be fully implemented for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

Reason: To ensure that the development mitigates surface water drainage and flood risk.

- 14 Unless alternative details are first agreed in writing by the Local Planning Authority, the details of biodiversity mitigation and enhancement set out in section 6.0 of the submitted Preliminary Ecological Assessment (prepared by ACD Environmental, dated November 2018) shall be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

Reason: To ensure that the development enhances local ecology and biodiversity.

- 15 Prior to first occupation of any residential dwellings within block E, the development shall be implemented in full accordance with the details shown on plan ref 6277 M 101 P to allow for a future connection to a district heating network.

Reason: To ensure the development is in accordance with the principle of London Plan Policy 5.6.

- 16 Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved construction logistics plan.

Reason: To ensure the development is constructed in an acceptable manner.

Pre-commencement Reason: The condition relates to details of construction, which need to be known before commencement of that construction.

- 17 Prior to the commencement of the development hereby approved:

- A survey of the condition of the waterway wall and a method statement and schedule of works identified shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The repair works identified shall be carried out in accordance with the agreed method statement and repairs schedule by a date to be confirmed in the repairs schedule.

Following the completion of the works and within 6 months of first occupation of phases 5, 6 and 7 of the development hereby approved, as indicated on phasing plan PL5:

- A further survey of the waterway wall shall be carried out, and the details submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust, to demonstrate that any necessary repair works have been carried out and that no additional damage to the wall has occurred.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

- 18 Prior to the commencement of phases 4, 5, 6 and 7 of the development, as indicated on phasing plan PL5, a detailed Impact Assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust, to demonstrate that ground movement loading generated throughout the construction phases and permanent design shall not pose a threat to the integrity of the Canal walls, foundations, lining, lock's, weirs and any other associated canal infrastructure.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained. Information should be provided prior to commencement as impacts on the canal corridor may occur during the initial construction and demolition phases.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

- 19 No development shall take place until the details of a Risk Assessment Method Statement (RAMS) have been submitted to and approved in writing by the Local Planning Authority for all activities which have a potential to impact the integrity of the Canal or any of its associated infrastructure,. These details shall include a programme of implementation in accordance with the Canal & River Trust Code of Practice for Third Party Works.

The requirements set out in the RAMS shall be followed, save for minor variations which are otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained. Information should be provided prior to commencement as impacts on the canal corridor may occur during the initial construction and demolition phases.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

- 20 Notwithstanding the details of the submitted air quality assessment (prepared by Aether, dated November 2018) Ref: AQ_assessment/2018/Alperton, prior to the commencement of the development, an updated report shall be submitted outlining any changes to the air quality assessment, compliance with Air Quality Neutral criteria and any necessary additional mitigation measures that arise as a result of the revisions to the scheme.

The development shall thereafter be implemented in accordance with the approved details.

Reason: to ensure an acceptable impact from the development.

Pre-commencement Reason: The air quality impact of the development could be impacted during construction and details should therefore be known and agreed up front.

- 21 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 22 a) Prior to the commencement of each phase of the development (excluding demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works for each phase, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. Vapour monitoring shall be undertaken as part of the assessment.

b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report for each phase shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required). The remediation works shall be carried out in full for each phase prior to first occupation of that phase of the development hereby approved.

Reason: To ensure the safe development and secure occupancy of the site.

Pre-commencement Reason: Contamination needs to be addressed prior to construction as the soil will not be as accessible following this.

- 23 Prior to commencement of the development, excluding demolition and site clearance, a plan indicating the provision of electric vehicle charging points within at least 20% of the approved car parking spaces within the site shall be submitted and approved in writing by the Local Planning Authority. Thereafter, the agreed electric vehicle charging points shall be provided and made available for use. The provision of electric vehicle charging points shall be in accordance with adopted London Plan standards, providing both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of the adopted London

Plan policy 6.13.

- 24 Prior to commencement of each phase of the development, excluding demolition, site clearance and works below ground level, a revised overheating assessment for the relevant phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The overheating assessments shall assess the potential for overheating in the context of changes to the number, positioning and size of the windows in the development since the initial submission of the application. The overheating assessments shall also set out details of any additional mitigation required to ensure an acceptable internal heat environment for the residential units.

The development shall thereafter be carried out in accordance with the approved overheating assessments and all relevant mitigation measures shall be installed prior to first occupation of the relevant phases of the development.

Reason: To ensure that an acceptable internal heat environment will be experience in each residential unit, in the interests of providing a good quality of accommodation.

- 25 Details of materials for each phase of the development, for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 26 Details of suitable mitigation to establish a comfortable pedestrian environment in respect of wind conditions experienced by pedestrians at the entrances of that building, as identified in figure 2.4 of the submitted Wind Microclimate Desk Study (prepared by BMT, dated November 2018 – Ref: 600010rep1v2 Release: 2) shall be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The approved details shall thereafter be implemented prior to first occupation of the relevant phase of the development, or, other timescales as agreed in writing by the Local Planning Authority.

Reason: To ensure a suitable pedestrian comfort level for the development.

- 27 Notwithstanding the details already submitted, further details of external noise and its effect on the residential development for each phase shall be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The revised details shall show results (and any associated mitigation that is necessary) of an assessment meeting the requirements of BS4142 which fully considers the impact of nearby industrial units, including those within the Liberty Centre.

The approved details shall thereafter be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

Reason: To ensure an acceptable noise environment for prospective residents.

- 28 Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Canal and River Trust.

The submitted scheme shall identify:

- The landscaping associated with each phase.
- All plant species, densities of planting as well as species and soil densities for all proposed trees and plants.
- Details of any new habitat created.
- Detailed plans of the child play spaces.

- Details of the use of rain gardens and high retention soil.
- External lighting locations and lux levels.
- Details of vehicle barriers preventing vehicles from being driven into the canal.

The approved landscaping for each phase of the development shall be completed prior to first planting season after the occupation of the relevant phase of the development hereby approved and thereafter maintained, unless alternative details are first agreed in writing by the Local Planning Authority.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality. To ensure the character of the Grand Union Canal is retained, and to maximise biodiversity benefits, in accordance with the Blue Ribbon Network Policies of the London Plan.

- 29 Where photovoltaic panel arrays are proposed on the roof as part of a phase of the development hereby approved, detailed drawings showing the photovoltaic panel arrays shall be submitted to and approved in writing by the Local Planning Authority within six months of the commencement of development for the relevant phase.

The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the relevant phase.

Reason: To ensure that the development minimises its carbon emissions, in accordance with London Plan policy 5.2.

- 30 Prior to the commencement of phases 4, 5, 6 and 7 of the development hereby permitted, as indicated on phasing plan PL5, a revised Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The Construction Environmental Management Plan shall include details of:

Proposed surface water arrangements (either via drains or surface water run-off) during the demolition/construction works. Details should confirm the following:

- No surface water (either via drains or surface water run-off) or extracted perched water or groundwater should be allowed to be discharged into the canal during the demolition/construction/enabling works. Such waters should be discharged to the available foul sewer or be tankered off-site.
- The existing surface water drains connecting the site with the canal must be capped off at both ends for the duration of the works – i.e. at the point of surface water ingress and at the outfalls to the canal.
- Whether the drainage system discharging to the canal serves residential or commercial areas and how many car parking spaces it serves.

Reason: To ensure demolition and construction works do not have any adverse impact on the water quality of the Grand Union Canal.

- 31 Prior to the first occupation of the development hereby permitted, confirmation must be provided to the Local Planning Authority that all wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Alternatively, a housing and infrastructure phasing plan relating specifically to the provision of wastewater network upgrades has been agreed with the Local Planning Authority, in consultation with Thames Water, to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development.

- 32 In the event that one or more of the commercial units hereby approved are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or internal ducting, must be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen. The development shall thereafter be operated at all times during the operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

- 33 Prior to occupation of the development hereby approved, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved parking design and management plan.

Reason: To ensure the development provides a safe and efficient environment in respect of pedestrian and vehicular movement across and within the site.

- 34 Prior to occupation of each phase of the development hereby approved, a delivery and servicing plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved delivery and servicing plan.

Reason: To ensure the development provides a safe and efficient environment in respect of the interplay between pedestrians and delivery/servicing vehicles.

- 35 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of such plant. All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website

- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 Notwithstanding the approval of this application, further consideration should be given to the facade treatment on the blocks where metal cladding is currently proposed at high level. In discharging the condition requiring details of materials to be submitted and approved, alternative facade finishes should be tested to better complement the brick selection.
- 5 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 6 The Canal and River Trust advise the applicant of the following:
 - Any access to, or oversailing, the Canal & River Trust's land or water during the construction must be agreed in writing with the Canal & River Trust before development commences. Please contact Bernadette McNicholas in the Canal & River Trust's Estate Team at Bernadette.McNicholas@canalrivertrust.org.uk for further information.
 - Any surface water discharge to the waterway will require prior consent from the Canal & River Trust. Please contact Chris Lee from the Canal River Trust Utilities Team (Chris.Lee@canalrivertrust.org.uk).
 - The applicant/developer should refer to the current Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained, and liaise with the Trust's Third Party Work's Engineer:
<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>.
 - Any additional moorings require the approval of the Canal & River Trusts' Business Boating Team. The applicant is advised to contact the Boating Business Manager, Tom Jackson if they wish to pursue this (Tom.Jackson2@canalrivertrust.org.uk) to discuss this
- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 8 The Council recommends that the maximum standards for fire safety are achieved within the development.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 March, 2020
04
19/2891

SITE INFORMATION

RECEIVED	12 August, 2019
WARD	Wembley Central
PLANNING AREA	
LOCATION	Land at junction of Cecil Avenue and High Road, Wembley, HA9
PROPOSAL	Full planning application for the construction of a 5 to 9-storey mixed use building comprising 250 new homes (Use Class C3), flexible workspace and community space (Use Classes A3, B1(a), B1(b) & (c) and D1/D2), landscaped courtyards and playspace, wheelchair and cycle parking, signage and wayfinding and associated plant and infrastructure
PLAN NO'S	See Condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_146568</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "19/2891" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

To resolve to grant planning permission, subject to the Stage 2 referral to the Mayor of London and subject to the conditions and informatives recommended in this report.

A. That the Committee resolve to GRANT planning permission subject to:

1. Any direction by the London Mayor pursuant to the Mayor of London Order
2. Any direction by the Secretary of State pursuant to the Consultation Direction

B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Three year rule
2. Approved plans / documents
3. No C3 to C4 conversions without planning permission
4. No B1 to C3 conversions without planning permission
5. Use of D1 community space
6. Emission standards for Non-Road Mobile Machinery
7. Provision and use of car parking, loading bays, refuse storage and cycle storage
8. Water consumption
9. Affordable housing provision
10. Training and Employment Plan
11. Energy Assessment, carbon offsetting measures
12. Contaminated land investigation
13. Construction Method Statement
14. Construction Logistics Plan
15. Future connection to district heat network
16. Details of electrical vehicle charging points
17. Details of external materials
18. Details of M4(3) wheelchair accessible units
19. S278 agreement for highway works
20. Details of landscaping
21. Details of PV panels
22. Travel Plan
23. Community floorspace management plan
24. Car park management plan
25. Commercial kitchens
26. Thames Water
27. Delivery and servicing plan
28. Parking permit restrictions
29. Mitigation of impact on bus services
30. Plant noise
31. TV aerials and satellite dishes
32. BREEAM Post Construction Completion Certificate
33. Shopfronts and signage strategy
34. Meanwhile use strategy

Informatives

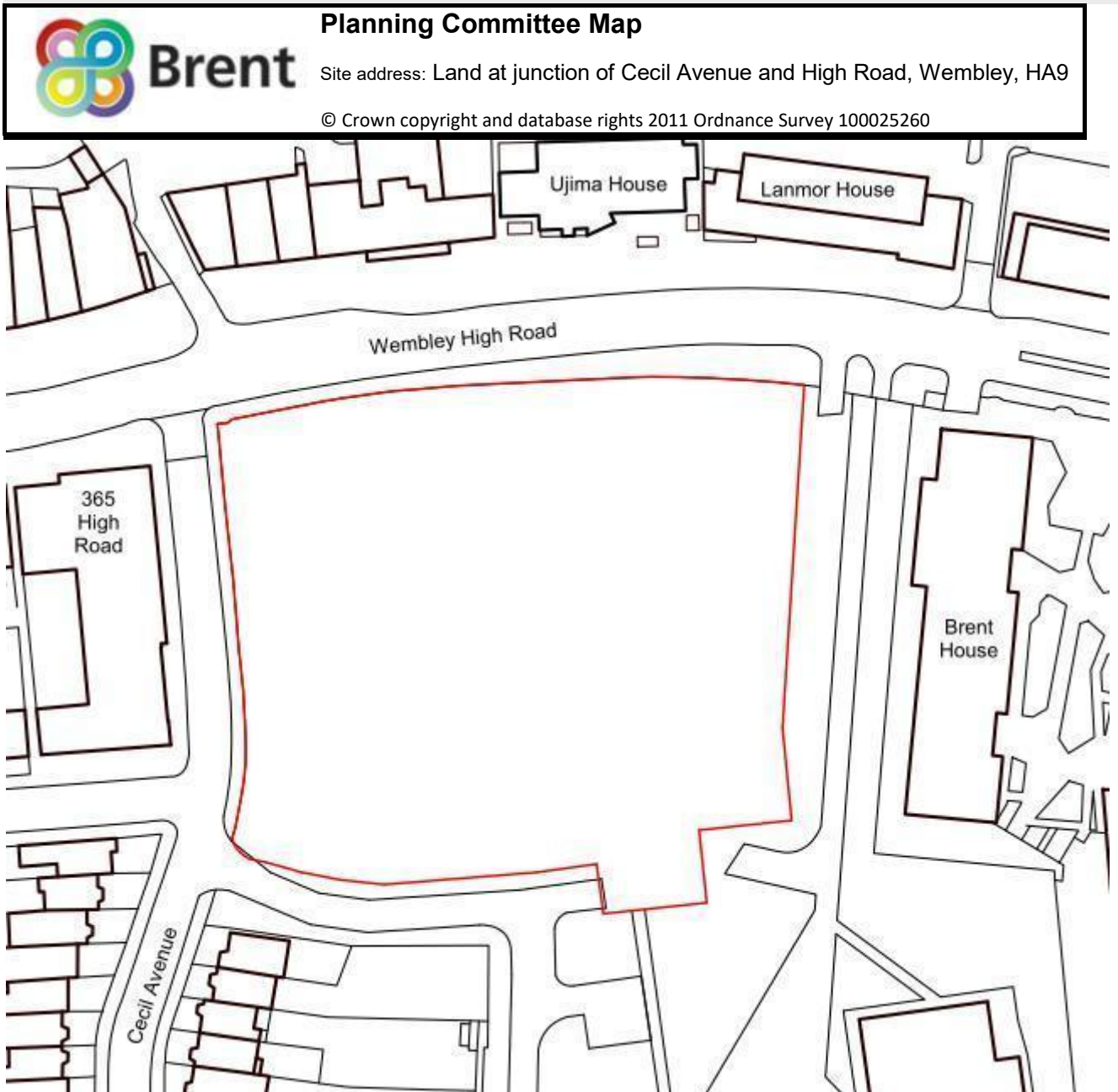
1. CIL liability
2. Party wall information
3. Building near boundary information
4. Guidance notes from Thames Water
5. Imported soil
6. London Living Wage note

7. Fire safety advisory note
8. Highway notify
9. Highway works
10. Any other informative(s) considered necessary by the Head of Planning

C. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

D. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planning of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP



This map is indicative only.

PROPOSAL IN DETAIL

The proposal is for a building ranging in height from five stories to nine stories, providing two stories of flexible workspace and community floorspace (up to 3,622sqm, of which a minimum of 667sqm would be for community use and the remainder in B1 or A3 uses) on the High Road frontage, with the remainder of the building in residential use comprising 250 units (92 x 1bed, 94 x 2bed, 42 x 3bed and 22 x 4bed). Falling ground levels allow for an additional two 'basement / lower ground' stories to be provided towards the rear of the site, where car parking, cycle parking, bin storage and plant would be provided in a part-basement beneath a podium garden. Vehicle access would be from Cecil Avenue using part of the access road serving the Ark Elvin Academy. Pedestrian access into the podium garden, which would be open to the public, would be via a central undercroft passage from the High Road leading to a ramped walkway. Two smaller private courtyards would be provided for the use of residents.

EXISTING

The site is the location of the former Copland School, on the southern side of Wembley High Road with a secondary frontage along the eastern side of Cecil Avenue. It is roughly square in shape and ground levels fall sharply to the south. The school buildings have been demolished and the school has been reprovided as the Ark Elvin Academy immediately to the south of the site, with vehicle access from Cecil Avenue and pedestrian access from the High Road to the east of the proposal site. The adjacent site at Brent House has recently been redeveloped as a mixed use development with ground floor flexible commercial floorspace and residential accommodation within the remainder of the site.

AMENDMENTS SINCE SUBMISSION

Revised plans were received on 28 February 2020, showing minor changes to the basement layout, following discussions with Highways officers regarding refuse collection.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Five letters of objection were received regarding some of these matters. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Neighbour objections: Five neighbour objections have been received, raising concerns about the cumulative impact of new developments in the area and the need for improvements to public transport and utilities provision and increased numbers of school places to support new development. Concerns specific to this development include its height, density, north facing units, and lack of landscaping and trees. Some objections relate to the principle of redeveloping the site and argue that it should become an open green space or developed for a school or community use. These issues are considered at the relevant points in the report.

Principle of development: The site has been allocated for mixed use residential-led redevelopment since 2015. The proposal would bring forward a significant amount of new floorspace for commercial and community uses, which would create an active frontage along the High Road, and would contribute to the vitality and viability of the town centre while helping to foster new economic opportunities and strong communities. It would also provide 250 residential units to contribute to Brent's housing targets, improved public realm and open space accessible to the public. The proposal responds well to the adopted and emerging site allocations, and is strongly supported in principle.

Housing mix and affordable housing: The proposal would provide a high proportion (26%) of family sized units and 40% affordable housing (by habitable room), of which 42% would be family-sized units. The proposed tenure split is 60:40 affordable rent to shared ownership. The applicant's financial viability appraisal has been robustly reviewed by independent consultants and this process has demonstrated that the offer is beyond the maximum amount of affordable housing that the site can support.

Design, scale and appearance: The proposed perimeter block would make effective use of the site and the maximum height of nine stories on the High Road frontage is considered acceptable within the emerging street scene, while the four-five storey height at the rear of the site would respect the more traditional

residential character of Cecil Avenue. The architectural composition and detailing are considered to be of high quality, creating a distinctive building of character and adding considerable visual interest to the street scene. Overall the design approach is strongly supported.

Impact on heritage assets: The impacts on archaeological interest and on the setting of the Church of St Joseph have been assessed and it is considered that no harm would occur.

Residential living standards: The 250 residential units would be of high quality, with efficient layouts and the majority (75%) being dual aspect. They would all have access to private balconies or terraces and to a variety of high quality external amenity areas on site including several playspaces, and the overall amount of amenity space is considered to be of good quality and acceptable, despite it falling short of the requirements set out in Policy DMP19.

Relationship with neighbouring properties: The proposed building would comply with Brent's standards for separation distances and the 45 degree line in relation to residential properties on Cecil Avenue and would maintain an appropriate distance from other properties on the High Road. Detailed analysis of the impact on daylight to neighbouring properties shows that these impacts would mainly affect the adjacent new development at Brent House, and this is considered inevitable in high density urban contexts.

Sustainability and energy: The proposal would achieve a 35% reduction in residential carbon emissions compared to the 2013 Building Regulations baseline, a 49% reduction in non-residential emissions and a BREEAM Excellent rating. Further opportunities to reduce emissions would be sought in the detailed design and construction process, and a financial contribution to carbon offsetting, estimated to be £298,484, would be secured by condition.

Flood risk and drainage: The drainage strategy achieves the greenfield runoff rate for surface water and additionally proposes attenuation tanks below ground to store flood water from the most severe storm events. The local lead flood authority consider this to be a suitable strategy for this site.

Trees and biodiversity: The proposal would lead to the loss of a London Plane tree on the High Road frontage which is subject to a Tree Preservation Order, in addition to a number of less significant trees on the site. Your officers acknowledge that the loss of the tree is necessary to facilitate an acceptable form of development, and welcome the proposed planting of 49 replacement trees (five new trees for every tree lost) including six street trees. No ecological value exists on the site, and measures to enhance biodiversity would be secured through the landscaping scheme.

Environmental health considerations: Air quality, noise and land contamination have been assessed, and environmental health officers have recommended conditions as appropriate to mitigate any impacts, including those arising from the construction process.

Transport: The proposal includes 40 car parking spaces at basement level, which complies with Brent's maximum allowance and London Plan requirements for disabled parking, and a single point of vehicle access from the access road serving the Ark Elvin Academy at the rear of the site. The site is in a Controlled Parking Zone with excellent access to public transport, and future residents would not be eligible for on-street parking permits. Cycle parking would be provided in compliance with London Plan standards, and waste storage and collection arrangements would be acceptable. Highway works and a Travel Plan would be required by conditions. A financial contribution to TfL for improvements to bus services would be required and conditioned, and the exact amount is to be confirmed.

RELEVANT SITE HISTORY

15/3161

Full Planning Permission

Granted 23/10/2015. Development now completed

Demolition of existing buildings on site and erection of replacement building to accommodate a three storey 9FE secondary school for 1750 pupils (1350 11-16 year old and 400 post 16) with associated car parking, servicing and circulation space, Multi Use Games Area, All Weather Pitch, games areas and other hard and soft landscaping, together with the diversion of Public Right of Way (PROW) No.87

CONSULTATIONS

679 neighbouring properties were consulted by letter on 21 August 2019. Site notices were posted near the site on 21 August 2019 and a press notice was published on 22 August 2019. Five objections were received and are summarised as follows:

Comment	Officer response
Proposal does not consider cumulative impact of developments in the area	Cumulative impacts of new development are assessed and planned for as part of the preparation of local plan documents, and it is not necessary to test these in the assessment of all individual schemes.
Already too many flats in Wembley including very tall buildings with direct views into neighbouring gardens	The need for additional housing is set out in paragraphs 8 to 11. The potential impacts on privacy are assessed in relation to the current proposal in paragraphs 73 to 75.
Existing flats in the area are vacant, suggesting over-supply, and people want houses not flats	The Council continues to have a significant shortfall of housing and is required to meet its housing targets set out in policy. In dense urban areas, flats often represent the most efficient use of the land available and it is unlikely to be possible to meet the housing targets should new homes be restricted to houses.
New housing not being supported by improvements in local transport, utilities provision or new school places	Infrastructure requirements are identified through the preparation of local plan documents and through consultation with statutory consultees on individual schemes. New development provides funding towards infrastructure improvements through the Community Infrastructure Levy and s106 planning obligations. A significant amount of social and transport infrastructure has been delivered or secured within Wembley.
Development in other parts of the borough and other boroughs is not concentrated in one spot	Brent's Core Strategy 2010 and emerging new Local Plan identify Growth Areas that are capable of providing most of the new housing required in the Borough, but also allow for new developments to come forward throughout the Borough. The latter is inevitably on a smaller scale and more dispersed. Other boroughs may take a different approach to housing delivery, but these would also involve considering various approaches and consultation with local residents.
Land was intended to revert to green space following redevelopment of school. It should be used for other priority services such as schools or healthcare.	The proposal for the redevelopment of the school did not include any specific plans for the future use of this site. However, the site was allocated for redevelopment in the Wembley Area Action Plan 2015, which was subject to extensive public consultation, and has never been subject to any green space designation. The proposal includes publicly accessible space, but providing the entire site as green space would not make efficient use of the available land and other public spaces are available in the vicinity (e.g. King Edward VII Park).
Adjoining Brent House lacks amenity space for residents.	This is not a material planning consideration in relation to the current application. Nevertheless, external amenity space is being provided within the adjoining development.
Development is excessive in height and too	Please see 'Design, Scale and Appearance'

dense, will create wind tunnel and claustrophobic feel to High Road. Frontage is too close to footpath.	paragraphs 38 to 43. In terms of creating a wind tunnel, the development is not significantly taller than its surroundings.
North-facing flats would not receive any sunlight.	Please see 'Residential Living Standards' paragraph 58.
Lack of landscaping and trees would not help counteract air pollution.	Tree planting and landscaping along the High Road frontage and within the site is part of the proposals. Please see 'Trees and Biodiversity' paragraphs 103 to 107.
Proposal would add to existing problems of traffic congestion and air quality.	Please see 'Environmental Health Considerations' paragraphs 112 and 113, and 'Transportation Considerations' paragraphs 140 to 148.

Statutory and internal consultees

Greater London Authority / Transport for London Stage 1 response:

- Principle of development: The redevelopment of this vacant brownfield site to deliver a significant quantum of housing and affordable housing alongside commercial and community floorspace is strongly supported.
- Housing: The applicant is proposing 40% affordable housing (by habitable room) at a tenure split of 60/40 in favour of affordable rent. Whilst the affordable housing offer is generally supported, it does not meet the 50% public land threshold for the Fast Track route and is currently being scrutinised by GLA officers.
- Urban design: The design quality of the scheme is considered to be of high quality and the site appropriately optimised. The Council should secure the submission of key facing materials.
- Sustainable development: Further information and justification is required in respect of energy, flood risk and drainage and urban greening.
- Transport: The Council is required to secure conditions/obligations in respect to; a delivery and servicing plan, a construction management plan, a travel plan, vehicle parking, cycle parking, permit free scheme and a bus service contribution (exact amount to be confirmed). The applicant must also provide further information in respect to; vehicle and cycle parking.

These issues are discussed in the main body of the report.

Historic England (Greater London Archaeological Advisory Service): No objection

Secure by Design Officer: Recommends detailed design and management strategies to reduce opportunities for crime and the fear of crime. These are discussed in the main body of the report.

Thames Water: No objection subject to conditions

Local Lead Flood Authority: No objection

Sustainability Officer: Makes detailed recommendations to improve energy strategy and further reduce carbon emissions. These are discussed in the main body of the report.

Environmental Health (including noise control team): No objection subject to conditions

Pre-application consultation

The applicant's Statement of Community Involvement sets out the public consultation and engagement activities undertaken by the applicants prior to submitting the application. These included two public exhibitions, a workshop on play hosted at Elsley Primary School, two meetings with the Principal of Ark Elvin Academy, and a variety of work experience opportunities provided for students. Households, businesses and organisations within a 250m radius have been leafleted, a website was set up to publicise the proposals more widely and the Stephen Lawrence Charitable Trust has been involved in further engagement with young people.

These activities are considered to be appropriate to the scale of the development and to reflect the recommended level of pre-application engagement set out in Brent's Statement of Community Involvement.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan 2016, Brent Core Strategy 2010, Brent Development Management Policies 2016 and the Wembley Area Action Plan 2015.

Key policies include:

London Plan 2016

- 2.13 Opportunity Areas and Intensification Areas
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.16 Protection and enhancement of social infrastructure
- 4.2 Offices
- 4.7 Retail and town centre development
- 5.2 Minimising carbon dioxide emissions
- 5.10 Urban greening
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality

Brent Core Strategy 2010

- CP1 Spatial Development Strategy
- CP2 Population and Housing Growth
- CP6 Design & Density in Place Shaping
- CP7 Wembley Growth Area
- CP15 Infrastructure to Support Development
- CP16 Town Centres and the Sequential Approach to Development
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock
- CP23 Protection of existing and provision of new community and cultural facilities

Brent Development Management Policies 2016

- DMP1 Development Management General Policy
- DMP4A Shopfront Design and Forecourt Trading
- DMP7 Brent's Heritage Assets
- DMP8 Open Space
- DMP9b On Site Water Management and Surface Water Attenuation
- DMP12 Parking
- DMP13 Movement of Goods and Materials
- DMP15 Affordable Housing
- DMP18 Dwelling Size and Residential Outbuildings
- DMP19 Residential Amenity Space

Wembley Area Action Plan 2015

WEM1 Urban form
WEM2 Gateways to Wembley
WEM3 Public Realm
WEM5 Tall Buildings
WEM6 Protection of Stadium Views
WEM8 Securing Design Quality
WEM10 Low-cost Business Start-up Space
WEM13 Western Highway Corridor
WEM15 Car parking standards
WEM16 Walking and Cycling
WEM19 Family Housing
WEM21 Wheelchair Housing and Supported Housing
WEM24 New retail development
WEM29 Community Facilities
WEM30 Decentralised Energy
WEM32 Urban Greening
WEM33 Flood Risk
WEM34 Open Space Provision
WEM38 Play Provision
Site Allocation W5

The following are also relevant material considerations:

The National Planning Policy Framework 2019
Planning Practice Guidance including the National Design Guide
SPD1 Brent Design Guide 2018
Brent Waste Planning Guide 2013
Mayor of London's Play and Informal Recreation SPG 2012
Mayor of London's Sustainable Design and Construction SPG 2014
Mayor of London's Housing SPG 2016
Mayor of London's Affordable Housing and Viability SPG 2017

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Key relevant policies include:

Draft New London Plan

Key policies include:

SD1 Opportunity Areas
SD6 Town centres and high streets
E1 Offices
S1 Developing London's social infrastructure
S3 Education and childcare facilities
S4 Play and informal recreation
H1 Increasing housing supply
H5 Delivering affordable housing
H6 Threshold approach to applications
H7 Affordable housing tenure
H12 Housing size mix
D1 London's form and characteristics

D2 Delivering good design
D3 Inclusive design
D4 Housing quality and standards
D5 Accessible housing
D6 Optimising housing density
D7 Public realm
D11 Fire safety
G1 Green infrastructure
G5 Urban greening
HC1 Heritage conservation and growth
SI2 Minimising greenhouse gas emissions
SI5 Water infrastructure
SI12 Flood risk management
SI13 Sustainable drainage
T5 Cycling
T6 Car parking

Draft Local Plan

Key policies include:

DMP1 Development management general policy
BP7 Southwest
BSWSA9 Former Copland School
BD1 Leading the way in good urban design
BD2 Tall buildings in Brent
BD3 Basement development
BH1 Increasing housing supply in Brent
BH2 Priority areas for additional housing provision within Brent
BH5 Affordable housing
BH6 Housing size mix
BH13 Residential amenity space
BSI1 Social infrastructure and community facilities
BE1 Economic growth and employment opportunities for all
BE7 Shop front design and forecourt trading
BHC1 Brent's Heritage Assets
BHC2 National Stadium Wembley
BHC3 Supporting Brent's culture and creative industries
BGI2 Trees and woodlands
BSUI1 Creating a resilient and efficient Brent
BSUI2 Air quality
BSUI4 On-site water management and surface water attenuation
BT1 Sustainable travel choice
BT2 Parking and car free development
BT3 Freight and servicing, provision and protection of freight facilities

DETAILED CONSIDERATIONS

Planning history and background

1. The site was previously the location of the Ark Elvin Academy (formerly Copland Community School). Planning permission was granted on 23 October 2015 under reference 15/3161 for the demolition of the school buildings and construction of a new school building on part of the school grounds immediately to the south of the site. This development included a new vehicle access from Cecil Avenue, pedestrian access from Wembley High Road between the site and the former Brent House site, and the diversion of Public Right of Way (PROW) No 87, but did not include any proposals for the site itself.
2. The new school has now opened and the buildings on the site have been demolished. An application has been made to the Secretary of State for Education for the release of the site from educational use, however notwithstanding the need for this approval in order to redevelop, the site remains in educational use in planning terms until permission is granted for an alternative use or uses.
3. The Wembley Housing Zone is one of a number of Housing Zones designated by the Mayor of London in November 2015 and in March 2018 the Council signed a Borough Intervention Agreement (BIA) with the

Greater London Authority (GLA) to secure GLA funding in return for a commitment to deliver new homes including affordable housing. The proposal is one of a number of development projects within the Wembley Growth Area being taken forward by Brent's Regeneration Team under this agreement. Cabinet approval has been secured at appropriate points for the use of Council resources in this way.

4. The Council's Regeneration Team is the applicant making this planning application, and there is no third-party developer involved at this stage. The role of the Local Planning Authority in determining planning applications is legally and functionally separate from the role of the applicant. Under the Town and Country Planning General Regulations 1992 (as amended), local authorities must make planning applications in the same way as any other applicant, and the same procedures must be followed in determining the application. However, a s106 legal agreement would not be entered into as there is no third party, and matters that would normally be secured through the s106 would in this case be secured by conditions.

Environmental Impact Assessment

5. On 19 November 2018 the applicants submitted a request for an Environmental Impact Assessment Screening Opinion. On 27 November 2018, the local planning authority published its Screening Opinion, which concluded that an Environmental Impact Assessment was not required for this development.

Principle of development

Redevelopment of school site

6. As noted above, the school formerly on the site has been reprovided immediately to the south as part of the rationalisation and redevelopment of the wider school site. As such, the site is no longer required for educational use, and it was allocated for redevelopment in the Wembley Area Action Plan 2015. The loss of the educational use on this site is therefore considered acceptable in this instance.
7. It is noted that neighbour objections have been received, suggesting that the provision of open green space on the site for public use was intended as part of the construction of the Ark Elvin Academy to the south. However, the use or redevelopment of this site did not form part of the application (reference 15/3161) to redevelop the wider school site, and the site has never been subject to any open space designations that would protect it for this use. It has not been accessible to the public at any time, and no pattern or expectation of its use as open space has been established.

New housing

8. The NPPF 2019 expects the planning system to boost significantly the supply of housing, including by identifying key sites in the delivery of their housing strategy. London Plan 2016 Policy 2.13 identifies Wembley amongst the opportunity areas providing brownfield land with significant capacity to accommodate new development linked to existing or potential improvements to public transport accessibility, and Brent's Core Strategy Policy CP1 also aims to concentrate housing growth in well located key growth areas including Wembley. Policy CP2 sets out a target for delivering 22,000 new dwellings (including 11,500 in the Wembley Growth Area) over the 2007-2026 period. The Wembley Area Action Plan translates these general policy aims into specific policies and proposals for the Wembley area.
9. The draft new London Plan is expected to be adopted in the near future, and proposes a substantial increase in housing targets across London, including a target for Brent of up to 2,325 new homes per year, and a new design-led approach to density and optimising the development potential of sites. Brent is also in the process of preparing an updated draft Local Plan, which responds to these targets by proposing plan-led growth and site-specific allocations concentrated in a number of Growth Areas. Emerging policy BH1 reflects the draft London Plan target. These emerging policy documents are material considerations that carry weight in the determination of this application as they progress due to their advanced stage of preparation.
10. The application site is proposed to be allocated (reference BSWSA9) in Brent's draft Local Plan for residential-led mixed use development including indicative capacity for around 250 residential units. The proposed allocation carries forward the adopted Wembley Area Action Plan 2015 site allocation W5, which seeks mixed use redevelopment of the site with commercial retail uses on the ground floor of the High Road frontage and residential uses above. The designation of Wembley as a Housing Zone also

identifies it as an area with high potential for residential growth, with additional funding provided to support this growth.

11. The proposal includes 250 new housing units. This part of the proposal is strongly supported by the existing and emerging policy context, and is in accordance with the proposed site allocation.

Non-residential uses

12. The NPPF 2019 encourages the planning system to promote the long term vitality and viability of town centres by allowing them to grow and diversify in response to changes in retail and leisure markets whilst meeting needs for town centre uses including retail, leisure and office uses, and encouraging residential development on appropriate sites. It also seeks the provision of shared spaces and community facilities to enable social interaction and foster safe and healthy communities.
13. The site is within Wembley Town Centre and Brent's Policy CP16 promotes Wembley as the preferred destination for major new town centre development. Policy CP23 seeks new multi-functional community facilities (excluding schools and health facilities) to support new housing at a rate of 370sqm per 1000 new population.
14. The proposed site allocation BSWSA9 seeks a mixed use development, noting that the ground floor on the High Road frontage should contain a continuous active frontage of main town centre uses to continue the road line between the former Brent House development and the retail units to the west. The site allocation does not make specific reference to community facilities. This is considered to be consistent with the more flexible direction on town centre policy set out in the NPPF 2019. The site allocation also highlights that no specific infrastructure requirements are identified.
15. The proposal would provide 3,622sqm of commercial and community floorspace, located over ground and lower ground floors on the High Road frontage and immediately behind it. This would include two x two-storey spaces behind the main frontage, each of which would be 667sqm in floorspace and would include a double-height space which could be used for public meetings, films and live performances and for leisure facilities such as climbing walls, as well as smaller rooms for meetings. These spaces would be accessed from the Cecil Avenue frontage and from the High Road respectively. The proposal would secure the space accessed from Cecil Avenue for D1 community use, and the other space could potentially also be made available for community use, subject to overall scheme viability. A management plan would be required by condition, including arrangements for governance, details of facilities available and the range of acceptable uses, publicising the space to local community groups and encouraging their involvement, hire charges and conditions, and overseeing and publicising a diverse programme of events and activities.
16. The remaining floorspace (2,995sqm) would be along the High Road frontage and has been designed to provide units of various sizes that could be let as single storey or two storey spaces depending on tenants' requirements. This is proposed to be flexible workspace that could accommodate various office, research and light industrial uses covered by the B1(a), B1(b) and B1(c) use classes, in addition to A3 café/restaurant uses. A condition is recommended, to withdraw permitted development rights for changes to residential use, to ensure the active frontage is retained.
17. Within the building envelope, a podium garden would be provided towards the rear of the site, accessed from the High Road entrance. This would be open to the public during the day in addition to providing amenity space for residents, and is considered to be an additional benefit of the scheme.
18. The provision of community floorspace, B1 floorspace and A3 uses would provide an active frontage on the High Road and would contribute towards the vitality and viability of the town centre. The combination of uses would provide opportunities for social interaction and new business growth, providing facilities to support the community, helping to regenerate this part of the town centre and encouraging economic growth within the Borough. The proposal would also respond well to Draft Local Plan Policy BP7, which seeks active frontages in this area to create a stronger link between Wembley Central and Wembley Park town centres. This part of the proposal is strongly supported by the policy context, and also responds to growing evidence of a shortage within Brent of modern workspace that could accommodate various office, research and light industrial uses covered by the B1(a), B1(b) and B1(c) use classes. However, notwithstanding evidence of demand, a condition to secure a meanwhile use strategy is recommended, should an extended period of vacancy occur immediately following the completion of the building that could detract from the active frontage and the vitality and viability of the town centre.

19. Brent's draft Local Plan Policy BE1 seeks at least 10% of workspace to be affordable in the Wembley Growth Area. The Design & Access Statement states that there is an aspiration to provide affordable workspace as part of the scheme, although no definite commitment has been made. However, your officers consider that only limited weight can be given to this draft policy as concerns have been raised with regard to its impact on viability. In this case there is no established employment use on the site and that consequently the provision of a large amount of employment and community floorspace is a substantial planning benefit in itself, notwithstanding the lack of affordable workspace. Furthermore, complying with this emerging policy requirement would reduce the amount of affordable housing that could be delivered, and that the latter should take precedence in this case given the Council's legally binding Housing Zone agreement with the GLA to deliver a minimum quantum of affordable housing.
20. Overall the mix of uses proposed is considered to be supported by the adopted and emerging policy context, and to be appropriate to the site and its location. The proposal is considered to be acceptable in principle.

Housing mix and affordable housing

Policy background

21. Core Strategy Policy CP2 sets out aims for new residential developments to achieve the London Plan target of 50% affordable housing and to provide at least 25% family sized accommodation (3bed or larger units). Policy CP21 and Wembley Area Action Plan Policy WEM19 require an appropriate housing mix on major developments, including a target of 25% family sized housing. Brent's approach to securing affordable housing provision is set out in more detail in Policy DMP15, which requires an economic viability assessment to support proposals for less than 50% affordable housing and sets out a preferred tenure mix within the affordable housing provision of 70% social or affordable rent and 30% intermediate housing.
22. Draft Local Plan Policy BH6 carries forward the target of 25% family sized dwellings but also allows for exceptions to this where the location or characteristics of the development preclude its providing a high quality environment for families, or its inclusion would fundamentally undermine the delivery of other policies.
23. Draft London Plan Policy H6 proposes a threshold approach to delivering affordable housing. In order to qualify for the fast track approach, a threshold of 50% affordable housing (by habitable room) is required for land in public ownership.

Proposal

24. The housing mix proposed is as follows:

	1bed	2bed	3bed	4bed	total
Total nbr units	92	94	42	22	250
% total mix	37%	38%	17%	9%	

25. This amounts to provision of 26% family sized units, which exceeds the policy requirement, and the inclusion of 4bed units is particularly welcomed as it addresses the specific shortage of larger family housing.
26. The proposal includes 40% affordable housing by habitable room (35% by unit), with a tenure split of 60:40 of affordable rent to intermediate (either rented or shared ownership). The breakdown of housing proposed by unit size and tenure is as follows:

	1bed	2bed	3bed	4bed	total
Market housing	74	61	19	8	162
Affordable rent	12	12	15	13	52
Intermediate	6	21	8	1	36
% affordable mix	20%	37%	26%	16%	
Total	92	94	42	22	250
% total mix	37%	38%	17%	9%	

27. The delivery of affordable housing would be weighted towards family-sized units, and this is welcomed.

The affordable units would be distributed throughout the building, including one of the main High Road cores, the stacked maisonettes and many other units facing onto the courtyard garden.

Financial Viability Assessment

28. A Financial Viability Assessment (FVA) is required to demonstrate that the proposal would deliver the maximum reasonable proportion of Affordable Housing as the proposed proportion of Affordable Housing falls below 50% (as required by Brent Policy DMP15, emerging Brent Policy BH5 and the draft London Plan fast-track threshold route set out in draft London Plan Policy H5) and the Affordable Housing ratio (60:40) is not in line with the Brent Policy ratio of 70:30. A FVA has been prepared on behalf of the applicant by BNP Paribas and submitted in support of the application. This demonstrates that the proposal generates a deficit against the site's benchmark land value on the assumption that no grant funding is available.
29. Adopted policy and guidance requires benchmark land value to be based on Existing Use Value plus a premium to encourage the site to come forward. This is consistent with the approach provided in Planning Practice Guidance. On this basis, a BLV of £4.125m has been agreed by both parties, based on the existing D1 use of the site. The FVA indicates that with this BLV the current scheme proposing 35% affordable housing (by unit) on a 60:40 split would generate a deficiency of £3,841,721. If the affordable housing ratio was amended to 70:30, the scheme would generate a deficiency of £4,659,182. A sensitivity analysis has been undertaken keeping the number of affordable rent units the same (52 units) but reducing the number of intermediate units to 22 to provide a 70:30 split (accounting for 29.6% Affordable Housing). This still results in a deficit of £1,763,926 compared to BLV. This demonstrates that the scheme is delivering beyond the maximum amount of affordable housing on a nil grant basis. The scheme could not deliver any additional affordable rent units and the applicant has chosen to top up affordable housing provision with additional intermediate units.
30. Affordable housing provision, together with early stage and late stage viability reviews, would be secured by condition. The review mechanism would enable the Local Planning Authority to capture any uplift in affordable housing, taking into account any variation to construction costs, sales values and available grant funding.

Design, scale and appearance

31. Policy DMP1 requires the scale, type and design of development to complement the locality, and the Brent Design Guide SPD1 provides further advice on general design principles. The NPPF also emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation.
32. The character of the surrounding area is mixed, with traditional three-storey retail developments being interspersed with larger scale modern buildings of varying heights. Recent and forthcoming developments have included some significantly taller buildings and the proposed site allocation describes the site as being suitable for buildings of a mid-range height to mediate between the ten stories of the former Brent House development and the seven-eight stories of the Great Western Hotel. Ground levels fall by approximately 6m from the northern to the southern site boundary, with the wider area to the south of the site being characterised by small-scale two-storey housing.

Height, scale and massing

33. The proposed building takes the form of a perimeter block with two internal spurs, which makes effective use of the roughly square shaped site. On the High Road frontage, the building would be divided vertically into seven distinct elements with a rhythm of alternating projecting bays and recessed elements, which would be mainly eight stories in height. The projecting bays on the corners of the site would provide strong definition of the edges of the building, and the two projecting bays flanking the central entrance element would rise to nine stories, creating a prominent focal point within the centre of the site.
34. This approach draws on traditional mansion block forms and is considered to provide a well-articulated, balanced and harmonious composition which successfully modulates the bulk and mass of the building and would make a positive contribution to the Wembley High Road street scene.
35. Policy WEM5 defines tall buildings as being over 30m in height, and identifies this site as being sensitive to tall buildings. Draft Policy BD2 also adopts the 30m height criterion, and directs tall buildings towards identified areas including town centres and site allocations. The site is an allocated site in a town centre

and in a proposed Tall Building Zone in the draft Local Plan. Draft Policy BHC2 also identifies this part of the High Road as being within a protected view corridor to retain views of Wembley Stadium. However, the maximum height of the building does not exceed 30m and only some elements along the High Road frontage reach this height, and consequently it is not classified as a tall building under these policies. The proposed building would be of slightly lower height than the adjacent Brent House development and Elizabeth House, which would be more prominent in views towards the Stadium than the proposed building, and therefore it is not considered that it would have any adverse impacts on protected views of the Stadium. The height of eight to nine stories is considered to be acceptable within the emerging context of this Growth Area, which includes a number of existing and consented buildings on the High Road of the same or greater height.

36. On the side elevations the height would step down to six stories including the lower ground (podium) floor, which would be at ground level at a distance of 30m from the High Road frontage due to falling ground levels. The building along the side elevations would be articulated by the regular fenestration pattern including windows interspersed with inset and projecting balconies, which together with the stepping down in height would modulate the bulk and mass of the building. The street scene to the sides of the proposed building is dominated by the Best Western Hotel to the west and the redevelopment of Brent House to the east, both tall and bulky buildings, and the overall bulk and height of the building along the side elevations is considered acceptable in this context and to respond effectively to the two-storey residential areas to the south on Cecil Avenue.
37. The rear elevation would step down again to four stories with a set back fifth storey, the ground level at this point being two stories below that of the High Road frontage. This elevation would face onto the Ark Elvin Academy and its access road, and the row of two-storey housing on Cecil Avenue, and the reduced height is considered to be appropriate to the lower height of the school buildings and more traditional residential character of Cecil Avenue.

Relationship with street, external spaces and public realm

38. The front building line would be set back from the site boundary to provide a pavement width along the High Road increasing from 5m on the western corner to 13m on the eastern corner. This would be wider than the existing pavement, which is 3m to 6m wide at this point, and is considered to provide sufficient width for pedestrian activity and enhanced public realm including new street tree planting, and to maintain a comfortable relationship between the building and the street.
39. The front of the building would be divided into two wings at ground floor, arranged as a number of commercial units and orientated at an angle to one another to respond to the slight curve in the road alignment, creating an open entrance space between the two. The commercial units would provide an active frontage at street level and would include open stairwells providing views down into the lower ground floor of the units, and the repeating pattern of small units would break up the frontage to provide a human scale and add visual interest at street level.
40. The central entrance space would feature colonnades along the sides of the flanking commercial units and would be 10m wide at the entrance and partly two-storey in height. These features would help to create a sense of arrival for both residents and other users of the space, and would define it as being of a civic scale and to encourage pedestrian footfall into the street.
41. The entrance space would lead to a ramped central courtyard and stepped access between the two internal spurs of the building leading down to the podium level garden, which would also be open for public use and organised as a series of play spaces. The provision of an extensive amount of public open space is considered to be one of the benefits of the scheme, and natural surveillance from residential units facing onto the courtyard would help to create a safe and secure environment. However, security measures would be required as part of a management plan to ensure the space was not misused, and this would include its being closed to the public at night and during Event Days.
42. On the western Cecil Avenue side elevation, entrance to one of the two-storey D1 community use spaces would be located at podium level, together with a secondary pedestrian entrance into the courtyard, and these would help to activate the frontage along this elevation, whilst decorative brick treatments would provide an additional design feature to manage the changing ground level and help to maintain visual interest for passersby. On the eastern elevation the building would face onto the pedestrian entrance from the High Road to the Ark Elvin Academy, which is for the private use of school students and consequently the lack of an active frontage on this elevation is not considered to be of concern. The southern elevation would feature private gardens for family-sized units at ground level (level B2 of the

building) and whilst they would not provide an active frontage this is considered acceptable as they would face onto the access road which only serves to provide vehicle access to the Ark Elvin Academy and pedestrian footfall is minimal.

43. The residential cores would be accessed via the internal spaces, from the main High Road entrance or the secondary entrance on Cecil Avenue. To the sides of the internal spurs would be smaller courtyards at ground floor level providing private amenity space for residents, and these would also provide access to the northwestern and northeastern cores. Providing access to cores through internal spaces rather than directly from the street is a typical feature of the mansion block typology, and allows for a continuous commercial frontage along the High Road. It also resolves the potential access problems raised by the more private nature of the eastern and southern boundaries and the design challenges presented by the changes in ground levels.

Architectural detailing and materials

44. The materials treatment would be based around red brick facades, articulated with details such as soldier courses and light coloured precast concrete sills, lintels and parapets, with ribbed brickwork to create visual interest on side elevations at ground level and hit-and-miss brickwork to provide further visual interest and ventilation to cycle storage and bin storage areas. The ground floor commercial and community frontages would be of precast concrete with a red pigment which would complement the brickwork facades above whilst providing a distinctive and more contemporary appearance to the base of the building and clearly defining the non-residential spaces behind the High Road. Steel balconies, balustrades and window frames would be in dark grey. Residential entrance lobbies would have contrasting checkerboard flooring and walls of light grey panelling with white tiles, and these would be reminiscent of traditional mansion block lobbies.
45. Overall the detailing and materials proposed are considered to be of high quality and to create a durable finish providing substantial visual interest. Materials samples to be viewed on site, including hard landscaping materials to be provided as part of the landscaping scheme, would be required by condition.

Secure by Design

46. The Secure by Design officer was involved in discussions with the applicants during the pre-application stage and during the determination of the application. These discussions clarified that whilst the central open space would be open to the public in daytime, it would be gated with the gates closed in the evening and on Event Days (residents would have fob access to enter the building when the gates are closed). There would be two concierges based in offices looking out into the central entrance space, to supplement the natural surveillance provided by the side windows of the commercial units, and to receive post and other deliveries for residents.
47. The secondary pedestrian entrance from Cecil Avenue would also be gated, and would be for residents' use only so would not provide opportunities for visitors to enter or leave unobserved.
48. The commercial units and central entrance space would be designed with soffit lighting, and further details of the lighting strategy would be required by condition, together with details of signage to support the management of the site and to assist with wayfinding.

Conclusion

49. Overall, the design is considered to be of an appropriate scale to the emerging character of the area, and to make a distinctive and high quality contribution to the street scene. The proposal is strongly supported in design terms, subject to details being secured by condition as identified above.

Impact on heritage assets

50. The NPPF requires the effect of a proposal on heritage assets (both designated and non-designated) to be taken into account in determining the application. Brent's Policy DMP7 requires proposals affecting heritage assets to analyse and justify the potential impact. These policies have been applied in this case due to part of the site having been identified as a Site of Archaeological Importance (the former Wembley Hill Farm). This is a local designation of less significance than Archaeological Priority Areas, and is equivalent to a non-designated heritage asset in terms of planning policy.
51. No archaeological assessment has been submitted, however the Design & Access Statement

summarises the historical development of the area, and notes that the site and its immediate vicinity have been densely developed since the early twentieth century. A letter of advice from the Greater London Archaeological Advisory Service (GLAAS) has also been provided, which confirms that the proposed development does not lie within an Archaeological Priority Area and that previous investigation nearby has only found remains of low significance, whilst existing modern development in the area will have caused significant disturbance to any archaeological remains. GLASS conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest, and that no further assessment or conditions are necessary.

52. As GLAAS are the relevant statutory consultee to advise on these matters, there are no concerns in respect of archaeological assets.
53. The potential impact of the development on the Grade II listed Church of St Joseph has been considered. This heritage asset is situated at the Wembley Triangle junction within 200m of the site. Officers conclude that there would be no harm to the setting of this designated heritage asset, given the distance involved and the relationship between the proposed development and the church. It should also be noted that existing buildings at Elizabeth House and the recently completed Brent House development are both of a similar scale as the proposed building and both situated nearer to the church, such that in cumulative terms it is also considered that there would be no harm to the heritage asset from the proposed development.

Residential living standards

54. All development is required to comply with standards set out in Policy D4 of the Draft New London Plan and Policy DMP18 of Brent's Development Management Policies. Brent Policy DMP19 normally expects private amenity space of 20sqm per 1bed or 2bed flat and 50sqm for family housing including ground floor flats, but allows for situations in which a lower level of provision may be acceptable in planning terms. The policy notes that where this provision is not fully made through private amenity space, this can be supplemented through access to communal external amenity spaces. London Plan Policy 3.6 requires play and recreation facilities to be provided based on the expected child yield.
55. The Mayor's Housing SPG also requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.
56. The BRE Guidelines recommend an Average Daylight Factor (ADF) of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms, although 1.5% is generally used for combined living spaces. Standards for daylight distribution and sunlight are also recommended.

Internal space and layout

57. All units would meet or exceed internal space standards including floor to ceiling heights of 2.5m, and the majority (75%) of units would be dual aspect, with the perimeter block layout successfully utilised to avoid north-facing or south-facing single aspect units. The single aspect units would be mostly 2beds facing east or west along the side elevations or internal spurs. This arrangement is considered to provide a high standard of accommodation overall, and would help to prevent problems with the residential units overheating or having inadequate levels of sunlight. Internal layouts are considered to make efficient use of space, and would be repeated across floors in most cases in order to prevent concerns regarding adverse stacking.
58. A daylight and sunlight report was submitted, which demonstrated that a very high proportion of rooms analysed (99%) would meet BRE guidelines for either ADF or daylight distribution or both. Six of the rooms analysed would fall just short of the guidelines, but these would be either bedrooms, where the BRE considers levels of light to be less important, or large open-plan living areas which would be served by three windows and so would still appear to be well lit. In sunlight terms, 45% of main living rooms analysed would achieve both 25% annual sunlight and 5% winter sunlight, and all units would have access to private amenity space which would provide an alternative source of sunlit amenity.
59. A total of 25 units (10% of the total) are required to be designed to be adaptable to wheelchair accessible standards under the Building Regulations Part M4(3). As a Registered Provider has not yet been identified it is recommended that a condition is secured to provide further details of the 25 M4(3) units, as those within the affordable rent tenure would need to be provided as wheelchair accessible units from the outset and not just as adaptable units.

60. A total of 22 units (9%) would only comply with the lower accessible standard of M4(1). This standard is compulsory under the Building Regulations 2013, and requires reasonable provision for most people including wheelchair users to access and use the dwelling, but allows for steps into private entrances where necessary. This is considered acceptable in this instance as the nature of the mansion block typology requires a small change in level between public spaces and adjacent ground floors in order to provide a positive overlooking relationship, high quality homes and successful public spaces. The cost of providing lift access to these units (typically serving only two units) would be prohibitive, resulting in excessive service charges for residents. The steeply sloping site also provides an opportunity for stacked maisonettes at the rear, of which the upper maisonette could only be M4(1) compliant as it would be accessed via a private stairwell. Other than these stacked maisonettes, the M4(1) units would all be in market or intermediate tenures located around the smaller private courtyards, and would be mainly smaller units. The remainder of units would be compliant with M4(2) standards.

External amenity space and child play space

61. Each unit would have access to private balconies or terraces of at least 5.6sqm in area (units with north-facing balconies would be dual aspect and would also have access to south-facing balconies). All units would also have access to the central podium garden and landscaped entranceway, and to the two smaller private courtyards, and these would provide additional community amenity space to mitigate shortfalls in private amenity space.
62. The amenity space provision has been assessed against Policy DMP19. Fourteen of the 250 units would have direct access to the podium garden (these are the 3B5P stacked maisonettes at the rear of the site) and the higher DMP19 standard of 50sqm has been applied to these. The remaining 236 units would not have direct access and the lower standard of 20sqm has been applied to these (units at podium level or courtyard level would have access only through the communal cores and those facing onto the courtyards would have stepped access as the floor levels would be raised above ground levels to increase their privacy). The total amenity space requirement to fully comply with the DMP19 standards would be 5,420sqm.
63. The cumulative shortfall of private amenity space against the DMP19 standard has been calculated to total 2,726sqm. The communal amenity space provision would total 2,515sqm. Consequently the residual shortfall below DMP19 levels would be 211sqm.
64. Whilst there is a shortfall in amenity space provided within the scheme, this is marginal and compares well against other similar schemes within the Wembley Growth Area. Furthermore, the communal amenity space is considered to provide a variety of high quality environments for residents to enjoy, whilst the balcony and terrace areas would all exceed minimum London Plan standards for private amenity areas.
65. There would be a strong focus on providing play opportunities, with doorstep play in both of the ground floor courtyards, play-on-the-way opportunities in the central ramped courtyard and five separately themed play spaces in the podium garden. The overall amount of play provision would exceed the requirements of London Plan Policy 3.6 based on the estimated child yield (around 2,000sqm is proposed, compared to the policy requirement for 1,185sqm), and play spaces would be well overlooked by residential kitchens and living areas.
66. Cumulatively across the development, 57% of the amenity areas would receive at least 2 hours of sunlight on 21 March. The Design & Access Statement includes shadow studies demonstrating that although part of the central podium garden would be overshadowed in March, this would not be the case in June, and your officers consider that, by concentrating the bulk of the massing towards the north of the site, the proposal effectively minimises the amount of overshadowing and achieves good sunlight penetration for a high density scheme. Overshadowing can also be beneficial for example by providing shaded areas in the case of extreme high temperatures.
67. The applicant has explored opportunities to provide additional communal amenity space in the form of roof terraces. If all of the roof areas that could be accessed from the residential cores were provided as roof terrace, this could potentially provide an additional 1,700sqm approx of communal amenity space. However, this would require the lift and stair cores to be extended by an additional floor, which would disrupt the architectural composition of the building and have an adverse impact on the street scene. A fire escape strategy would be required, and areas designated for photovoltaic panels would be lost, which in turn would compromise delivery of the energy strategy. The southeast roof slope is proposed to contain plant including an air source heat pump, and providing amenity space on this roof would also

introduce complications relating to fire strategy and plant maintenance, in addition to concerns regarding plant noise affecting residential amenity. The southwest roof slope could potentially accommodate a roof terrace but the added bulk and height of the lift and stair core would also have an adverse visual impact given the close proximity of this elevation to traditional housing on Cecil Avenue and would create further overshadowing to the podium garden. It would add a limited amount of additional communal amenity space (approx 200sqm) and would not be conveniently located for residents other than those located in the relevant core. On balance, your officers consider that the benefit of a limited amount of additional sunlit amenity space would be outweighed by the disadvantages, particularly given the limited shortfall.

68. A varied palette of hard landscaping materials is proposed, creating a separate character and identity for each area, and soft landscaping proposals include defensible space to residential units and new tree planting. A detailed landscaping scheme has been provided in the Appendices to the Design & Access Statement, including planting plans, planting schedule and species, and maintenance arrangements, and a condition to secure these is not necessary. However, samples of hard landscaping materials would be required as part of the landscaping condition.

Privacy standards

69. In general, the scope for overlooking between units has been effectively designed out, for example through locating residential cores and corner units on the inner corners of the building, and by arranging layouts so that balconies are recessed within the units. However, some units would have balcony and terrace areas adjoining those of neighbouring units, and some form of balcony screening would be required by condition in order to maintain privacy.
70. Units facing into the private courtyards would have separation distances slightly under the 18m standard set out in SPD1 (16m measured from the inside of the window). However, it is acknowledged that closer separation distances are a traditional feature of the mansion block typology, which seeks to provide high quality homes at high density without creating excessively tall buildings (for example, Alexandra Court, an exemplar mansion block in Maida Vale, has separation distances of 12m to 13.5m between habitable room windows). SPD1 also advises that reduced separation distances may be acceptable between new frontages, subject to high quality design solutions that take account of overlooking and privacy, and the Mayor's Housing SPG also supports flexibility in applying guidelines on separation distances. In this case, the high proportion of dual aspect units with dual aspect designed into main living spaces would allow residents to have oblique views onto the central open space as well as direct views across the courtyard, and this is considered to create an appropriate degree of privacy given the overall very high quality of the development and the dense urban context. As noted above, ground floor and podium floor residential windows facing onto Cecil Avenue and the Brent House development would be at least 1.6m above natural ground level along these elevations, and it is not considered necessary to provide defensible space to these.
71. The GLA Stage 1 report has recommended that two west-facing ground floor units should be designed out as these would face the Cecil Avenue pavement and lack any defensible space to provide privacy. The GLA considers that there may be potential to create dual aspect through units looking onto the inner courtyard with individual front doors on Cecil Avenue. The applicant's response on this point confirms that one ground floor single aspect unit and two podium level dual aspect units would face onto Cecil Avenue. However, due to the pronounced downward slope, the window sill level of these units would be at least 3.7m, 1.6m and 3.1m respectively above external ground levels. Your officers consider that the difference in height would be sufficient to compensate for the lack of defensible space as it would prevent passers-by from looking into the windows. Furthermore, providing entrances from the street would not be difficult in practical terms due to the changing ground levels.
72. Windows facing directly onto the podium garden or courtyards would be 1.5m above the external ground at window sill level (other than the lower stacked maisonettes, which would have defensible space in the form of lightwells to lower floor bedrooms) and this is considered to provide appropriate privacy for residents.

Relationship with neighbouring properties

Policy background

73. Any development needs to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. The building should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing rear garden boundaries, in order to

retain light and outlook for existing residents. Separation distances of 18m to windows and 9m to rear boundaries should be maintained to ensure an adequate level of privacy.

74. In terms of impacts on daylight and sunlight to neighbouring properties, BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. If this remains at least 0.8 times its former value, the room will appear to be adequately lit. To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months, or when amenity spaces receive less than two hours sunlight on 21 March or less than 0.8 times their former value.
75. However, the BRE also recognise that different criteria may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas, and the NPPF also supports a flexible approach to applying standards in order to make efficient use of sites. Where existing buildings have windows close to the site boundaries, the BRE suggests that a new building of similar height and proportions could be assumed in order to derive 'mirror image' target values for VSC.

Assessment of separation distances

76. The eastern elevation of the proposed building would be approximately 25m from the facing elevation of the new Brent House development, and this is considered an adequate separation distance to retain privacy for existing and proposed residents. The northern elevation would be approximately 26m from the opposing buildings at Fairgate House and Ujima House, which would provide sufficient distance to allow these sites to come forward for residential redevelopment in the future. Although the proposed building would not sit within a 30 degree line of either Brent House or the Fairgate House and Ujima House sites (taken from first floor level, to take account of ground floors being or likely to be developed for commercial uses), this is considered to be inevitable given the emerging high density character of the area.
77. The western elevation would be approximately 13m from the facing elevation of the Best Western Hotel. Whilst this does not comply with the separation distances set out in SPD1 it is considered that a lower standard of privacy and outlook is acceptable in respect of hotel accommodation in urban areas as it would be for temporary accommodation and not in use as principal residences.
78. The southern elevation would be approximately 20m from the flank elevation of No 1 Cecil Avenue and 22m from the buildings of the Ark Elvin Academy, which is considered to offer an appropriate level of privacy for residents, students and staff. This elevation sits within a 30 degree line of the school buildings and a 45 degree line of the rear garden boundary of No 1 Cecil Avenue.

Assessment of daylight and sunlight

79. The daylight and sunlight report analysed the impact of the development on 819 windows serving 570 habitable rooms in surrounding properties, in terms of VSC and NSL. All south-facing windows serving main living spaces were also tested for the impact on sunlight, and all comply with the BRE criteria for APSH. All of the amenity areas in the surrounding properties were tested and would meet the BRE Guidelines for sunlight amenity.
80. All windows tested at the following addresses also fully comply with the BRE criteria for VSC and NSL, and no further discussion of these is required:
- 25 Ecclestone Place: all twelve windows tested satisfy BRE criteria;
 - 26-30 Ecclestone Place: all ten windows tested satisfy BRE criteria;
 - 356-368 High Road: all 97 windows tested satisfy BRE criteria;
 - Brent House Block C-E: all 357 windows tested satisfy BRE criteria;
 - 1 Cecil Avenue: all of the four windows tested satisfy BRE criteria;
81. At 412-414 High Road, five of the seven habitable rooms tested comply with the BRE criteria for both VSC and daylight distribution. Two of the seven residential windows tested would retain VSCs of 26.3% and 26.2% (0.76 and 0.77 times their former values), whilst two of the five rooms tested would retain daylight distribution across 74.8% and 78.1% of the room (0.75 and 0.79 times their former values).

These values are only marginally lower than the BRE recommended values, and it is considered that the impact is unlikely to be experienced as materially different. This property meets the BRE Guidelines for sunlight in terms of APSH.

82. The upper floors of 370-386 High Road were originally in office use but have recently been renovated for residential use, and consented layouts have been used in the modelling for this study (the ground floor remains in commercial use). Of the 116 windows tested, eight would not achieve the target values for VSC, however all but two of these serve stairwells or dual aspect rooms which also have side-facing windows and would therefore still comply with the BRE criteria for daylight distribution. The remaining two windows would serve south-facing rooms which would also comply with the daylight distribution criteria, retaining 96% and 90% of their former value, but fall just short of the recommended 27% VSC with values of 25.6% and 26.5%, and it is considered that they would remain well lit. This property meets the BRE Guidelines for sunlight in terms of APSH.
83. At 2 Cecil Avenue, 19 of 23 windows tested comply with the BRE criteria for both VSC and daylight distribution. Out of the remaining windows, two would be within 0.7 to 0.8 their former VSC value and another two within 0.6 to 0.7 times their former VSC value, although all would comply for NSL. The windows that marginally fail would be side window panes on the main bay window, and the BRE guidance clarifies that values should be based on the main window pane, consequently this property is also considered to comply.
84. At Brent House Blocks A-B, 193 windows and 146 rooms were tested. These blocks are next to the eastern boundary of the site, separated by the pedestrian access to the Ark Elvin Academy. Consented layouts have been used in the modelling for this study. Altogether, 86 windows on the western elevation fail for VSC (mainly on the lower floors) and 62 of these would serve rooms that also fail for daylight distribution (however six of these can be discounted as they are on the lower ground floor which provides ancillary facilities on this block). All of the windows tested for sunlight comply with the BRE criteria for APSH. Although the report does not consider the impact of the existing balconies in terms of the VSC and daylight distribution to these windows, it is important to note that the existing values are in some cases relatively low, and that this is likely to be a factor of overhanging balconies from above as well as the position and orientation of the windows.
85. The report then establishes alternative VSC and daylight distribution target values in respect of Brent House Blocks A & B, as provided for in the BRE guidance. This approach is considered appropriate in this case, as both buildings are new developments in an urban context. These values are based on a simulated 'mirror image' development of the same height and at the same distance from the shared boundary as the Brent House development. This approach results in each window in Brent House having an individual target value, and these range from 2.4% to 39%, depending on the window position. For some windows the VSC would be higher than the mirror image value, whilst for others it would remain the same or be lower, but only one window would experience a reduction of more than 0.8 times its former value (and this would only be marginally lower at 0.79 times its former value, whilst the daylight distribution to this window would increase compared to the mirror image target). All but four rooms would retain at least 0.8 times the mirror image target value for daylight distribution, including rooms where all the individual windows would retain at least 0.8 times the mirror image VSC.
86. The impact on Brent House is accentuated by the fact that the site is cleared for redevelopment and so currently makes little impact on neighbouring windows. However it would not be reasonable for a new development to prevent a similar development coming forward on an adjacent site, and the approach of setting mirror image target values reflects this. Overall the impact of the development on Brent House Blocks A & B is not considered to be materially worse than that of a mirror image building on this site. Indeed, whilst the proposed building would be a similar height as Brent House blocks A & B on the High Road frontage, it would reduce significantly in height towards the rear, and consequently the impact would be broadly positive compared to the mirror image building. Given that separation distances between the two buildings would exceed Brent's standards, and the expectation of light levels would generally be lower in densely developed urban areas, the impact is considered acceptable in this instance.
87. Overshadowing to amenity spaces in neighbouring properties was also assessed, these properties comprising 25 and 26-30 Ecclestone Place, Brent House and 1 Cecil Avenue. The analysis shows that the development would have no impact on any of these existing amenity spaces in terms of sunlight.

Conclusion

88. The scheme would not have any material adverse impacts on traditional residential properties on Cecil Avenue or the Ark Elvin Academy. Although the impacts on daylight to other residential units to the east and north would be more noticeable, these are considered to be within acceptable limits for high density urban situations. The only significant impacts would be on the adjacent new development at Brent House, and these would not be materially worse than if a mirror image development were built on this site. Consequently, the relationship of the proposal to neighbouring properties is considered acceptable in this instance.

Sustainability and energy

89. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy CP19, demonstrating at the design stage how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day. Major commercial floorspace is required to achieve a BREEAM Excellent rating and this also needs to be appropriately evidenced.

90. Major residential developments are expected to achieve zero carbon standards including a 35% reduction on the Building Regulations 2013 Target Emission Rates achieved on-site, in accordance with London Plan Policy 5.2. An Energy Assessment is required, setting out how these standards are to be achieved and identifying a financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions. For non-domestic floorspace, the policy target is a 35% on-site reduction, and this is to be evidenced separately in the Energy Assessment. However, significant weight is also given to the new London Plan draft Policy SI2, which includes specific targets for energy efficiency measures and applies the zero carbon standard including 35% reduction in on-site emissions to both residential and commercial development.

Carbon emissions

91. The energy assessment submitted sets out how the London Plan energy hierarchy has been applied, using energy efficiency measures (including a range of passive design features and demand reduction measures), a communal heat network and renewable technologies (comprising photovoltaic panels and heat pumps). Overall the scheme would deliver a 35% reduction from the 2013 Building Regulations baseline on-site for the residential elements and a financial contribution of £298,484. For the non-domestic elements, a 49% reduction in carbon emissions would be achieved on-site, exceeding the policy target and demonstrating high standards of design which are welcomed.

Sustainable design

92. The sustainability statement describes measures proposed to achieve sustainability objectives such as to limit residential water use to 105 litres per person per day, to use materials and products with strong environmental credentials, to minimise and manage construction waste, and to adapt to future climate change. The document details the BREEAM strategy for the building, which is designed to achieve a score of 78.1% against the 70% required for a BREEAM Excellent rating. This would exceed the requirements of Policy CP19, and is welcomed on this basis.

93. An overheating analysis has also been submitted, in line with current GLA guidance which advises on testing performance of buildings against future climate change. Representative units chosen for testing included some on the top floor with less shading, south facing and single aspect units, and samples of the commercial and community spaces were also tested, with all spaces apart from one bedroom achieving the recommended threshold. Active cooling systems would be provided for 74 units on the High Road frontage, to allow for windows to remain closed as external noise levels on the High Road are high. However, windows would be openable to allow for purge ventilation on occasion.

Conclusion

94. The energy strategy has been reviewed by the GLA and is supported in principle. However, it is recommended that the applicant explores the potential for additional measures to deliver on site renewable technology and further carbon dioxide reductions (particularly for the non-residential component).

95. Brent's sustainability officer has also recommended that the strategy be reviewed in order to minimise the need for mechanical cooling, and has requested further information on this issue. The potential for ground source heat pumps should be explored more fully, and further details should be provided of the

proposed future connection to a district heating network.

96. These are considered to be relatively minor concerns that could be addressed through conditions and planning obligations if required, and in general the proposal is considered to comply with the relevant policies and to provide a high standard of sustainable design overall.
97. A revised energy assessment and financial contribution to carbon offsetting would be required prior to commencement. This assessment would be based on detailed construction drawings and would update the assessment submitted with the planning application, the financial contribution payable at this stage being 50% of the total offsetting contribution identified in the assessment. A final energy assessment of the building as constructed would then be required post completion, together with the balance of the financial contribution. This approach is intended to incentivise the developer to achieve further reductions in carbon emissions at the detailed design and construction stages, in order to reduce the financial contribution payable. These matters would be secured by condition, together with a post completion certificate confirming that a BREEAM Excellent rating has been achieved.

Flood risk and drainage

98. Brent Policy DMP9B requires sustainable drainage measures to be proposed for major developments. London Plan Policy 5.13 provides a hierarchy of approaches to drainage, and compliance with this is intended to ensure that the drainage strategy proposed is as sustainable as possible.
99. A sustainable drainage strategy and flood risk assessment was submitted, together with a utilities and foul water drainage report. In terms of the drainage hierarchy, storage and recycling of rainwater is considered not to be feasible due to the additional cost and complexity involved, while infiltration techniques would not be suitable due to the ground conditions having poor permeability, and large open water features would not be feasible given the size of the site and the extent of the building proposed. However, the drainage strategy achieves the greenfield runoff rate for surface water and additionally proposes attenuation tanks below ground to store flood water from the most severe storm events.
100. The site is in Flood Zone 1, although with some localised pockets of surface water flooding, and the proposal is designed to mitigate the risk of surface water flooding for all storms up to the 1 in 100 year flood plus 40% climate change.
101. The Local Lead Flood Authority were consulted and consider that the drainage strategy and implementation are appropriate and acceptable given the constraints of the site and location. No conditions are required. Thames Water were consulted and have requested surface water network upgrades or a housing and infrastructure phasing plan, which would be required by condition.
102. The GLA have requested further details on how SuDS measures at the top of the drainage hierarchy would be included in the development, together with additional attenuation storage volume calculations, attenuation tank dimensions, and site exceedance assessment information. This information can be provided to the GLA as part of the Stage 2 referral.

Trees and biodiversity

Impact on trees

103. Trees are a material planning consideration in any planning application, and Brent's draft Local Plan Policy BGI2 requires major developments to make provision for planting and retention of trees on site. In this case, the existing site contains a number of trees although these do not contribute to the public realm as the site is surrounded by hoarding on all sides. Adjacent to the site on the northwestern corner of the High Road frontage is a mature London Plane tree subject to a Tree Preservation Order.
104. A tree survey and arboricultural impact assessment were submitted, demonstrating that of the twelve trees on or adjacent to the site, eleven would need to be removed to facilitate the development. These include one Category A tree (the London Plane on the High Road frontage, identified as T10 in the tree survey), two Category B trees, four Category C trees and four Category U trees. The remaining tree would not be impacted and no tree protection measures are proposed.
105. The applicant has considered the scope for retention of T10, and your officers note that this would result in the loss of the northwestern corner of the building including the loss of commercial floorspace and approximately 25 residential units. This would also disrupt the symmetry of the proposed building,

creating a large open area on the northwestern frontage which would create a break in the established building line along the street and could potentially interrupt the active frontage of the building.

106. Details of 49 proposed replacement trees are provided as part of the landscaping scheme for the development. These include five street trees within the site boundary on the High Road frontage and one on the Cecil Avenue frontage near the southern boundary of the site, together with trees within the private courtyards, public open space and some private terraces, and represent the replacement of lost trees at a ratio of 5:1 (a net increase of 37 trees).
107. The Tree Officer has been consulted and considers the loss of the London Plane tree to be regrettable but necessary to facilitate the redevelopment of the site, whereas the remaining trees to be removed are of significantly lesser quality and their loss can be sufficiently mitigated within the development. The proposed tree planting within the podium and courtyards includes a good range of trees capable of withstanding the relatively low levels of sunlight that would be experienced in these spaces. No tree protection measures would be required as existing trees are not being retained, and the maintenance of proposed trees could be secured through the wider landscaping condition.

Biodiversity

108. A preliminary ecological appraisal was submitted, which found that the site does not form part of any statutory or non-statutory nature conservation site, but is dominated by hardstanding and bare ground with smaller areas of introduced shrub and amenity grassland and scattered trees at the boundaries. The mature trees currently on site are considered to be of elevated ecological value but the habitats are of local level value and in poor condition. Shrubs and trees have the potential to support breeding birds and should only be removed outside of the breeding season or under the supervision of an ecologist, however this can be covered in an informative as breeding birds are subject to legal protection outside of the planning system.
109. Recommendations to enhance the biodiversity value of the site are proposed, including biodiverse green roofs, scattered trees, dense scrub planting, a walled orchard and bird nesting opportunities. Many of these measures are included in the proposed landscaping scheme, and further details of bird boxes and green roofs would be secured as part of an overall condition on further landscaping details.

Urban greening

110. In line with London Plan Policy 5.10 and draft London Plan Policies G1 and G5, urban greening should be embedded as a fundamental aspect of site and building design. Features such as street trees, green roofs, green walls, rain gardens, wild flower meadows, woodland and hedgerows should all be considered for inclusion. The GLA has asked the applicant to calculate the Urban Greening Factor for the development, as set out in Policy G5 of the draft London Plan, and to seek to achieve the specified target prior to the Mayor's decision making stage. This information will be provided in the Supplementary Agenda.

111. Environmental health considerations

Air quality

112. The site is in an Air Quality Management Area and an air quality impact assessment has been submitted with the planning application. London Plan Policy 7.14 also requires that all major developments within London are Air Quality Neutral, and this is also addressed in the assessment. The assessment demonstrates that future residents would experience acceptable air quality with pollutant concentrations below the air quality objectives. It also proposes a range of best practice mitigation measures to reduce dust emissions during construction work to ensure that the overall effect of construction would be 'not significant'. Overall, the assessment concludes that the construction and operational air quality effects of the proposed development would be judged to be 'not significant' and that the development would meet the London Plan's requirement that new developments are at least 'air quality neutral'.
113. Environmental Health officers have been consulted and consider that air quality levels at the development would be satisfactory, with no mitigation measures required during the operation of the development. However, a construction method statement would be required as a pre-commencement condition, to which the applicant has agreed, to secure adequate measures are in place to control dust, noise and other environmental impacts during construction. Non-Road Mobile Machinery would be

required to meet the GLA's emissions standards, and this would also be conditioned.

Noise

114. A noise impact assessment was submitted, presenting the results of a survey of prevailing background noise levels. This also makes reference to a ventilation strategy and overheating control strategy. Mechanical ventilation would be provided to residential units, and internal noise levels are specified. Purge ventilation would be provided by openable windows, and internal noise level requirements would not apply during these conditions as they would only occur occasionally. Mechanical cooling would be provided for units overlooking the High Road, to allow windows to be kept closed during summer in view of the high levels of road noise. This is consistent with the conclusions of the overheating analysis discussed above, and would ensure a comfortable internal environment in all weather conditions.
115. Environmental Health were consulted and have accepted the conclusions of the assessment, with no further conditions required. As noted above, the use of mechanical cooling raises concerns in relation to sustainability, however it is acknowledged that high levels of road noise are inevitable in this location, and that the redevelopment of the site to include residential use would not be possible without a mechanical cooling option.

Contaminated land

116. The site is located on land that has been identified as potentially contaminated due to previous uses. Environmental Health officers have requested conditions to investigate and remediate any contamination.

Transport

Car parking

117. The site lies within the Wembley Growth Area and car parking standards for the proposed uses on the site are set out in the Wembley Area Action Plan 2015. The standard for residential use allows up to 0.4 spaces per unit for 1bed and 2bed flats and 0.6 spaces per unit for 3bed and 4bed flats where public transport access is good. Applying this standard to the 250 proposed flats within the building gives an allowance of up to 112.8 residential parking spaces. For the proposed workspace, up to one space per 400sqm would be allowed, adding a further four spaces to the maximum allowance. Any dedicated parking for the community uses would need to be justified through a Transport Assessment under the standards set out in Appendix 1 to the Development Management Policies 2016.
118. The proposed provision of 39 spaces within a basement car park at the rear of the site would therefore be in accordance with maximum parking standards. Eight of the spaces have been indicated as wide bays for use by disabled Blue Badge holders. This satisfies both Brent's and TfL standards for disabled parking, and an indicative layout has been provided to demonstrate that the remaining spaces could be converted to provide 30 spaces for Blue Badge holders if required, which exceeds TfL requirements to future-proof the design with provision of 10% Blue Badge parking in the future. Lifts are proposed into the basement to allow wheelchair access and adequate headroom (3m) is indicated for the spaces to accommodate high-top conversion vehicles for wheelchairs.
119. Whilst the parking is compliant with current adopted policies, draft London Plan Policy T6 presumes in favour of car-free development in locations with the highest access to public transport. Applying the policy in its strictest sense would mean that no standard car parking space should be included. However, TfL have accepted the car parking provision in this case, as they acknowledge that it would be unviable to provide a basement car park for disabled parking only and that the standard parking spaces would be available for conversion to disabled parking as required.
120. At least 20% of spaces should be provided with active electric vehicle charging points and at least passive provision for the remaining spaces, to meet London Plan standards, although given the low ratio of parking being provided, 100% provision of charging points should be considered. Further details of these would be required by condition.
121. It has been confirmed that a Car Park Management Plan would be implemented to ensure that parking spaces would be appropriately allocated, and this should include measures to prioritise disabled Blue Badge holders and owners of electric vehicles.

122. Consideration also needs to be given to the impact of any overspill parking on highway safety and traffic flow in the area. In this respect, the site fronts a London distributor road and bus route, along which parking is not feasible due to the presence of daytime waiting restrictions. Cecil Avenue would also only be able to accommodate about six to seven cars along the site frontage. As such, there is not sufficient spare on-street capacity to accommodate residential parking from a development of this size.
123. The site does have excellent access to public transport services however and is located within a Controlled Parking Zone, so your officers recommend that the proposed units are subject to a parking permit restricted agreement, removing the right of future occupants to on-street parking permits in line with Policy DMP12.
124. To support the lower levels of parking for the development, there are plenty of car club vehicles based in the local area, including a dedicated City Car Club parking space within the nearby Elizabeth House development. The presence of these operations could be promoted to future residents through the Travel Plan.

Cycle Parking

125. The current London Plan requires at least one secure cycle parking space per 1bed unit and two spaces for larger units, giving a total requirement for 408 secure spaces in this case. Eight secure stores are proposed at basement level with access through the car park, giving a total long-stay capacity for 544 cycles on two-tier racks in accordance with future draft London Plan standards. A further seven visitor spaces would also be required and the proposed provision of four 'Sheffield' stands to the front of the site satisfies this requirement.
126. For the non-residential uses, at least 12 spaces are required for the workspace and 16 for the community floorspace. A community centre store is shown with access directly from Cecil Avenue and capacity for 28 cycles. Cycle storage for workspace units would be provided within the individual units. The proposed provision of changing, showering and locker facilities for the workspace would help to facilitate cycling to work.

Servicing and access

127. With regard to servicing, the workspace units would generally require deliveries by transit- or box-vans, with an expected maximum length of 8m. The residential units would require access by refuse collection vehicles.
128. Residential and commercial refuse bin stores are proposed around the perimeter of the basement car park with sufficient capacity to meet requirements (comprising 54 Eurobins and 24 wheeled bins), along with a larger bin collection point at the rear of the basement. Highway officers initially raised concerns regarding the 3m headroom provided in the basement in relation to bin collection requirements as this would be insufficient to accommodate a refuse vehicle (height 3.8m, increasing to 5.2m where the vehicle tail lift is operated) and also confirmed that any alternative reliance on on-street servicing on either the High Road (along which daytime loading is prohibited to protect the bus lane and bus stops) or the residential Cecil Avenue would not be supported.
129. Your officers acknowledge that adding sufficient depth to the basement to accommodate refuse vehicles would add considerably to construction costs and have a detrimental impact on the viability of the scheme. It is proposed instead to arrange managed collections, with bins moved out to the side of the access road along the southern edge of the site by the on-site building management on collection days. The refuse collection lorry would be able to pull in off the access road into the basement entrance, in order to minimise any disruption to the flow of traffic. Separate collection days for waste and recycling would be arranged, with both being outside of school opening and closing times so as to avoid any conflict with staff and other visitors to the Ark Elvin Academy using the access road.
130. Highway officers have reviewed these proposals and consider them to be acceptable in highway terms. Brent's waste collection contractor, Veolia, have also confirmed that these arrangements would be acceptable. A condition would be required to secure the operation of collection day arrangements.
131. Revised plans have been received, showing minor changes to the basement layout including marked loading bays for the commercial units within the car park. As the use of the loading bays would be shared between a number of building occupiers, a Delivery and Servicing Plan would also be required to

ensure the estimated 20 or so delivery vehicles per day would be properly managed so that they could be accommodated safely on-site as and when they arrive. This requirement has been acknowledged within the Transport Assessment and would be secured through a condition.

132. In terms of fire access, fire appliances could directly access 75% of the building perimeter, with the eastern side also potentially accessible from the Ark Elvin Academy. This would generally meet the London Fire Service requirements for a building of this size, although it is recommended that they are consulted on the scheme at the appropriate time. The GLA have recommended a condition requiring the submission of a fire statement, produced by a third party suitably qualified assessor, and it is considered that this could provide confirmation that relevant fire safety regulations have been complied with and that the London Fire Service have been consulted and have raised no concerns in respect of the development.

Access arrangements

133. Vehicular access to the basement car park is shown via a 4.5m wide driveway with 1.2m margins on either side, which is acceptable. The gates into the car park are shown set 6m from the building line and 11.5m from the kerb line of the Ark Elvin access road, which would provide sufficient waiting space for vehicles entering the car park.

134. The access is to be taken from the Ark Elvin car park access road. However, this access route currently comprises just a 3.8m wide driveway with a temporary tarmac surface that is used to access the school car park, rather than the 4.8m wide carriageway with footways and a turning head shown on the site layout plan. The works to construct the road to adoptable standards, including increased 4m kerb radii from Cecil Avenue to accommodate service vehicles with the indicated speed table and tactile paving, plus suitable street lighting and drainage, would therefore need to be undertaken by the applicant prior to occupation of the development, as a condition of approval (although the road is shown outside the red line of the application site, it is within the ownership of the applicant, Brent Council).

135. The road would be adopted as publicly maintainable highway, and the maintenance responsibility for the land would be transferred from Brent's Children & Families Department to Highways & Infrastructure. An Agreement under S278 of the Highways Act 1980 would be required to ensure the works are undertaken to a satisfactory standard. Details of surfacing materials would be required under the landscaping condition.

136. In addition, there remains a redundant vehicular crossover to the site from Cecil Avenue and works to remove this and reinstate it to footway with full height kerbs and to extend the parking bays on either side across the access would also need to be included in the above S278 works.

137. Pedestrian access to the commercial units is proposed directly from the High Road footway, whilst access to the residential blocks would be via the courtyards accessed via covered passages from both the High Road and Cecil Avenue. The High Road footway along the site frontage is proposed to be widened to between 4.5m – 12.5m in width with new paving flags, tree planting and benches. As noted above, this is welcomed to improve pedestrian access and the streetscape along this busy commercial frontage, whilst also providing additional space for a proposed future cycle route past the site. Again, these works would need to be undertaken through a S278 Agreement (to also include the resurfacing of the Cecil Avenue footway fronting the site), whilst adoption of the widened strip as public highway would again need to be secured through a transfer of maintenance responsibilities between Brent Council departments.

138. All works to the widened High Road frontage and the new access road at the rear would also need to be subjected to a Healthy Streets Assessment prior to the design being finalised. Otherwise, the proposed landscaping arrangements for the central courtyard are acceptable in transport terms and are considered to provide a high quality entrance to the residential units.

139. TfL have also reviewed the access arrangements, and have no concerns in relation to these. However they have requested further information on how the development contributes to Vision Zero, and further details can be provided as part of the Stage 2 referral.

Transport Assessment and trip generation

140. Future predicted trips to and from the development have been estimated using comparisons with six residential and three workspace developments within other areas of London that have very good access to public transport services. The sites chosen are considered to offer an appropriate comparison.

141. No estimate of future trips to and from the community units has been provided however, as these are not expected to attract significant numbers of visitors at peak times. This assumption has not been entirely accepted by your transport officers, as traffic generation would depend upon the exact nature of the use. However, these visits may involve linked trips, with visitors also accessing other town centre uses in the area or residential units or the nearby school.
142. The above exercise gives estimated residential and workspace movements to and from the development totalling 92 arrivals and 39 departures in the morning peak hour (8-9am), 89 arrivals and 104 departures in the evening peak hour (5-6pm).
143. Given the very low level of parking proposed and the constraints on on-street parking in the surrounding area, only about 5% of future residential journeys and no commercial journeys at all are assumed to be made by car and this assumption is accepted. On this basis, just eight journeys in the a.m. peak hour and five journeys in the p.m. peak hour are estimated to be by car, and the actual impact of the development on the local road network is not considered likely to be significant enough to warrant further junction analysis.
144. In terms of public transport trips, the development is estimated to generate 74 additional bus journeys in the a.m. peak hour and 59 journeys in the p.m. peak hour, whilst 90 additional trips in the a.m. peak hour and 73 additional trips in the p.m. peak hour are estimated to be made by tube or rail.
145. These figures amount to less than one additional passenger per bus passing close to the site and about two to three extra passengers per train. However, TfL consider that, given the general lack of capacity on the bus network, and the significant cumulative demand driven by growth in the area, the additional demand would need to be accommodated through capacity enhancements. A contribution of £515,357 towards bus capacity enhancements is therefore sought by TfL. The applicant has queried this amount, and discussions are ongoing with TfL to agree upon the appropriate level of contribution.
146. Future walking and cycling trips to and from the site have been estimated at 48 trips by foot in the a.m. peak hour and 46 trips in the p.m. peak hour (in addition to the public transport trips which would also need to travel by foot between the site and the station or stop), whilst six and five trips by cycle are anticipated in each peak hour respectively.
147. The site lies within a town centre area, so there are plenty of nearby facilities within walking distance. The widening of the footway along the site frontage to cater for the increased footfall and a future cycle route would provide improvements, subject to the Healthy Streets Assessment mentioned above. It would also be beneficial to consider the scope for further improvements, particularly on Cecil Avenue and residential streets to the south that do not currently benefit from traffic calming measures, as a potential use of CIL funding from the development.
148. The scale of the development is such that a full Travel Plan is required under TfL Guidelines. No Travel Plan has been submitted with the application, but it is confirmed in the Transport Assessment that a Framework Travel Plan would be developed. This would be required in advance of any occupation of the site and would need to set out clear targets for minimising car use and arrangements to monitor these over the five-year lifespan of the plan.

Equalities

149. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

150. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions.
151. The levels of private external amenity space within the proposed development do not accord with those specified within Policy DMP19. However, given the level and quality of amenity space proposed

and the use of the public open space at ground floor level within the application site, the quality of accommodation for future residents is considered to be good. The limited conflict is substantially outweighed by the very considerably benefits of the proposed development.

CIL DETAILS

This application is liable to pay **£10,375,053.92** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 31518 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	27896	0	27896	£200.00	£0.00	£8,318,985.71	£0.00
(Brent) General business use	2955		2955	£40.00	£0.00	£176,244.64	£0.00
(Brent) Non-residential institutions	667		667	£0.00	£0.00	£0.00	£0.00
(Mayoral) Dwelling houses	27896		27896	£0.00	£60.00	£0.00	£1,663,797.14
(Mayoral) General business use	2955		2955	£0.00	£60.00	£0.00	£176,244.64
(Mayoral) Non-residential institutions	667		667	£0.00	£60.00	£0.00	£39,781.79

BCIS figure for year in which the charging schedule took effect (Ic)	224	336
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£8,495,230.35	£1,879,823.57

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

**Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



DECISION NOTICE – APPROVAL

Application No: 19/2891

To: Mr Matt Shillito
Tibbalds Planning and Urban Design
19 Maltings Place
169 Tower Bridge Road
London
SE1 3JB

I refer to your application dated **12/08/2019** proposing the following:

Full planning application for the construction of a 5 to 9-storey mixed use building comprising 250 new homes (Use Class C3), flexible workspace and community space (Use Classes A3, B1(a), B1(b) & (c) and D1/D2), landscaped courtyards and playspace, wheelchair and cycle parking, signage and wayfinding and associated plant and infrastructure

and accompanied by plans or documents listed here:
See Condition 2.

at **Land at junction of Cecil Avenue and High Road, Wembley, HA9**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 09/03/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework 2019
London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016
Wembley Area Action Plan 2015

Draft London Plan "Intend to Publish" 2019
Brent's draft Local Plan

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

376-KCA-CS-00-DR-A-0001-P
376-KCA-CS-00-DR-A-0010-P
376-KCA-CS-XX-DR-A-0011-P
376-KCA-CS-B2-DR-A-1001-P Rev 2
376-KCA-CS-B1-DR-A-1002-P
376-KCA-CS-00-DR-A-1003-P
376-KCA-CS-01-DR-A-1004-P
376-KCA-CS-02-DR-A-1005-P
376-KCA-CS-03-DR-A-1006-P
376-KCA-CS-04-DR-A-1007-P
376-KCA-CS-05-DR-A-1008-P
376-KCA-CS-06-DR-A-1009-P
376-KCA-CS-07-DR-A-1010-P
376-KCA-CS-08-DR-A-1011-P
376-KCA-CS-RF-DR-A-1012-P
376-KCA-CS-00-DR-A-1011-P
376-KCA-CS-XX-DR-A-2001-P
376-KCA-CS-XX-DR-A-2002-P
376-KCA-CS-XX-DR-A-2003-P
376-KCA-CS-XX-DR-A-3001-P
376-KCA-CS-XX-DR-A-3002-P
376-KCA-CS-XX-DR-A-3003-P
376-KCA-CS-XX-DR-A-3004-P
376-KCA-CS-XX-DR-A-3005-P
376-KCA-CS-XX-DR-A-3006-P
376-KCA-CS-XX-DR-A-3007-P
376-KCA-CS-XX-DR-A-4001-P
376-KCA-CS-XX-DR-A-4002-P
376-KCA-CS-XX-DR-A-4003-P
376-KCA-CS-XX-DR-A-4004-P
376-KCA-CS-XX-DR-A-4023-P
376-KCA-CS-XX-DR-A-4024-P
376-KCA-CS-XX-DR-A-4035-P
376-KCA-CS-XX-DR-A-4036-P

376-KCA-CS-XX-DR-A-4037-P
376-KCA-CS-XX-DR-A-5001-P
376-KCA-CS-XX-DR-A-5002-P
376-KCA-CS-XX-DR-A-5003-P
376-KCA-CS-XX-DR-A-5004-P
376-KCA-CS-XX-DR-A-5010-P
376-KCA-CS-XX-DR-A-5011-P
376-KCA-CS-XX-DR-A-5012-P
376-KCA-CS-XX-DR-A-5013-P
376-KCA-CS-XX-DR-A-6001-P
376-KCA-CS-XX-DR-A-6002-P
376-KCA-CS-XX-DR-A-6003-P
376-KCA-CS-XX-DR-A-9120-D
376-KCA-CS-XX-RP-A-0510-LPA
376-KCA-CS-XX-RP-A-0511-LPA

Design And Access Statement (KCA, Ref 376-KCA-CS-XX-RP-A-0700-DAS[00], August 2019)
and Addendum (KCA, Ref 376-KCA-CS-XX-RP-A-0701-DAS[00], February 2020)
Planning And Affordable Housing Statement (Tibbalds, Ref 5716, August 2019)
Air Quality Assessment (Air Quality Consultants, Ref J3678a/1/F2, July 2019)
Arboricultural Impact Assessment (The Ecology Consultancy, Ref 6676.3, 30/07/19)
Daylight And Sunlight Report (Waldrams, Ref 2095, Issue 2, 03/12/19)
Energy Assessment For Planning (Max Fordham LLP, Rev P04, 07/08/19)
Financial Viability Assessment (BNP Paribas, July 2019) as amended by Affordable Housing
Agreed Assumptions Statement (28 February 2020)
Statement Of Community Involvement (KCA With East, Ref 376-KCA-Xx-Xx-RP-A-6012-CSN,
August 2019)
Noise Impact Assessment (KP Acoustics, Ref 17336.NIA.01 Rev C, 26/07/19)
Outline Soft Landscape Specification (JCLA, Ref WY106.Doc02.LS_P1, 26/07/19)
Overheating Analysis (Max Fordham LLP, Issue P03, 26/07/19)
Planting Schedule (JCLA, WY106.20.MP-B Rev P1, 26/07/19)
Preliminary Ecological Appraisal (The Ecology Consultancy, Ref 6676.7, 29/03/19)
Sustainability Statement (Max Fordham LLP, Rev D, 26/07/19)
Sustainable Drainage Strategy (Lewis Hubbard Engineering, Ref 0021-C-R03, Issue 02,
26/07/19)
Transport Assessment (Velocity Transport Planning Ltd, Ref 2360/1110 D002a, August 2019)
Utilities And Foul Water Drainage (Lewis Hubbard Engineering, Ref 0021-C-R04 Issue 02,
26/07/19)
188-WL_WHR-P-001 REV 01
188-WL_WHR-S-001 REV 01
188-WL_WHR-S-002 REV 01
WY106.11.PP1 REV P1
WY106.12.PP2 REV P1
WY106.13.PP3 REV P1
WY106.10.TP REV P1
40166T-01-3

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 4 The non-residential floorspace hereby approved shall at no time be converted to C3 residential use, notwithstanding the provisions of Schedule 2 Part 3 Class PA, of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting

that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure the retention of non-residential floorspace to provide an active ground floor frontage along Wembley High Road and contribute to the vitality and viability of Wembley Town Centre.

- 5 The proposed D1 community space accessed from Cecil Avenue (located on the Podium level and Ark Elvin Level Plan) shall only be used for community events and community activities and for no other purposes within Class D1 of the schedule to the Use Classes Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that the use remains appropriate for the site location and to ensure that the standards applied to the consideration of the approved.

- 6 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14

- 7 The residential car parking spaces, commercial loading bays, residential, commercial and community cycle storage and residential and commercial/community refuse stores shall be provided in full prior to first occupation of the development, shall be used for the parking of vehicles and storage of cycles/bins associated with the development and shall not be used for any other purpose unless otherwise agreed in writing with the Local Planning Authority. Commercial cycle storage shall be provided within commercial units at a minimum rate of one cycle space per 75sqm of floorspace.

Reason: In the interest of highway flow and safety.

- 8 The buildings shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 9 (a) 52 of the residential dwellings hereby approved comprising 12 x one-bed, 12 x two-bed, 15 x three-bed and 13 x four-bed units shall be provided as affordable housing in perpetuity, and shall be delivered as Affordable Rented units with rents set as follows;

- 80% of open market rent (including service charge where applicable) and capped at Local Housing Allowance Rates for 1 and 2 bedroom units
- 65% of open market rent (including service charge where applicable) and capped at Local Housing Allowance Rates for 3 bedroom units

The London Borough of Brent will have 100% nomination rights in perpetuity. In addition, the Owner shall enter into a Nomination Agreement with the London Borough of Brent prior to occupation of the affordable housing units.

(b) 36 of the residential dwellings hereby approved comprising 6 x one-bed, 21 x two-bed, 8 x three-bed and 1 x four-bed units shall be provided as affordable housing in perpetuity, and shall be delivered as Intermediate Rent or Shared Ownership Units that are affordable to persons on incomes at or below the GLA London Plan intermediate income thresholds. At all times the Owner shall ensure that in respect of any Intermediate Rent or Shared Ownership Unit the average housing costs (comprising mortgage rent and service charges) shall be no more than 40% of net household income.

(c) The Owner will shall not occupy or allow occupation of more than 50% of the private residential units until it has transferred the freehold, or long leasehold of a minimum of 125 years interest, to a Registered Provider for the affordable housing units.

(d) In the event that no development has commenced within 24 months following the grant of planning permission, prior to development commencing details of an early stage Affordable Housing Review Mechanism shall be submitted to and approved in writing by the Local Planning Authority which shall agree appropriate arrangements to provide any identified additional affordable housing on site. The review shall include an update to values and costs and any available grant funding, but shall (unless otherwise agreed in writing between the applicant and the local planning authority) maintain the BLV, developers profits, professional fees on construction costs and financial costs as set out within the "Affordable Housing Agreed Assumptions Statement"

(e) The Owner will shall not occupy or allow occupation of more than 75% of the private residential units until details of a late stage Affordable Housing Review Mechanism have been submitted to and approved in writing by the Local Planning Authority, which shall agree appropriate arrangements to provide any identified additional surplus as a financial contribution to affordable housing provision within Brent. The review shall include an update to values and costs and any available grant funding, but shall (unless otherwise agreed in writing between the applicant and the local planning authority) maintain the BLV, developers profits, professional fees on construction costs and financial costs as set out within the "Affordable Housing Agreed Assumptions Statement"

Reason: To ensure the delivery of affordable housing within the development and to comply with Policy DMP15.

- 10 (i) Prior to commencement of development a Construction Employment and Training Plan shall be submitted to and approved in writing by the local planning authority, setting out the following matters:
- a. confirmation of the appointment of a contractor for the Development
 - b. details of a named senior manager responsible for overseeing the delivery of employment and training opportunities for local residents (persons whose principal or only home is in the Council's administrative area)
 - c. full details of anticipated employment opportunities in the Construction Phase;
 - d. arrangements for the referral of upcoming employment opportunities to Brent Works on an ongoing basis;
 - e. measures to ensure that the Local People Employment Requirement (the employment of one Local Person in a full-time construction phase job or apprenticeship of a minimum of 26 weeks duration per 20 Dwellings or 1,000 sq m (GEA) of new non-residential floorspace) is met in the Construction Phase;
 - f. measures to encourage and promote an approach to the employment and recruitment of Local People (including those previously unemployed) throughout the supply chain for the Construction Phase;
 - g. arrangements by which the developer will work with the Council (or its representative, Brent Works) to provide Local People with opportunities to improve their constructions skills offering, thereby enhancing their future employment prospects;
 - h. arrangements by which the developer will work with the College of North West London or such other similar body as may be notified in writing by the Council to the developer to ensure that construction related and/or work based training opportunities target students from within the Council's administrative area;
 - i. a commitment to complete and submit monthly monitoring templates to provide figures

to the Council at s106notifications@brent.gov.uk by the 5th of each month, outlining:

1. the total number nature and status of Construction Phase job starts by Local People (and non-Local People) on site; providing post codes for Brent Residents claimed.

2. the total number, nature and status of Construction Phase Apprenticeship/traineeship starts and finishes by Local People (and non-Local People) on site and Apprenticeship/traineeship title and length, providing post codes for Brent Residents claimed.

j. measures to ensure that during the Operational Phase of the Development:

1. achieve a minimum target of thirty percent (30%) of jobs being filled by Local People;

2. Brent Works is notified of job, Apprenticeship and training vacancies in the Development so as to direct such opportunities to Local People;

3. the employment and recruitment of Local People is encouraged and promoted throughout the supply chain for the Development.

(ii) Prior to commencement, the developer shall attend a meeting with Brent Works to identify anticipated employment and training opportunities arising during the Construction Phase and discuss recruitment to these opportunities.

(iii) The development shall be carried out in full accordance with the approved Construction Employment and Training Plan.

(iv) Within three months of the commencement of the Operational Phase, a report shall be submitted to the Council providing details of the following:

1. the number, duration of employment and status of employment of Local People employed in the Construction Phase; and the number, duration of employment and status of employment of Local People intended to be employed in the Operational Phase;

2. the number, duration and description of traineeships and Apprenticeships and/or training opportunities provided to Local People in the Construction Phase and Operational Phase of the Development to date.

Reason: To ensure the construction process provides opportunities for training and employment of local residents, in accordance with Core Strategy 2010 Policy CP1.

Reason for pre-commencement condition: Construction employment and training opportunities arise as soon as construction starts, and it is necessary to have arrangements in place in advance to ensure opportunities for local residents are provided.

- 11 (a) Prior to commencement of works on site an Energy Assessment shall be submitted to and approved in writing by the Local Planning Authority. This shall include a 100% reduction of the development's regulated carbon emissions beyond the Target Emission Rates to achieve 'zero carbon' development including a minimum 35% reduction achieved through on site measures, being the standards for CO2 reduction set out in the London Plan.

The applicant shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate offsetting measures for the development's carbon emissions as approved within the above Energy Assessment.

(b) No later than two months after practical completion of the development an Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This shall include a review of the energy assessment commissioned at the applicant's expense and prepared by an independent assessor to demonstrate as built construction is in accordance with the approved Energy Assessment.

The applicant shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate offsetting measures for the development's carbon emissions as approved within the review of the Energy Assessment.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.2.

Reason for pre-commencement condition: Predicted carbon emissions need to be understood and compensated for at the detailed design stage to ensure that construction secures acceptable levels of emissions reduction.

- 12 (a) Prior to the commencement of any works on site, with the exception of works necessary to facilitate compliance with part (a) of this condition, a Site Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Site Investigation shall be carried out by competent persons in accordance with the principles of BS 10175:2011 to determine the nature and extent of any soil contamination present; include the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination; and include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Prior to the commencement of any works, with the exception of works necessary to facilitate compliance with part (b) of this condition and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall specify measures to contain, treat or remove any soil contamination to bring the site to a condition suitable for the intended residential use; include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures; ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The works shall be carried out in accordance with the approved details in accordance with the approved timetable of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Any remediation measures required by part (a) above shall be carried out in full.

(c) Prior to the occupation of the Development and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Verification Report shall demonstrate that the remediation has been carried out in accordance with the approved Remediation Strategy; and that the Development is permitted for its approved end use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

Reason for pre-commencement condition: Soil contamination needs to be identified and remediated prior to construction work starting, to ensure that safe development and occupancy can be achieved. The site is cleared and no demolition of existing buildings would be required at commencement of the development, therefore a pre-commencement condition is appropriate in this instance.

- 13 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust and fine particles, noise and other environmental impacts of the development. The development shall thereafter be carried out in full accordance with the approved Construction Method Statement.

Reason: To minimise nuisance to neighbouring residents from dust, noise and other environmental impacts of the construction process.

Reason for pre-commencement condition: Environmental impacts of construction can occur at any time from the commencement of works, and adequate controls need to be in place from this time.

- 14 Prior to commencement of development, a Construction Logistics Plan, identifying anticipated construction traffic movements and setting out measures to manage and minimise the construction traffic impacts arising from the development, taking into account other construction projects in the vicinity, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the approved Construction Logistics Plan.

Reason: To ensure construction traffic impacts are effectively managed throughout the construction process.

Reason for pre-commencement condition: Construction traffic impacts can arise at any time from the commencement of works, and adequate controls need to be in place from this time.

- 15 Prior to the commencement of works, details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved details.

Reason: In order to ensure that measures are in place to allow for future connection to a district heating network.

Reason for pre-commencement condition: Predicted connections to a district heating network need to be understood and accounted for at the detailed design stage to ensure that construction secures acceptable future connection routes.

- 16 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), further details of electric vehicle charging points to be provided for at least 20% of the parking spaces approved, together with passive provision for the remaining spaces, shall be submitted to and approved in writing by the local planning authority. The EVCP shall thereafter be completed in full accordance with the approved details prior to first occupation of the development, and retained thereafter.

Reason: To encourage sustainable travel modes, in accordance with draft London Plan Policy T6.

- 17 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) details of materials for all external surfaces of the building including samples which shall be made available for viewing on site or in another location as agreed,
- (b) Details of any external plant, including locations, external appearance and any proposed screening;
- (c) Details of screening to be installed between adjoining balconies and terraces;

The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 18 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), further details of a minimum of 25 residential units designed to M4(3) requirements shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) floor plans of the unit types demonstrating how they will either be easily adaptable to wheelchair accessible units or provided as wheelchair accessible units from the outset
- (b) locations of the units within the development and the tenure of the units,

The development shall thereafter be carried out in accordance with the approved plans.

Reason To ensure that the minimum number of M3(4) are provided for inclusive design.

- 19 Within three months of commencement of the development, the developer shall enter into an agreement with the Local Highways Authority to carry out the following works:

- (i) the construction of the access road to adoptable standards and its transfer to Highways & Infrastructure ownership;
- (ii) the reinstatement of the existing redundant crossover on Cecil Avenue to footway including full height kerbs;
- (iii) widening of the High Road footway and the transfer of additional footway to Highways & Infrastructure ownership;
- (iv) resurfacing of High Road and Cecil Avenue footways;
- (v) planting of five street trees on High Road;
- (vi) provision of bench seating on High Road.

The development shall not be occupied until evidence that the abovementioned highway works have been implemented in full and certified as completed to an acceptable standard by the Local Highways Authority has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development provides a safe and functional highway environment to connect the development with its surroundings.

- 20 Within 6 months of commencement of works further details of soft and hard landscaping shall be submitted to and approved in writing by the local planning authority:

- (a) hard surfacing (a hot-rolled asphalt carriageway with bituminous tarmacadam footways and the access road that are to be adopted), external furniture and play equipment, entrance gates, boundary treatments throughout the site, including samples which shall be made available for viewing on site or in another location as agreed,
- (b) details of soft landscaping (including species, location and densities) together with design of tree pits. This shall include a minimum of 44 trees
- (c) details of bird boxes to be installed throughout the development;
- (d) details of green roofs to be installed throughout the development;
- (e) detailed location of 5 street trees proposed;
- (f) details of any external CCTV;
- (g) details of proposed external lighting design to ensure that all external areas are adequately lit in hours of darkness, including a light spillage plan;
- (h) details of signage to aid wayfinding and discourage anti-social behaviour;
- (i) arrangements for maintenance of trees and other planted species;
- (j) arrangements for management of the communal areas of the development, including a plan showing which areas will be open to the general public, details of when these areas will not be open to the general public and arrangements for publicising the availability for public use of these areas (but excluding the D1 community space referred to in Condition 5).

The hard and soft landscape works shall be carried out in full accordance with the as approved details prior to the use of the building hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales .

Any tree or shrub that is part of the approved scheme that, within a period of five years after planting, is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 21 Within six months of commencement of work on site, detailed drawings showing the photovoltaic panel arrays on the roofs of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the development hereby approved.

Reason: To ensure that the development minimises its carbon emissions, in accordance with London Plan policy 5.2.

- 22 (i) Prior to first occupation or use of the development, a Travel Plan shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall :

- identify a named Travel Plan Co-ordinator within the site management team;
- set out target modal shares by different modes of transport by residential and non-residential occupants and other users of the development for the third and fifth years following first occupation of the development;
- set out measures to encourage uptake of sustainable travel modes by occupants and other users, including promotion of car clubs operating within the vicinity;
- set out arrangements for Travel Plan Reviews to be undertaken, within six months of first occupation or use and on each and every secondary anniversary thereafter or as otherwise agreed with the local planning authority.

The Travel Plan (as approved above and / or amended by (ii) below) shall be implemented in full. In connection with any lettings, sub-lettings, contracts or any other form of agreement or arrangements for the occupancy, use and for hire of the whole or any part of the development, users and any prospective users and/or other parties shall be notified of the requirements of the Travel Plan and the Travel Plan Co-ordinator shall use reasonable endeavours to impose obligations that the Travel Plan shall be complied with.

(ii) Travel Plan Reviews shall be submitted in writing to the local planning authority as provided for in (i) above, and shall include the following matters:

- information on the measures used and implemented to promote the Travel Plan and achieve its targets;
- a survey of the use of parking by those travelling to and from the development;
- a survey that corresponds with TRICS survey methodology (and / or replacement thereof) that identifies modes of transport used by occupants and other users of the development to get to and from the same);
- where target modal shares have not been achieved, a plan of action that will indicate how, over the duration of the period from the date of the relevant review until the next review to be carried out, the targets will be met (any such plan of action, following its approval by the local planning authority, will form part of the Travel Plan thereafter); and
- a strategic review of travel plans approved by the Council that apply to other developments in the immediate vicinity of the Development which may impact upon the Travel Plan the subject of review in order to assess whether any amendments to that Travel Plan may be made to ensure it is strategically aligned with other approved travel planning measures operating in the vicinity of the Development.

Each Travel Plan Review submitted, including any plan of action required, shall be approved in writing by the local planning authority within two months of its submission.

Reason: To ensure the development encourages sustainable travel modes and has an acceptable impact on the local highway network.

- 23 Prior to first occupation or use of the development, a Community Space Management Plan shall

be submitted to and approved in writing by the local planning authority, setting out how the community floorspace shall be managed to ensure:

- that an overarching management structure is in place and is representative of local community interests;
- that the use of the space is optimised, including both a curated programme of events and activities, and opportunities for local community groups to use the space;
- that information on rent levels, terms and conditions and hours of operation is made available to the public;
- that local community groups have fair and equal access to use of the space;
- that all uses of the space are compatible with the commercial and residential uses on site in terms of noise and other environmental impacts;
- that the above arrangements are subject to regular review.

The community floorspace in the development shall thereafter be operated in accordance with the approved details.

Reason: To ensure the proposal makes an effective contribution to fostering strong and healthy communities.

- 24 Prior to first occupation or use, a Car Park Management Plan shall be submitted to and approved in writing by the local planning authority, setting out measures to allocate parking spaces to residents and other users including prioritising Blue Badge drivers and owners of electric vehicles. The development shall thereafter be operated in full accordance with the approved details, and no parking spaces shall be sold or leased on a long-term basis at any time.

Reason: To manage the availability of parking to best meet priority needs.

- 25 Details of the extract ventilation system and odour control equipment for any commercial kitchens, including all details of external ducting, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment. The approved equipment shall be installed prior to the commencement of the relevant use and shall thereafter be operated at all times during the operating hours of the relevant use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of existing and future residential occupiers.

- 26 Prior to first occupation or use of the development, confirmation of the following shall be submitted to and approved in writing by the local planning authority:

all surface water network upgrades required to accommodate the additional flows from the development have been completed; or
a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning.

Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

- 27 Prior to first occupation or use of the development, a Delivery and Servicing Plan (DSP), including arrangements for the presentation of residential waste bins on the access road to the south of the site and their return to the basement storage areas on collection days, shall be

submitted to and approved in writing by the Local Planning Authority. The approved DSP shall be implemented for the life of the development unless otherwise agreed in writing by the Local Planning Authority. .

Reason: In the interest of highway and pedestrian flow and safety.

- 28 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the existing Controlled Parking Zone (CPZ) in the locality within which the development is situated, unless the occupier is entitled to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development.

Details of the wording to be included in the licence transfer lease or tenancy agreement shall be submitted and approved in writing by the local planning authority prior to the licence lease or tenancy agreement being entered in to and the approved details shall thereafter be used in all such licence lease or tenancy agreements.

For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In the interest of highway flow and safety.

- 29 Prior to first occupation or use of the development hereby approved, the developer shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate mitigation measures for the development's impacts on local bus capacity.

Reason: To ensure the development sustainably offsets its impact on the local transport network.

- 30 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of such plant. All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours.

- 31 Prior to first occupation or use of the development hereby approved details of a communal television aerial and satellite dish system for each of the three buildings linking to all residential units within the development, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details. No further television aerial or satellite dishes shall be erected on the premises.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 32 No later than four months following Practical Completion of the development, a Post

Construction Certificate prepared by a BRE approved independent assessor shall be submitted, confirming that an Excellent or higher rating has been achieved under the BREEAM certification process for non-domestic buildings.

Reason: To ensure the development incorporates high standards of sustainable design and construction, in accordance with Brent Core Strategy 2010 Policy CP19.

- 33 Prior to first occupation or use of the development, a Frontage and Signage Strategy for the commercial units, prepared in accordance with the guidance set out in the Shopfronts SPD3 2018, shall be submitted to and approved in writing by the Local Planning Authority. The Frontage and Signage Strategy shall include further details of the external appearance of the commercial units including:

- (i) A strategy for commercial unit windows which shall not be mirrored, painted or otherwise obscured; and
- (ii) a strategy for the design and position of signage and advertising including signs attached to the building fabric or free-standing within the site.

The works shall be carried out in accordance with the approved details prior to first occupation, and shall be retained thereafter for the lifetime of the development and the Frontage and Signage Strategy will apply to future tenants.

Reason: To ensure the appearance of the frontage and individual units thereof is unified and that it enhances the visual amenity of the street scene.

- 34 Prior to first occupation or use of the development, a Meanwhile Use Strategy shall be submitted to and approved in writing by the Local Planning Authority, and implemented in full thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of proper planning. To allow for alternative uses of the commercial units to be explored on a temporary basis in the event of any extended periods of vacancy.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 5 The proposed development is located within 15 metres of Thames Water underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water's guide on working near our assets (at <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>) to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near Thames Water

pipes or other structures. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

- 6 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 7 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 8 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. Such notification shall include photographs showing the condition of highway along the site boundaries.
- 9 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the highway works identified in condition 20 to be undertaken. Such works are undertaken by the Council at the applicant's expense.

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 March, 2020
05
19/1241

SITE INFORMATION

RECEIVED	1 April, 2019
WARD	Sudbury
PLANNING AREA	Sudbury Town Neighbourhood Forum
LOCATION	Car Park next to Sudbury Town Station, Station Approach, Wembley, HA0 2LA
PROPOSAL	Re-development of existing car park for the erection of a three-storey building (Building A), and a part-three, part-five storey building (Building B), providing 52 x one-bed dwellings. Associated provision of communal roof terrace and courtyard, refuse storage, cycle parking and landscaping. Re-provision of 3 disabled car parking bays nearest to Station Approach to serve Sudbury Town Underground Station. (DEPARTURE FROM POLICY CP21 OF BRENT'S LOCAL PLAN).
PLAN NO'S	Refer to condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_144685</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "19/1241" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
 - A. Any direction by the Secretary of State pursuant to the Consultation Direction
 - B. The prior completion of a legal agreement to secure the following planning obligations:
 - a) Payment of legal and professional costs
 - b) Notification of commencement
 - c) Provision of affordable housing
 - 52 units at an intermediate rate (80% of market rate),
 - Approval and implementation of a nominations agreement
 - Payment of £197, 181 towards the provision of off-site affordable housing
 - d) A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to material start of the development hereby approved. This shall demonstrate:
 - How the scheme will achieve a minimum CO2 reduction of 35 % from 2013 TER (regulated) including a minimum of reduction of 20 % through on-site renewables (after "be lean" and "be clean" measures have been applied) or other such revised measures as approved by the Council which achieve the same levels of CO2 reduction;
 - The applicant shall implement the approved Sustainability Implementation Strategy and shall thereafter retain those measures.
 - d) Carbon offset contribution of £39,078 to be paid, or an opportunity to resubmit an improved energy statement and reduce the offset payment
 - e) Contribution of £30,000 towards (i) the expansion of controlled parking zones in LB Brent, and (ii) improvements to cycle parking associated with Sudbury Town Station
 - f) Training and employment of Brent residents
 - g) Travel plan to be implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents
 - h) Any other planning obligation(s) considered necessary by the Head of Planning (which meets the tests of CIL Regulation 122)
2. That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
3. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time Limit for commencement (2 years)
2. Approved drawings/documents
3. Removal of C4 permitted development rights for the flats
4. Five wheelchair accessible units to be provided
5. Retained car park spaces to not be used other than for blue badge holders using Sudbury Town LUL Station
6. Obscure glazed windows to north facing windows of Building A
7. Air quality measures to be implemented
8. Drainage plan to be secured
9. Water consumption to be limited in line with regulations
10. Non-road mobile machinery
11. EVCP to be secured
12. Cycle and refuse facilities to be secured
13. Communal TV aerial and satellite dish system to be secured
14. Tree protection measures to be secured
15. Ecology measures to be secured

16. Construction method statement to be submitted
17. Construction logistics plan to be submitted
18. Land contamination and remediation report to be secured
19. Piling method statement to be submitted
20. Material samples to be submitted
21. Details of landscaping (including roof terrace) to be submitted
22. Amendments to highways layout
23. Noise and vibration assessment to be submitted
24. Details of soundproofing
25. Details of pv panels
26. Details of roof terrace screening to be submitted
27. Installation of louvres to be specific windows for privacy
28. Plant to be installed in accordance with acceptable noise levels
29. Travel Plan submitted
30. Parking permit free for all future occupiers


Informatives

1. CIL liability
2. Party wall information
3. Guidance notes from Thames Water
4. Fire safety advisory note
5. London Living wage for all construction workers
6. Soil contamination measures
7. Any other informative(s) considered necessary by the Head of Planning

4. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

5. That, if by the application "expiry date" the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

SITE MAP

 Brent	Planning Committee Map
	Site address: Car Park next to Sudbury Town Station, Station Approach, Wembley, HA0 2LA © Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

This TfL owned site forms a part of the Mayor of London programme to build 10,000 new homes in a number of locations across London. The proposals include for the re-development of the car park to provide two main residential blocks, referred to as Block A and Block B.

Block A is located to the west of the site closest to Station Approach. It is proposed at three storeys high. Block B is located to the east of the site and is proposed at part three, part five storeys high. In total, 52 one bedroom flats are proposed.

All flats would meet floorspace standards with 38 sqm of floorspace (GIA), and 100% would be affordable units, on the basis of being sold at 80% of market rate (see further consideration of this below).

The proposed development is proposed to be 'car-free', however three disabled parking bays would be retained nearest to Station Approach, for users of the Station. An access road is also retained along the northern boundary of the site, to enable continued access for TfL vehicles using the depot to the west of the site, as well as for servicing to the proposed development.

EXISTING

The existing site is an 85-space pay and display car park (TfL owned, NCP operated) used to serve the adjacent Sudbury Town LUL Station, which is on the Piccadilly Line. The site area is approximately 0.22ha, currently accessed from Station Approach to the east of the site, and is adjacent to the station forecourt and a bus terminal and waiting area. The site is allocated for residential development within the draft Local Plan, with an indicative 30 homes being provided (NB this number is based on a conventional mix being proposed).

Although not located in a conservation area, Sudbury Town Station is Grade II* listed, which includes the access ramp and bridge immediately adjacent to the site, providing access to the southern platform and Orchard Gate to the south. To the north-west, the site abuts the southern elevation of No. 29 Station Approach, with an area of single storey garages to the immediate east of No. 29's rear garden. To its north-eastern end, the site borders the rear gardens of properties on the southern side of Barham Close. An existing TfL depot is located to the east of the site, also currently accessed from Station Approach.

To the immediate south is a designated green / wildlife corridor, which provides relief to the underground line and railway embankment immediately beyond.

The site has a largely suburban, residential character with buildings predominantly between 2-3 storeys. It has a PTAL of 5 (very good), and is situated within Controlled Parking Zone 'ST' which operates during weekdays and on Wembley Stadium event days.

AMENDMENTS SINCE SUBMISSION

Initially, a part-three, part-four storey building (Building 'A') was proposed to the west of the site closest to Station Approach, with a second five storey building (Building 'B') proposed erected to the east of the site, creating a total of 61 1-bed units, with associated cycle and refuse storage, and provision of communal amenity space.

In October 2019, a number of amendments were made to the scheme in response to officers concerns regarding the impacts of the scheme in heritage and townscape terms, impacts to neighbouring residential amenity, and the types of accommodation being provided. The key changes to the scheme are summarised as follows:

- The reduction in height of Building A to become solely three-storeys, and reduction in part of the height of Building B, so that it would now be a part-three, part-five storey block. This had the effect of reducing the number of proposed 1-bed units from 61 to 52;
- The creation of small gardens to ground floor units, increasing the overall amount of amenity space (both private and communal) across the development to 594 sqm;
- The provision of 5 wheelchair accessible units across the scheme.

A 21-day re-consultation exercise was undertaken following receipt of these changes.

A further set of revised drawings were submitted in February 2020, proposing the following non-material changes to the scheme:

- Alterations to proposed road surface typers
- Bike shed material
- Fencing material
- Type of proposed bench
- Brick detailing
- Window mullions on some elevations
- Entrance features
- Staircase window – single rather than double glazed

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

- 1. Objections from adjoining neighbours, resident amenity groups and local councillors:**
135 properties were consulted on the proposal. In response 27 objections were received from adjoining occupiers, as well as a petition and further objections raised from Sudbury Town Residents Association Forum. Objections have also been received from Cllrs Daly and Stephens. Concerns are summarised as increased parking pressures due to the loss of the car park and knock-on effects of the additional residential development, traffic congestion and servicing, scale and height of the proposed building, heritage impacts, lack of genuinely affordable housing and amenity impacts to adjoining properties.
- 2. Principle of redevelopment of the site and loss of car park (with the exception of three blue badge spaces):** The re-development of this car park site to provide additional residential accommodation accords with both current and emerging policies of both Brent's Local Plan and the London Plan. The site has an allocation of 30 units within the draft Local Plan, based on a conventional scheme with mix of unit sizes. It is acknowledged that a number of objections have been received from local residents based on the impacts of the loss of the car park to users of the Station, and the impacts of additional demand on surrounding streets. However, the loss of the car park is considered to be in line with Local and London Plan policies to promote more sustainable modes of travel. The proposal is not considered to have an unacceptable level of impact on car park users and proposed new homes would be parking permit restricted, with CPZ contributions sought.
- 3. Affordable Housing and Mix:** The scheme would provide 100% affordable 1-bed units at an intermediate rate (sold at 80 % of market value), which does not fully accord with Brent and London Plan policy targets. However, sufficient justification and other benefits have been secured which officers consider outweigh this policy conflict.
- 4. Design, layout and height:** The proposed building would be a maximum of 5 storeys high, which is considered to be appropriate for the context of the site, given the site's location next to an underground station. The building closest to the Grade II* listed station has been reduced to three storeys to ensure its setting and special character is preserved. The blocks utilise good architecture with quality detailing and materials in order to maximise the site's potential whilst regulating its height to respect surrounding development.
- 5. Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers. The flats would have good outlook and light. The amount of external private/communal space is below standards, but would include high quality external communal terraces which would significantly improve the enjoyment of the site for future occupiers. This is considered acceptable for a high density scheme.
- 6. Neighbouring amenity:** Although there would be some impacts to neighbouring residential properties in terms of loss of light and outlook, a BRE daylight and sunlight study confirms these would be minor breaches of the Council's SPD1 guidelines for protecting light and

outlook to neighbours. The proposal would have a higher level of impact on the rear of the gardens of three properties (Nos. 7, 8 and 9 Barham Close), with the rearward 4 m of the garden not according with the 45 degree guidance. However, the level of impact is not considered to be unduly detrimental given the length of the associated gardens. The overall impact of the development is considered acceptable, particularly in view of the wider benefits of the scheme in terms of the Council's strategic objectives.

7. **Highways and transportation:** The scheme is to provide suitable provision of car and cycle parking and will encourage sustainable travel patterns, with a section 106 agreement to secure a parking permit restricted scheme for future occupiers.
8. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, and subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to future residential occupiers from the neighbouring underground line and the remaining TfL depot to the immediate east.

RELEVANT SITE HISTORY

There is no relevant planning history on the site.

CONSULTATIONS

Public Consultation

First consultation stage: May 2019

A total of 135 addresses within Barham Close, Barham Court, District Road, Station Approach and Station Crescent were initially notified of the development on 07/05/2019:

A Site Notice was displayed 07/05/2019.

A Press Notice was published 07/05/2019

A total of 27 objections were received to the proposals at this stage. The grounds for objection can be summarised as follows:

Objection	Response
Proposals represent an over-development of the site	The principle of development is considered within paragraphs 1-7
Loss of car park will have a detrimental impact on on-street parking in surrounding area, causing increased traffic and congestion	See paragraphs 84-95
Loss of step-free access for those in wheelchairs/ less physically able to use Station, insufficient disabled parking spaces retained	See paragraphs 84-94
Proposals would be detrimental to the character and setting of the listed Station	See paragraphs 22-28
Proposed 4-5 storeys would be out of scale with surrounding character and appear too dominant	See paragraphs 29-37
Increased pressures on local services including local bus routes	See transport section.
Overlooking and loss of privacy to 29 Station Approach	See paragraph 60

Impact of deliveries and servicing vehicles on local streets	See paragraphs 102-104
Proposed development would lack adequate amenity space for residents	See paragraphs 77-81
Proposed units would not be genuinely affordable for local people, question viability	See paragraphs 8-21
Increased crime and anti-social behaviour	The development has been designed with SBD principles in mind and there are not considered to be any specific concerns in this regard.
Noise and disturbance to proposed flats from underground line	See paragraphs 118-119

Sudbury Town Residents Association Forum have raised objections on the following grounds:

Objection	Response
Historic air-raid shelter and WWII bunker within/ beneath the Station is a site of archaeological interest which has not been fully considered as part of the proposals by the Council or Historic England	Both Historic England and the Council's Heritage Officer are satisfied that heritage and archaeological interests have been fully considered in connection with the proposed development.
Proposals do not meet the Mayor's policies on fully inclusive and accessible design	See paragraphs 82-83
Proposals fail to provide a mix of housing types to meet Brent need, including lack of wheelchair units, Older Persons housing or for catering for large families	See paragraphs 8-21
Lack of sufficient parking, increase stress on surrounding streets	See paragraphs 96-100
Proposed 4-5 storeys would be out of scale with surrounding character and appear too dominant	See paragraphs 29-37
Proposed design and materials (windows, roof profile, lack of active frontage) all out of keeping	See paragraph 38
Removal of trees contrary to policy and harmful to biodiversity	See paragraphs 129-131
Preliminary Environmental Study insufficient and inconclusive in regard to contaminated land	See paragraph 123
Impact of proposals on ground stability, issues not fully assessed/ considered	See paragraph 123
Insufficient details to assess impacts of proposed development on local air quality	See paragraphs 116-117
Proposed development would destroy SINC/ Wildlife corridor adjacent to underground line	See paragraphs 129-133
Ecological Appraisal not	See paragraphs 132-133

sufficient, needs further consideration	
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Furthermore, a petition with 522 signatures has been received, from adjoining occupiers and users of Sudbury Town Underground Station. The petition states that the signatories object to the sale of Sudbury Town Underground Car Park, on the basis that this is the only station that is completely step-free from the car park to the station platforms, with no assistance required. The petition also states that the step-free access from car park to both platforms is vital, since the nearest neighbouring underground stations, Acton Town and Uxbridge stations do not have car parks, and passengers require assistance at Hillingdon station. This means that 80 parking spaces are required at all times, and the three retained disabled spaces would be inadequate to meet both current and future demands.

Officer comments: These issues are addressed in further detail within the Highways and Transportation section of the main considerations below.

Cllr Stephens raised objections to the proposals by email on 19/05/19. The main grounds for objections can be summarised as follows:

- The proposals would not accord with Brent's policies on affordable housing, including the need for a wider mix of units including family housing, affordable rented and owned housing at a much lower percentage of market value, and social rented accommodation
- Lack of viability assessment for providing social rented accommodation as part of the proposals
- Range of costs and affordability issues relevant to Brent residents aren't stipulated in the development
- Loss of car parking next to Station will put pressures on surrounding roads
- Surrounding streets outside of CPZ and therefore 'car-free' restrictions can be easily got around
- Insufficient disabled parking spaces for proposed development
- Impact of noise from adjoining Piccadilly Line trains on potential future occupiers of development has not been adequately considered;
- Significant amount of 'unsightly and derelict' land to be retained, including a TFL depot
- Lack of acknowledgement of noise from buses and TFL-related activities
- Lack of adequate amenity space for future occupiers

Cllr Daly raised initial objections to the proposals by email on 15/05/19. The main grounds for objection can be summarised as follows:

- Disputes claims made by the applicant that the Pocket product offers affordable intermediate housing
- Lack of genuine mix and affordability in housing offer, failing to meet Brent policies
- Loss of light and overlooking to 8-12 Barham Close and 27 and 29 Station Approach
- Proposals within 4 metres of properties on Barham Close
- Overlooking to properties on Station Approach and Barham Close resulting from proposed roof terraces
- Proposed noise and disturbance from underground line and lack of consideration from activity from buses and activity from TfL depot
- Lack of adequate, high quality private or communal amenity space - communal courtyard required as a turning area for utility and emergency vehicles, therefore not properly usable
- Lack of wheelchair accessible units and no disabled parking for future residents
- Impact on parking stress levels within the surrounding streets, would not be curbed by the proposed 'car-free' scheme
- Proposed development should not dominate views of the Grade II listed building

10 letters of support were received from residents and people working in the Borough during the initial consultation stage. The grounds for support are summarised as follows:

- Proposed development would be a good use of currently underused land;
- Proposals would enable young people to get onto the housing ladder, which it is out of reach for many of those currently living in the Borough due to house prices being unaffordable;
- Proposed site is in a sustainable location, with Sudbury having good bus and tube connections

Re-consultation on revised proposals - October 2019

A further 21-day consultation exercise was undertaken in October 2019, with all those initially notified and those objecting during the first consultation period being sent letters notifying them of the proposed changes. A total of 8 further responses were received as a result of this exercise, largely re-iterating previous concerns, in particular the impact of loss of car parking spaces for people using the Station with mobility impairments (including those who don't have Blue Badges).

Further objections were received from STRA in November 2019, re-iterating initial comments and also making the following additional comments:

Objection	Response
Proposed mitigation measures outlined in applicant's acoustic report insufficient and not in compliance with UK or European legislation	See paragraphs 118-119
Reduction in height of blocks does not overcome concerns over building being intrusive and overbearing to Station	See paragraphs 22-37
Not all relevant views from important surrounding vantage points taken into consideration	See paragraph 28
Policies don't support loss of short-term public parking or lack of parking provision within application site	See paragraphs 2, 84-95
No proposed parking for the 5 wheelchair accessible dwellings, and lack of ability to prevent disabled residents using the retained parking spaces for Station users	See paragraphs 92-94
Although wheelchair accessible units now proposed, no wheelchair adaptable units	See paragraphs 82-83
Overshadowing to Station, harming views and the setting of the listed building	See paragraphs 22-28
Query over accuracy of daylight and sunlight study findings	See paragraphs 40-50
Proposals would harm local air quality conditions	See paragraphs 116-117

A further 24 letters of support were received from residents and people working in the Borough, re-iterating the perceived benefits of the scheme in terms of affordability and use of an un-developed site.

Further objections were raised by Cllr Daly on 02/12/19, following the receipt of revised proposals and a subsequent re-consultation exercise. As well as re-iterating initial concerns, further grounds for objection can be summarised as follows:

- The applicant has not undertaken adequate parking surveys to demonstrate that the existing car park is underused, particularly in regard to the three disabled spaces;
- Proposal discriminates against disabled users/ those with mobility problems who do not hold Blue Badges, but still require access to the car park on a regular basis in order to travel via the Station. Inadequate and unsafe parking spaces on street are not a feasible alternative;
- The retained disabled spaces will be shared by online supermarket delivery vans and other servicing vehicles, and therefore won't always be available;
- Proposals would result in overshadowing and loss of daylight and sunlight to 29 Station Approach, particularly to their rear garden and shed.

Statutory/ External Consultees

Historic England

No objections following revised submission, removing fourth storey of Block A, and façade changes.

London Underground:

No objections subject to conditions ensuring that the applicant enters into an agreement requiring protective measures in such a format as TfL specifies to adequately protect the Transport Undertaking and the Transport Assets in carrying out any works, and agreement on protection for TfL against future claims from residents regarding disturbance from the railway or adjacent compound, or other claims that affect the operation, maintenance of future upgrade of the transport network.

In addition, a condition requiring a revised Noise and Vibration assessment to include an allowance for future worsening (night time operation and track ageing), vehicle movements through the site serving the track compound and noisy works within the track compound at any time.

Transport for London (Spatial Planning)

No objections, subject to conditions requiring:

- A parking design and management plan to be submitted for approval prior to occupation of any units, in order to ensure at least one disabled space is secured for occupiers of the flats;
- A delivery and servicing management plan to be submitted and approved prior to occupation;
- A revised Noise and Vibration Assessment to include allowance for future noise worsening, vehicle movements etc related to the adjoining underground line and TfL depot;
- Details of protective measures (as agreed with TfL) to adequately protect the Transport Undertaking and Assets in carrying out works, and agreement on protection for TfL against future claims from residents regarding disturbance from the railway or adjacent compound, or other claims that affect the operation, maintenance of future upgrade of the transport network;
- A Construction Management Plan prior to any works commencing.

Thames Water

No objections subject to conditions requiring the submission of a Piling Method Statement before works commence, and appropriate informatives.

LB Ealing

No objections, subject to a £20,000 payment to LB Ealing secured via s106 agreement to enable review of its Controlled Parking Zone and to seek to implement any changes that are deemed necessary.

London Fire Brigade

No objections subject to confirmation that there is a sufficient turning facility between the two buildings for a fire engine to turn round.

Officer comment: This was confirmed within the revised design and access statement.

Internal consultation

Environmental Health

Environmental health supports the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact. See detailed considerations section of report for further comments on these issues.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan 2016, Brent Core Strategy 2010 and Brent Development Management Policies 2016.

Material Considerations include the NPPF, the PPG and the Mayor's and Council's Supplementary Planning Guidance.

Key policies include:

Regional

London Plan 2016

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.4 Local character
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality

Local

Brent Development Management Policies 2016

- DMP 1 - General Development Management Policy
- DMP 7 - Brent's Heritage Assets
- DMP 8 - Open Space
- DMP 9 - Waterside Development
- DMP 9a - Managing Flood Risk
- DMP 9b - On Site Water Management and Surface Water Attenuation
- DMP 12 - Parking
- DMP 13 - Movement of Goods and Materials
- DMP 15 - Affordable Housing
- DMP 18 - Dwelling Size and Residential Outbuildings
- DMP 19 - Residential Amenity Space

Brent Local Development Framework Core Strategy 2010

- CP 1 - Spatial Development Strategy
- CP 2 - Population and Housing Growth
- CP 5 - Placemaking
- CP 6 - Design and Density in Place Shaping
- CP 15 - Infrastructure to Support Development
- CP 17 - Protecting and Enhancing the Suburban Character of Brent
- CP 18 - Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP 21 - A Balanced Housing Stock

Brent Supplementary Planning Guidance Documents

Brent Supplementary Planning Guidance:

The draft London Plan has been subject to an Examination in Public and an “Intend to Publish version” has now been published. This now carries greater weight in the assessment of planning applications.

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer’s that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Key relevant policies include:

Draft London Plan 2019

Key policies include:

- D4: Delivering good design
- D6: Housing quality and standards
- H1: Increasing housing supply
- H2: Small Sites
- H4: Delivering affordable housing
- H10: Housing size mix
- T2: Healthy Streets
- T4: Assessing and mitigating transport impacts
- T5: Cycling
- T6: Car parking

Brent’s Local Plan

Key policies include:

- BP7: South West
- BD1: Leading the Way in Good Urban Design
- BD2: Tall Buildings in Brent
- BH1: Increasing Housing Supply in Brent
- BH5: Affordable Housing
- BH6: Housing Size Mix
- BG12: Trees and Woodlands
- BHC1: Brent’s Heritage Assets
- BT2: Parking and Car Free Development

DETAILED CONSIDERATIONS

Principle of development

1. The proposed development would replace an existing car park containing 85 spaces (which includes three disabled bays), serving users of Sudbury Town Underground Station, with two residential blocks providing 52 flats.

Loss of car park

2. Paragraph 118(d) of the NPPF states that planning decisions should promote and support the development of under-utilised land, including car parks. The site contains a car parking area providing 85 spaces. The loss of a car park in this location is considered to be acceptable in principle, subject to further assessment of the impacts of parking displacement and other parking matters which will be assessed in detail later in this report.

Re-use for residential accommodation

3. The NPPF expects the planning system to boost significantly the supply of housing, including by identifying key sites in the delivery of their housing strategy. Brent’s Core Strategy Policy CP1 also aims to concentrate housing growth in well located areas that provide opportunities for growth, creating a sustainable quality environment that will have positive economic impacts on deprived neighbourhoods that may surround

them.

4. Policy H1 of the draft London Plan encourages the re-development of brownfield sites such as car parks in order to optimise capacity, and support Brent in its target to supply 23, 250 homes over the next ten years. Furthermore, Policy H2 also supports the intensification of small sites (up to 0.25ha) in order to help meet these targets, and particular on sites in areas close to public transport nodes, such as this.

5. The draft Brent Local Plan identifies Sudbury Town Car Park as Site BSWSA13 within the Site Allocations list. It has been recognised that this site has potential for residential development, with an indicative 30 homes being provided (this number is based on a conventional mix being proposed).

6. The site is located within an area with a very good PTAL rating, directly next to Sudbury Town Underground station and a number of bus routes, in an area which has a predominantly residential character. It is within 5-10 minutes walking distance of nearby shops and amenities, including Barham Park to the north. The re-use of the car park for residential purposes has also been acknowledged within Brent's draft Local Plan Review.

7. On this basis, the principle of using the site for residential accommodation is therefore supported, subject to all material planning considerations being fully assessed, including the proposed mix of units in terms of size and tenure, the quality of accommodation and other significant issues.

Affordable housing and mix

8. The NPPF states that planning policies should expect affordable housing to be provided on site.

9. Policy DMP15 (a) of the Brent Local Plan sets the target for 50% of new homes delivered in the borough to be affordable. The policy seeks maximum reasonable affordable housing to be sought in individual applications. Part b of the policy states that, in regard to the affordable housing element, 70% of this should be either social/affordable rented housing, and the remaining 30% should be provided at an intermediate rate, meeting local needs. This tenure split is reinforced in policy BH5 of Brent's draft Local Plan.

10. London Plan Policy 3.12 states that boroughs should seek the maximum reasonable amount of affordable housing on individual private residential and mixed-use schemes. London Plan Policy 3.11 seeks a split of affordable housing to a ratio of 60% social/affordable rent and 40% intermediate rent/sale.

11. However, Policy H6(A) of the draft London Plan changes this slightly, setting out a requirement for the following tenure split in relation to affordable products for residential development:

- 1) a minimum of 30 per cent low cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes
- 2) a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership
- 3) the remaining 40 per cent to be determined by the borough as low cost rented homes or intermediate products (defined in Part A1 and Part A2) based on identified need.

12. Furthermore, policy CP21 seeks for an appropriate range and mix of self contained accommodation types and sizes, including family sized accommodation (capable of providing three or more bedrooms) on suitable sites providing 10 or more homes. Policy CP2 has a strategic target of 25% of new homes within the Borough being family sized units. This is reinforced within emerging policy BH6 which can be given some weight.

13. Pocket units are sold at a minimum of 20% below market value. Purchasers must earn below the GLA intermediate affordability household income threshold levels (currently £90,000), not own another property and must live or work in the Borough in question in the first instance. These eligibility restrictions also apply to re-sales and as such the properties remain affordable in perpetuity and would be secured through a S106 agreement. Pocket Living advise that their average salary across their developments is £42,000 and thus is considerably below the GLA threshold. However, actual salary levels will vary between developments and areas.

14. On this basis, officers accept that the proposed units would meet the definition of 'affordable housing' as set out within the NPPF. However, all of the units would be offered at an intermediate rate (discount market rate), and therefore the scheme would be contrary to Policy DMP15(b) of the Local Plan,

and both Policy 3.11 and emerging Policy H6 of the London Plan as no flats would be offered at a social or affordable rate. It is also important to note that the scheme would provide 100% 1-bed units, and therefore there would be no mix of unit sizes, including any family-sized units.

15. As with other schemes which do not deliver policy compliant levels of affordable housing, a Financial Viability Assessment (FVA) has been submitted with the application, attempting to demonstrate that a higher proportion or policy compliant mix would not be viable. This has also been revised in order to account for the reduction in number of proposed units from 61 to 52.

16. The FVA has suggested that 11 Affordable Rented homes and 5 Intermediate homes could viably be provided within a notional conventional scheme (i.e. a scheme which provides a mix of units, and a 35% affordable scheme with a 70:30 social: intermediate split). However, it is also important to note that: (a) it has also been concluded that the proposed 100% intermediate rate scheme would not be financially advantageous to the applicants, when assessed against this notional conventional scheme; and (b) the proposed scheme would deliver 20 more units on the site, i.e. 52 rather than the 32 which would be provided by a notional conventional scheme.

c) for the avoidance of doubt, an application for a conventional scheme has not been made on this site and is therefore not under consideration. There are further constraints relating to this site that would suggest that a conventional mix of unit sizes also may not be appropriate and this is discussed below.

17. Notwithstanding that the proposed scheme would not be more financially advantageous to the applicants compared to a notional conventional scheme, differences between some of the applicants' and the Council's assumptions (notably on predicted sales values) have been identified. Using mid-points of these assumptions, the scheme is considered to result in a £197,181 surplus above the base appraisal. Noting that the scheme already provides 100% affordable housing, officers consider that this level of contribution is appropriate and the payment would be sufficient to fund the provision of 2 off-site affordable rented, 3-bedroom units within an alternative scheme in the Borough, if used in a similar way to affordable housing grant (precise details of which would be agreed in discussions with LB Brent Housing officers). This would be secured via the section 106 agreement. In light of the particular circumstances of this site, the applicant has agreed to make this contribution to the provision of off-site affordable housing.

18. Additionally, officers consider that some weight should be placed on the evidence which has been submitted by the applicants, in the form of their "Assessment of Demand for Affordable Homes for First Time Buyers in Brent", which demonstrates that the size and type of affordable housing proposed is needed in this location. The assessment does provide evidence that the flats (which would be made for sale, rather than for rent) would be affordable to a particular section of first time buyers in the Borough.

19. Furthermore, Pocket Living highlight that there is evidence that intermediate housing completions within Brent have been low in recent years (between 2015/16 and 2017/18 there were 96 intermediate housing completions, out of a total 6,297), and that there is a particular lack of one-bedroom intermediate provision within this part of the Borough, characterised by family housing, which the proposals would help to address. It is noted that 2018-19 Intermediate completions are higher (208 homes). However, there continues to be significant need for intermediate homes.

20. With particular regard to the lack of mix, officers also place some weight on the particular site circumstances. The site is highly constrained, bounded the Underground line to the south and requiring access to be maintained to the TfL depot to the immediate south-east. As outlined in later sections, constraints also exist in terms of the proximity to the Grade II* listed station, and the proximity to adjoining residential properties which mean that both height and site coverage have been impacted. Given these circumstances, while some mix of units would be preferred, officers acknowledge that the site is not ideally suited to the provision of family-sized units.

21. In conclusion, officers have carefully weighed up the significant benefits presented by Pocket's particular housing model and the 100% affordable housing this would represent, against the policy conflicts which do exist in terms of the lack of units provided at a social/ affordable rate, and the lack of unit size mix. Officers consider that the additional off-site contribution towards affordable housing, enabling the provision of family-sized accommodation elsewhere in the Borough, provides sufficient justification to ensure that the scheme would accord with the objectives of Policies CP2, CP21, DMP15 and Policy 3.11 of the London Plan, as well as emerging local and regional policies, despite not being in accordance with the Affordable Housing tenure mix specified within those policies nor the provision of any family sized units being delivered on site.

Heritage and impact on the Grade II* listed station

22. Section 12 of the NPPF deals with conserving and enhancing the historic environment, in paragraphs 126 to 141. The NPPF places much emphasis on heritage 'significance', which it defines in 'the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'

23. Paragraph 126 of the NPPF encourages local planning authorities to recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. On the other hand the same paragraph recognises the fact that new development can make a positive contribution to local character and distinctiveness, which is one of the factors to be taken into account, and that, is reiterated again in paragraph 131.

24. Paragraph 131 indicates that a number of considerations should be taken into account, first of which is the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. It also requires taking into account sustainable communities, including economic vitality, as well as local character and distinctiveness.

25. Brent Policy DMP7 relates to heritage assets together with emerging Local Plan Policy BHC1, Policy 7.8 of the adopted London Plan and HC1 of the draft London Plan. These policies set out that proposals should demonstrate a clear understanding of the significance of the heritage asset, provide a detailed analysis and justification in relation to potential impact, retention of structures and features where their loss would cause harm, to sustain and enhance the significance of the asset and to contribute to the distinctiveness, form, character and scale of the asset. They set out the need to conserve their significance and avoid harm.

26. The Council's Heritage officers and Historic England have commented on the proposals. Historic England initially raised objections to the height of Building A, commenting that the fourth storey element would make this block appear bulky and tall in comparison with the listed station, and the fenestration not being in harmony with the three-storey element.

27. The revised proposals have simplified the form of the new block A, removing the fourth storey from the scheme. The building closest to the station would now be a simple rectangular block of three storeys, with a façade designed with a regular rhythm of windows to solid brick. using high quality materials and fenestration detail which would successfully refer to the adjacent listed station, without competing with it visually. The revised block A would not appear overly dominant in the context of the station, and it is considered its impact on the significance of the listed building would be minimal.

28. The heritage officer agrees with this view, and Historic England have confirmed that their objections have been overcome. Wider views of the blocks from surrounding vantage points have been assessed, including from the Station platforms, and from both Station Approach and Orchard Gate. The proposals would not be harmful to the setting or special character of the Grade II* listed station, and would therefore comply with Policy DMP7 of the Local Plan, and the overarching aims of the NPPF.

Scale, height, layout and massing

29. Brent Policy DMP1, emerging policy BD1 and Brent SPD1 promote high quality design that is appropriate for its context. Section 3.1(a) of SPD1 (Sites appropriate for tall buildings) states that 'tall buildings will only be encouraged in areas identified as appropriate for tall building and be of outstanding design, following best practice guidance'. The supporting text explains that tall buildings are defined as structures that are more than 6m taller than the local context, or 30m and over. It states that 'new development should optimise the potential of the site while respecting the existing context and character and make efficient use of land through good design.'

30.. Emerging policy BD2 (tall buildings in Brent) also reflects this approach, directing tall buildings to the zones identified on the proposals maps, intensification corridors, town centres and those identified in site allocations. Outside of those areas, this policy specifies that tall buildings will only be permitted on sites of a sufficient size to successfully create a new character area while responding positively to the surrounding character and stepping down towards the site edges.

The taller element of Building B would be a maximum of five storeys, which is between two and three storeys taller than the surrounding context. Although this site is not defined as being appropriate for tall buildings within the emerging Local Plan (i.e. an Intensification Corridor or within a town centre), it is considered that there is justification for an increase in height above the prevailing context due to the high public transport accessibility associated with the proximity to the tube station, the overall high quality design of the scheme

presented, and the fact that the setting of Grade II* listed station would be preserved.

31. With regard to site layout, the revised proposals would create a three-storey rectangular block to the north-west of the site (Building A), and a part-three, part-five storey block to the south-eastern part of the site (Building B), with a central courtyard separating the two. Officers consider this to be the best approach given the site's constraints, bordered by the listed station to the east, the underground line to the south, and adjoining residential properties to the north and north-east. The residential units at ground floor level facing towards the station will ensure an active frontage, while the quality of the communal courtyard has been improved to ensure a good quality public realm and a good level of natural surveillance between the two blocks.

32. A separation distance of between 9 and 15 metres would be maintained between the two blocks. Building A would be set away from Sudbury Town Station by 10 metres, and increased separation distances have been proposed to both No. 29 Station Approach (a minimum of 5.5m maintained to this boundary) and the rear gardens of Barham Close. The relationships are reviewed in more detail below, and assessed in relation to the specific guidance set out in SPD1.

Building A

33. With regard to its bulk and massing, the revised three-storey block ensures it would remain suitably subservient to the Grade II* listed station, particularly when seen in public views from Station Approach, as well as ensuring a more comfortable transition from the two-storey terraced properties to the immediate north. At the same time, the building would maintain a strong, distinct presence which is important given it directly addresses Station Approach, and would be viewed by large numbers of people using the Station and adjacent bus routes.

34. The massing of the block is broken up successfully by the proposed fenestration pattern and detailing to the front elevation, having a clear base, middle and top. A number of verified CGIs from key vantage points in the surrounding area have been submitted by the applicants, including from Station Approach, Orchard Gate (to the south) and the station platforms. The views demonstrate that the block would not appear overly dominant or overbearing when seen from these vantage points, and Historic England agree with this view.

Building B

35. Building B proposes a part 3-5 storey building, which is positioned towards the south-eastern side of the site. The building would be broken up into two main blocks (west and east), ensuring it would not have an overly horizontal emphasis. The five-storey element maintains at least a 9m distance to Building A through the courtyard, helping to reduce the impact of this additional bulk when seen from surrounding properties.

36. The revised design would ensure that the three-storey element of the scheme would maintain a minimum of 4.6m to the northern boundary of the site, which abuts the rear gardens of properties on Barham Close. The proposals would also retain some degree of set back to both the Underground line to the south, and the TfL depot to the east, ensuring that the block does not appear cramped or overbearing when seen from surrounding properties and key vantage points.

37. The proposal is considered to accord with adopted and emerging policy with regard to its height, scale, layout and massing.

Architecture and materiality

38. As alluded to above, the proposed architecture and materials have been carefully considered and would achieve a very high quality appearance, particularly to the front façade of Building A, which addresses Station Approach and the Grade II* listed station. The palette of materials is relatively simple, with the buildings predominantly built in a light multi buff brick, with concrete lintels used to divide the bays vertically, which replicates the profile of the station. The windows and doors would be framed in powder coated aluminium, and further details of these materials, including paving, balustrading to balconies and entrances would be conditioned to ensure a high quality finish for officers' approval. The proposed development is considered to accord with adopted and emerging policy with regard to architecture and materiality.

Impact on neighbouring amenity

39. Brent Policy DMP1 sets out that development should provide high levels of both internal and external amenity. The Council's Supplementary Planning Document (SPD1) sets out a number of parameters for the consideration of potential impacts on the amenities enjoyed by neighbouring occupiers. Objections have been raised regarding the potential impact of the proposed development on neighbouring amenity, most particularly to Nos. 29 Station Approach and the rear gardens of properties on Barham Close.

Daylight

40. The applicant has submitted a daylight, sunlight and overshadowing analysis of the impact of the development on surrounding properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2011)' document. Officers are satisfied that the report successfully identifies all neighbouring properties which could be affected by the proposed development, which are summarised as follows:

- 8 to 12a Barham Close
- 7 & 29 Station Approach
- 48 to 56 Orchard Gate
- Sudbury Town Station and
- the garages to the rear of 29 Station Approach

41. BRE guidance (para. 2.2.4) specifies that loss of daylight to existing windows need not be analysed if the distance of each part of the new development from the existing window is three or more times its height above the centre of the existing window.

42. On this basis, the rear facing windows of Nos. 4 - 7 Barham Close, to the immediate north/north-east of the site, would be at least 48 metres away from the five-storey element of Building B, which has a maximum height of 17.5m. Given a typical existing ground floor window would be 1.5m above ground level, the impacts on these windows more than $3 \times (17.5 - 1.5) = 48\text{m}$ away need not be analysed. Officers are therefore satisfied that there would be no harmful impact on light levels to these properties.

43. For daylight, an assessment was undertaken using two tests, namely the Vertical Sky Component (VSC) and, where room layouts are known, Daylight Distribution (or No Sky Line) (NSL) in line with BRE guidelines. The results of these tests for the properties identified above is summarised as follows:

44. 8 to 12a Barham Close

These properties are situated to the north/ north-east of the site, with the rear windows of these properties being more than 30 metres away from the nearest part of Building B. The report identifies that all windows would be within 0.8 times their former value, with only small losses in VSC being recorded. A daylight distribution test has been carried out to Nos. 9 and 12a Barham Close, which also demonstrates that there would be either no or a negligible impact on levels of daylight. No NSL testing has been carried out to No. 8, 10, 11 or 12 Barham Close; however the drawings clearly demonstrate that Building B would pass a 25-degree test to the ground floor rear facing windows of these properties, and therefore officers are satisfied that no further analysis of daylight loss would need to be undertaken, in line with BRE guidance.

45. 27 and 29 Station Approach

These properties are situated to the north/ north-west of the site, with the rear facing windows approximately 9-10 metres away from the nearest part of Building A. The report identifies that there would be no adverse impact on these neighbouring windows, passing both VSC and NSL tests, aided by the revised set back in Building A from the boundary to No. 29, and the part-reduction in height of this block.

46. 48 to 56 Orchard Gate

These properties are situated to the south / south-west of the site, on the other side of the Underground line, with the rear facing windows approximately 35-40 metres away from the blocks. Again, the report identifies that there would be no adverse impact to any windows of these properties, all retaining at least 0.9 times their former value.

47. Sudbury Town Station

The Station sits to the immediate west of the site. The report identifies some windows which would

experience a significant adverse impact as a result of the proposed development. However the majority of windows would retain values of at least 0.8 times their former value, and it must be acknowledged that the windows affected are non-domestic and therefore do not have the same requirement or expectation of daylight, as recognised by the BRE guidelines.

48. Garages to rear of 29 Station Approach

The garages sit to the north of Building A, and the report identifies that one of the windows would experience a minor adverse impact (VSC level of 0.76 times the former value). However, again it must be acknowledged that this window would be 'non-domestic' and therefore does not have the same expectation of daylight, as set out in the BRE guidelines. On this basis, the proposed development would be acceptable in terms of impacts on neighbouring daylight levels.

Sunlight

49. With regard to sunlight, an assessment was undertaken in line with BRE guidelines, testing for adverse affects to all habitable rooms which have a window facing within 90 degrees of due south. The tests undertaken consider loss of annual probable sunlight hours (APSH), and loss during winter sunlight hours (WPSH).

50. The report identifies that there would be some impact during winter months to rear habitable windows serving both Nos. 8, 9B and 10 Barham Close, and 29 Station Approach which receive less than 5% of APSH between April and September, and would have a WPSH less than 0.8 times their former value as a result of the proposed development. However, the total reduction in sunlight received to these windows over the whole year would not exceed 4% of its APSH, and therefore on balance, the proposals would comply with BRE guidelines in regard to sunlight.

Overshadowing to gardens and open spaces

51. The BRE guidance recommends that at least 50% of the area of external amenity spaces (including gardens, playgrounds, sitting out areas) should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of light is likely to be noticeable.

52. The assessment undertaken demonstrates that there would be some overshadowing impact to neighbouring gardens, particularly those to the north on Barham Close. However, all gardens would benefit from more than 50% of their areas retaining at least two hours of sunlight on 21st March.

Outlook and sense of enclosure

53. With regard to outlook, SPD1 specifies that developments should normally be situated below a 30-degree line taken at a 2m height above floor level within the habitable rooms of the associated dwellings. In addition, new developments should sit within a line drawn at 45 degrees from neighbouring private amenity space (measured at 2m above ground level).

54. Particular concerns were raised by officers regarding the potential impacts of the originally proposed blocks on No. 29 Station Approach, and the rear gardens of Nos. 1-9 (consecutive) Barham Close, in terms of their height and massing, which would be contrary to SPD1 advice above. Building A has been set further away from the side elevation of 29 Station Approach, ensuring it would now be a minimum of 5.5m from the boundary to this property. This, together with the reduction in height, ensures that the objectives of SPD1 have been met by respecting both the 30-degree and 45-degree rules to this property.

55. Officers also raised concerns about the proximity of Building B to the rear gardens of Nos. 1-9 Barham Close, particularly given the height and massing of the block to the south-east portion of the site. It is important to note that at least 30m is maintained between this block and the main rear elevations of these properties to the immediate north on Barham Close, and in some cases this increases to more than 55m. However, these properties are characterised by having generally, long, narrow rear gardens which extend more than 30 metres and immediately abut the northern boundary of the site.

56. In response to this, the applicants have carried out a thorough and detailed analysis of the relationship between the proposed development and neighbouring gardens to the immediate north (Nos. 1-9 Barham Close). The table below summarises this relationship between the block and these rear gardens

further, and explains where mitigating factors exist to offset the harm resulting from the blocks to these properties:

Address	Comments
1 Barham Close	Doesn't benefit from a garden; property would be more than 55m away from application site
2 Barham Close	Rear garden more than 10m away from northern boundary of site; property more than 55m away
3 Barham Close	Tall trees/ vegetation to rear garden immediately adjoin the site boundary, thereby ensuring that there would be no direct overlooking resulting from the proposed block
4 Barham Close	Rear garden does not extend the full depth as with adjoining properties, and ends more than 25m away from the site boundary
5 Barham Close	Large shed exists to the far end of the site, and also has tall foliage/ screening which ensures there would be no significant sense of enclosure or overshadowing impacts
6 Barham Close	Rear garden does not extend the the full depth as with adjoining properties, and ends more than 15m away from the site boundary
7 Barham Close	Directly adjoins site and appears well kept, would be SPD2 breach – see detailed comments below
8 Barham Close	Directly adjoins site and appears well kept, would be SPD2 breach – see detailed comments below
9 Barham Close	Directly adjoins site and appears well kept, would be SPD2 breach – see detailed comments below

57. Having identified the potential for significant overshadowing and increased sense of enclosure to the rear gardens of Nos. 7, 8 and 9 Barham Close, the height of the block has been partly reduced from 5 to 3 storeys, where it sits directly adjacent to these three rear gardens. Officers acknowledge that despite this reduction in height and massing, there would still be a technical breach of the SPD1 guidance, given the block would remain a minimum of 4.6 metres from these garden boundaries. However, the applicants have demonstrated that this reduction would minimise the breach significantly, accounting for only the 4 metres of garden furthest away from the respective properties. Given these gardens all measure at least 30 metres long, this effectively reduces the proportion of 'impacted' garden from approximately 33% to approximately 13%.

58. On this basis, although Building B would fail to fully accord with the guidance in Principle 5.1 of SPD1, it is considered that the proposals would not unduly harm the neighbouring amenity of the occupiers of Nos. 7, 8 and 9 Barham Close, and therefore would accord with Policy DMP1 of the Local Plan.

Overlooking / privacy

59. Section 5.1 (Privacy and amenity) of SPD1 states that directly facing habitable room windows will require a minimum separation distance of 18m, while a distance of 9m should be kept between gardens and habitable rooms or balconies.

60. The revised proposals ensure that a minimum distance of 5.5m would be maintained between the north elevation of Building A and the boundary to the rear garden of No. 29 Station Approach, which increases to over 9m nearest to the rear elevation of this property. Although not fully compliant with SPD1 in this regard, it is noted that there would be no windows serving habitable rooms looking directly towards the rear garden of this property, with the only openings on this elevation serving the communal stairwell to this block. The proposed drawings indicate that these windows would be obscure glazed; officers have recommended a condition to ensure this remains the case for the lifetime of the development. The main windows to this block would be north-east and south-west facing, ensuring that any views to No. 29 Station Approach would be at obscure angles.

61. As outlined in earlier sections of the report, the impact of Building B is significantly mitigated by the long gardens present to the rear of properties on Barham Close (particularly Nos. 7, 8 and 9), with at least 30 metres maintained between the north elevation of this block and the nearest rear facing habitable windows of the adjoining properties, thus significantly exceeding the minimum 18m separation distance between directly facing habitable room windows as set out in SPD1. In addition, some of the potentially affected gardens have large outbuildings or significant existing vegetation which is considered sufficient to mitigate the potential impact. However, the south-eastern-most three gardens are relatively open to the rear, Nos. 7, 8

and 9 Barham Close.

62. The building reduces to three storeys nearest to these properties, however a distance of 4.6 metres (minimum) would be maintained from the northern boundary where it meets these gardens. Officers therefore recommend a condition to ensure louvres are installed to the north facing windows of the associated units block for the elements of the window up to 1.7 m above floor level (with the exception of the ground floor units), to mitigate the potential loss of privacy, given this intimate relationship. This would be required for four flats, two on the first floor and two on the second. On each of those floors, it would affect the bedroom of one flat, with the living room remaining unaffected, and the bedroom and living room of the other (corner) flat. The latter (corner) flat also benefits from a side facing window that would not need to be obscure glazed, thus providing appropriate level of outlook.

63. A communal roof terrace is also proposed above the three storey element of Building B. However, this would be set back from 1.8m from the northern parapet, thereby ensuring that it would maintain a separation distance of between 6.5m and 8.5m to the boundary with rear gardens of Nos. 7-9 Barham Close, and more than 40 metres to the nearest rear facing windows of these properties. Planters and landscaping, as well as an indicative balustrading are shown to this elevation to further mitigate any overlooking impacts. However, precise details of this screening would be secured by condition before any of the units are occupied, to ensure that there is no loss of privacy to occupiers to the immediate north of the site.

64. The proposals would result in new openings looking south and east, however given these would look onto the London Underground line and the TfL depot respectively, this relationship is considered acceptable.

65. The proposal is considered to accord with adopted and emerging policies with regard to the impact on surrounding properties and uses.

Quality of proposed accommodation

Minimum floorspace standards

66. DMP18 outlines that the size of dwellings should be consistent with London Plan Policy 3.5 Table 3.3 Minimum Space Standards for New Dwellings. The proposed residential units meet the London Plan floorspace requirements in terms of their overall size, for 1 storey/1 bedroom units respectively at 38sqm. All units also have sufficient levels of internal storage space.

67. The London Plan sought a provision for 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards. The proposals have been revised to ensure that five units would be wheelchair accessible, which meets the 10% requirement, while the remainder would be adaptable. This is considered acceptable, and officers recommend a condition is attached to ensure this is achieved.

Daylight

68. An Average Daylight Factor (ADF) test has been carried out for the new dwellings which identifies a measurement of the diffuse daylight within a room. This calculation takes into account the size and location of the window, the glazing transmittance, the total area of the room, reflectance of the walls, ceiling and floor (the internal average reflectance) and uses a CIE overcast sky. The ADF assessment demonstrates that all rooms will be fully compliant with the BRE Guidelines.

69. The sun on ground results demonstrate that the majority of the proposed amenity spaces will achieve over 95% of the suggested 2 hours of sunlight, except for garden 10 because of the Sudbury Town Station building. However, the occupiers of garden 10 would also have access to the communal amenity spaces and therefore this small deficiency is considered to be acceptable.

Outlook and privacy

70. The Mayor's Housing SPG seeks to avoid single aspect north facing units wherever possible, or single aspect units that are at risk of being exposed to detrimental noise levels.

71. The residential units of Building A would have primary outlook south-east onto the central courtyard, or north-west onto the landscaped frontage of the site. Building B would have primary outlook onto

either (a) the TfL depot at the east/ south-east, (b) to the north/ north-east, with over 40 metres maintained to the main rear elevation of properties on Barham Close, or (c) to the railway with over 30m to neighbouring properties beyond.

72. With regard to separation distances between the two blocks, a minimum of 10m would be maintained to the southern element of the blocks, which would increase to approximately 13.8m to the northern portion, across the communal courtyard. The angle of the two blocks ensures that there would be no direct overlooking between windows, and therefore the relationship between the two is considered acceptable.

73. The overall scheme will deliver 36 units which will have true dual aspect, representing about 69% of the total. Given the constraints of the site and its deep length, this is considered to be a reasonable provision and could not be notably increased without losing a significant amount of accommodation. A further 21 of the single aspect flats have either north-east or south-west facing outlook, which is considered to be ideal as there are often problems associated with the provision of units that are solely north facing (lack of direct sunlight) or solely south facing (problems with overheating). Only 6.5% of units would have a north facing, single aspect. As discussed in the previous section, louvres are required for the windows of four flats which would restrict outlook through the associated windows. However, the living rooms for those flats would benefit from good levels of outlook. It is considered that the level of outlook for all flats is acceptable.

74. The development has secure entrances in locations which are overlooked so as to maintain security, and in turn would overlook public areas in a more positive way than the existing buildings do. This is therefore considered acceptable and will achieve good outlook in line with SPD1. Overall, the general arrangement and layout of the proposed units are considered to provide acceptable separation distances and relationships.

Overheating

75. An Energy Statement has been submitted which includes the results of overheating. The Mayor's London Plan seeks to avoid overheating and excessive heat generation within Policy 5.9.

76. The Energy Statement outlines that the proposed development has been designed in accordance with the cooling hierarchy to minimise cooling demand and limit the likelihood of high internal temperatures in summer months. Mitigation measures such as an appropriate glazing ratio and g-value, high levels of insulation and minimisation of internal heat gains are targeted. Through these measures, the relevant areas of the Proposed Development will achieve compliance with Criterion Three of the Building Regulations Part L (2013).

Amenity and play space

77. Brent Policy DMP19 and emerging policy BH13 requires that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 20sqm per flat. The Mayor's Housing SPG and emerging London Plan policy DH6 set a target of private outdoor space for 1-2 person dwellings. However DMP19 recognises that where this cannot be fully met, the shortfall can be offset through communal amenity space.

78. Based on 52 flats, DMP19 requires 1050sqm of private external amenity space. Only the 11 ground floor flats would have access to private amenity space, ranging from 5.5sqm to 21.4sqm. Overall there is a shortfall in private external amenity space across the scheme by 913sqm.

79. In order to partly mitigate this, the proposal would include a total of 476sqm of communal amenity space in the form of a communal courtyard positioned centrally between the two buildings (329sqm) and a roof terrace above Building B (147sqm), which all units across the two blocks would have access to. The courtyard would also serve as a turning head when required for servicing vehicles. The level of use of this is expected to be low and the courtyard has been designed to be used as an amenity space for when not used for turning. However, it has some effect on the usability of the space.

80. However justification is provided by the proximity to Barham Park (around 300 metres) and other open spaces, and the lack of any family-sized units. Officers have ensured that the quality of the communal courtyard has improved to ensure this would be a useable, well-enjoyed space by future occupiers. Officers have also considered the implications which would arise from installing balconies to both blocks, which could result in additional levels of overlooking to adjoining properties. A roof terrace to Building A was also omitted

following concerns that this would impact on the setting of the Grade II listed building. In addition, PV panels need to be installed to the roof of the both Buildings A and B in order to meet sustainability requirements, and therefore this part of the roof cannot be used as additional communal amenity space. The provision of 1-person dwellings only and the absence of family sized units is also considered to be an appropriate way to help to ensure a good standard of accommodation for future residents. Given the site's particular circumstances, the proposals are therefore considered acceptable on balance.

81. The London Plan requires children play area for major schemes. The applicant's planning statement states that no external child play space has been proposed as the development is aimed at single people. Furthermore, Barham Park is within 400m of the site, which provides public open space as an off-site alternative option for the future occupiers of the development, which is considered acceptable.

Accessibility

82. The scheme has also been amended to ensure 5 of the units would be wheelchair accessible, and therefore is broadly in line with the 10% requirement set out in the London Plan.

83. The proposal is considered to result in a good standard of accommodation for future residents in accordance with adopted and emerging policy, despite the levels of external space which fall below levels set out within policy DMP19, emerging policies BH13 and DH6 and the Mayor's Housing SPG.

Highways and Transportation

Loss of existing car park (including retention of Blue Badge parking bays)

84. Concerns have been raised from Cllr Daly and from a number of neighbouring residents regarding the impact of the loss of the car park will have on users of the station, particularly those who are not necessarily Blue Badge holders but may have other mobility difficulties which mean they are car reliant, for example the elderly or those who are pregnant.

85. As outlined above, three disabled parking spaces are proposed to be retained for the use of the station at the western end of the site, as required by Transport for London. It should also be noted that there are two Blue Badge spaces available to the southern end of the Station, on Orchard Gate, which are directly outside the Station and provide alternative step-free access to the Station for users.

86. TfL have made the decision to close the car park (with the exception of the blue badge spaces) to allow the development of this site. The provision of the car park is not currently required by any planning condition or obligation and the closure of the car park would not require planning permission. Nevertheless, the proposal involves the development of land that is currently used as a station car park so the potential impacts resulting from the car park's loss on particular groups who may be more car-reliant has been examined, as well as the impacts on parking displacement more generally.

87. To assess its existing level of use, parking beat surveys were undertaken by the applicant over a weekday in November 2018 and a Saturday in January 2019 between 5am and 9pm. On the weekday, this showed car park occupancy peaking at 30 cars between 12-2pm, meaning the car park was no more than 37% parked. On the Saturday, occupancy peaked at 38 cars (46%) between 6-8pm. No more than five cars were observed parking within the car park at 5am, so it is very lightly used overnight.

88. The closure of the car park may displace station parking onto surrounding streets. However, there is a Controlled Parking Zone operating on Brent's streets to the north of the station that operates between 8am-6.30pm Mondays to Saturdays, with streets in Ealing to the south also having a CPZ operating between 10-11am and 3-4pm on weekdays. These CPZ's limit on-street parking to residents' permit holders only, so would protect residents from any displaced parking during CPZ hours, particularly by station commuters. The main exception to this is along District Road, which is currently outside of any year-round Controlled Parking Zone (although it is in the Wembley Stadium event day zone).

89. Parking could take place freely after 6.30pm on Brent's nearby streets though and any such impact is likely to be greatest on a Saturday night when about 38 cars could be displaced onto adjoining streets if existing car park users continue to drive to this station, rather than using other modes or driving to alternative stations.

90. The parking beat surveys have also considered parking occupancy along adjoining streets in the area. These suggest that the nearby streets in Brent (Station Approach, Station Crescent, District Road) are

fairly heavily parked in the evenings, but that roads to the south of the station in Ealing have a reasonable amount of spare capacity, with Orchard Gate in particular having sufficient spare capacity to absorb all of the parking displaced parking from the car park.

91. It is considered necessary to examine the potential impacts on certain characteristics, including older people, pregnant women or those who feel more vulnerable (particularly late at night) due to their gender or sexual orientation. However, it has been outlined that the Station would still be served by the 204 bus route (which runs via Wembley Central, Colindale and Edgware) and there is a taxi drop-off facility immediately outside the Station, which provide accessible, alternative means of getting to and from the Station. It is also important to note that the CPZ does not currently apply during the evenings or weekends, so those who feel more vulnerable travelling at such times would be able to park on Station Approach after 6.30pm. While there is some reduction in the levels of access for these groups, the loss of the car park (except for blue badge parking) is not considered result in an unacceptable level of impact on any protected characteristics and would result in a level of access that is commensurate with many other stations.

92. In terms of disabled use, the re-provision of the blue badges within the car park for users of the Station is considered to mitigate impact. However, additional spaces may need to be provided on-street if required during construction, for residents (if the scheme is consented and built) or if additional blue badge spaces are needed in the future. In theory, there is scope to provide an additional Blue Badge space within the local streets if required. Officers consider that a review of this situation can be secured as part of the wider £30,000 financial contribution which has been requested to review CPZs in this part of the borough, through the section 106 agreement, and the applicants have agreed to this.

93. As such, retention of a car park for the station is not considered essential (aside from disabled parking) as it simply encourages Underground users to drive to the station rather than walk, cycle or using the bus. The proposals also accord with both Brent Local Plan policy BT1, and London Plan draft policy T1, which set out overarching objectives to prioritise sustainable modes of travel, with the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041.

94. Transport for London have also confirmed that the proposed loss of the car park is acceptable in principle, on the basis that the three disabled bays are retained for users of the Station, and would meet expected demand.

95. As outlined above, officers recommend a financial contribution of £30,000 to allow a review of the extent and hours of operation of the adjoining CPZ's in Brent, to address the possibility that increased parking pressure at evenings and weekends does lead to parking problems. This would be secured via a section 106 agreement. LB Ealing have also requested a £20,000 contribution towards a review of CPZ's within the Borough, which is considered reasonable given the proximity of the site to Ealing's boundary (the other side of the underground line, to the south) and the likelihood of overspill parking associated with the development affecting them also.

Car parking provision for proposed development

96. The site has a PTAL 5 given its proximity to the Station and local bus routes, and this very good access to public transport services means the lower residential parking allowance of 0.75 spaces per 1-bedroom flat set out in Table 6 at Appendix 1 of the adopted DMP 2016 applies. This gives a total parking allowance of 39 spaces and with no residential parking proposed for the flats, maximum standards would not be exceeded.

97. Policy DMP12 does also require that any overspill parking can be safely accommodated on-street though and in this respect, the parking surveys mentioned above do highlight the limited availability of parking on nearby streets within Brent. This is reinforced by Policy BT2 of the emerging Local Plan, which states that development will be supported where it does not:

- a) add to on-street parking demand where on-street parking spaces cannot meet existing demand such as on heavily parked streets, or otherwise harm existing on street parking conditions;
- b) require detrimental amendment to existing or proposed CPZs. In areas with CPZs access to on-street parking permits for future development occupiers other than for disabled blue badge holders will be removed or limited;
- c) create a shortfall of public car parking, operational business parking or residents' parking.

98. However, both current and emerging policies also encourage parking permit restricted development in areas with good access to public transport such as this. Officers therefore recommended that a parking permit restricted agreement to remove the right of future residents to on-street parking permits,

which it is recommended to be secured by condition. Disabled 'Blue Badge' holders would be exempt from such any agreement, allowing them to use nearby residents' parking bays.

99. Transport for London have commented that, with respect to disabled car parking for the occupiers of the new units itself, they would recommend one blue badge space is provided, which would meet the requirements of draft Policy T6.1.

100. However, given the constraints of the site, the need to provide a continued vehicle access in connection with the TfL depot to the east, and the proximity to the Grade II* listed station, it would not be feasible to provide this within the site. Officers therefore recommend a condition, as suggested by TfL, requiring a parking design and management plan to secure a designated on-street blue badge space in close proximity to the site, associated with the proposed units. This would be secured prior to occupation of the units.

Cycle parking

101. London Plan standards require a secure bicycle parking space to be provided for each unit. As part of the revised proposals, the main bike store (providing 52 spaces) has been relocated to the southern edge of the site and amended to provide suitable width for a double-height storage rack for 52 bikes, in accordance with requirements. Two Sheffield stands are also proposed for visitors in front of Building A, which is acceptable. As outlined above, part of the financial contribution to be secured via section 106 agreement will be used to improve cycle parking facilities for Station users.

Vehicular Access and servicing

102. Gated access is to be retained across the northern side of the site for the yard to the east. This access route would also provide access for delivery, refuse and emergency vehicles to the eastern end of the site to meet access requirements for Block B. A turning facility has been incorporated into the layout between the two proposed blocks to allow refuse vehicles to get to within 10m of the bin stores and fire appliances to within 45m of the rear block, so that they are not required to reverse long distances, with tracking diagrams confirming that adequate space is provided for refuse vehicles. Officers recommend a condition requiring further details of the surfacing of the turning space to be submitted before relevant parts of the works commence, in order to demonstrate that this is robust enough to withstanding loading by HGV's.

103. Otherwise, the vehicular access routes through the site are proposed to be surfaced in block paving as a shared surface, which is fine in principle for the limited amount of vehicle traffic expected through the site.

104. Following concerns raised by highway officers regarding the narrow width of the access road where it passes Block A, this block has now been repositioned further southwards to allow the fence-fence access width to be increased to 4.1m. While this is welcomed, officers recommend a condition to ensure drawings clearly show 300mm protective margins to the northern boundary fence, and to any fence alongside the amenity area for Block A, ensuring there is clear separation between the access route and pedestrian use.

Pedestrian accessibility

105. Highways officers raised concerns about the lack of legibility with regard to the block entrances, and the need for pedestrian access from the station forecourt to be improved from its current unwelcoming state.

106. To address this, the revised proposals now show the omission of the planting bed across the existing gap in the boundary wall from the adjoining pedestrian bridge facing Station Approach, which ensures that this route can continue to be used by pedestrians, rather than the narrow access road (shared by vehicles) into the site. It is recognised that further improvements, including re-configuring the portal and pedestrian bridge, are very difficult to achieve because this part of the Station is also Grade II listed, as well as being owned by Transport for London. It is considered that the proposed measures are considered to result in an acceptable environment, subject to the details of the hard surfacing materials and lighting being secured through condition.

Wider trip generation

107. In terms of impact on the wider transport network, the applicant's transport consultant has

compared the development with three other similar blocks of flats in well served areas of London. As those other developments include a proportion of larger 2- and 3-bedroom flats though, the derived trip rates are likely to be higher than for this purely 1-bed apartment scheme, so are considered to be robust.

108. A revised Transport Statement has been submitted to account for the proposed reduction in number of units. In terms of trip generation, estimated future trips have been reduced pro rata, so that 6 arrivals/33 departures in the morning peak hour (8-9am) and 13 arrivals/7 departures in the evening peak hour (5-6pm) are now predicted by all modes of transport.

109. Public transport trips are predicted to total 19 rail/Underground and 14 bus trips in the morning peak hour and 9 rail/Underground and 8 bus trips in the evening peak hour, which again amounts to less than one additional passenger per train/bus in the area, and is therefore considered insignificant.

110. The development would still generate some vehicular traffic for deliveries, but these have been estimated total just five deliveries per day, mostly by car or small van. The three retained disabled parking spaces for the station would also generate some movements into and out of the site, but far fewer than for the existing 82 space car park. Therefore, this element of the proposals is considered acceptable.

Travel Plan and Construction Logistics

111. A draft Travel Plan has been submitted with the application. This proposes to appoint a Travel Plan Co-ordinator to manage the provision of welcome packs (to include timetables, maps, journey planning information etc.) and instigate cycle training. As the development is 'car-free' anyway, the aim will be to increase the proportion of residents walking and cycling to and from the site. Surveys are proposed to be undertaken within 6 months of first occupancy (or when 75% of the development is occupied) to establish an initial modal split and then every two years thereafter to monitor progress.

112. However, as the scheme is 'car-free' anyway and is of a relatively modest scale, a simple Travel Plan Statement is fine and there is no need for on-going monitoring results to be obtained. Officers therefore recommend that the implementation of the listed Travel Plan measures can be secured by condition.

113. Objections have been received from adjoining residents regarding the impact of construction traffic and congestion from deliveries of materials, spoil from demolition etc. The construction of developments does inevitably result in some impacts on local residents whether this relates to an extension to a house or a Major development. However, planning cannot reasonably prevent development from taking place because of this impact.

114. Nevertheless, this is classified as a Major development and officers consider it reasonable to secure the approval and implementation of a Construction Method Statement (CMS) by condition, in order to mitigate impacts on surrounding residents as much as possible during the construction period.

Transportation Conclusion

115. A large number of objections received on transport and highways grounds. However, it is considered that the proposed development, including the loss of the station car park (except for the disabled parking), would accord with adopted policy and would not have a significantly detrimental impact on local parking or highways conditions, subject to a legal agreement secure financial contributions of £30,000 towards (i) a review of local CPZ operating hours and boundaries; and (ii) towards improved bicycle parking facilities at Sudbury Town station; as well as conditions which secure a car-free development and minor revisions to the layout plan which show 300mm margins between the edge of the access road and any adjoining walls or fences and suitably robust paving for the turning area within the central courtyard.

Environmental Health considerations

Air quality

116. An air quality assessment considering the impacts of the proposed redevelopment of the site on air quality has been submitted. The report has considered the impacts that would be incurred during the construction phase, impacts that would be incurred by traffic generated by the development, and impact of heating plant emissions. This has been reviewed by Brent's regulatory services team.

117. Officers consider that the assessment is sufficiently robust and detailed, considering the potential emissions to the area associated with the development (in particular the proximity to the TfL depot

and adjoining Underground network) as well as the potential impact on receptors to the development. Officers have assessed the proposals and are satisfied with the methodology used. No mitigation measures are required and the development meets the air quality neutral criteria in accordance with adopted and emerging policy.

Noise from end use and impact of existing noise on proposed units

118. The residential nature of the scheme is such that the proposed development is not likely to result in unduly detrimental end use noise issues in itself. However, the south-west elevation of Building B in particular is situated within 5 metres of the Underground line to the south, and therefore appropriate mitigation measures are required to ensure there is no noise disturbance to occupiers of these flats in close proximity. A noise assessment has accordingly been submitted to support the proposal.

119. The assessment identifies that noise reduction associated with the fenestration within the scheme will need to achieve noise reduction levels of between 29 and 36 dB. However, officers recommend a condition to ensure that (a) details of adequate glazing are submitted for approval before works commence, and (b) a further set of results, clearly demonstrating that the glazing offers adequate soundproofing, are submitted before occupation of these flats.

Construction noise and nuisance

120. Objections have been received from adjoining occupiers regarding noise and disturbance during the construction process. The development is also within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.

121. It should be noted that in relation to these matters, there is also control through environmental health legislation and a planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Method Statement to be submitted for approval before works start. This would be required to cover highways issues as well, and has been attached.

122. A further standard condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan.

Contaminated land

123. The site to be redeveloped has been identified as previously contaminated and the applicant has provided a Phase 1 desk top study by RSK (ref 29474R01(00) dated September 2017). The Phase 1 has identified that a Phase 2 site assessment should be conducted. The Council's Regulatory Services team are satisfied that the proposals are acceptable, subject to a condition requiring the Phase 2 assessment to take place before works commence, to ensure the safe development and secure occupancy of the site.

Sustainability and energy

124. A detailed Energy Statement has been submitted with the application.

125. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated is confirmed to emit 22 tonnes of Carbon Dioxide per annum. This equates to a 43% reduction on the minimum building regulations (2013) as required within the London Plan, although does not achieve the zero carbon goal and as such requires an offset payment. The offset payment shall cover a 30-year period of emissions, amounting to a total of £39,078. This will be secured via section 106 agreement.

126. The details of the energy efficiency improvements are as follows:

Be Lean (total savings within the dwellings from 'be lean': 1 tonne CO₂/year: 1% reduction on Regulated total)

- Using building fabric which significantly improves on the thermal performance of a building regulation compliant building
- High levels of air tightness throughout the scheme
- The use of energy efficient lighting and heating and controls
- The use of mechanical ventilation with heat recovery (MVHR)
- Heating provided to each dwelling through individual combi boilers, and use of room thermostats and

other heat monitoring systems

Be Clean (total savings within the dwellings from 'be clean': Zero)

- It has been explained that the baseload heat demand is not sufficient to support the installation of a site wide heating system or combined CHP engine

Be Green (total savings from 'be green': 16 tonnes CO₂/year: 43% reduction on Regulated total)

- Review of air source heat pumps, biomass CHP, wind turbines and photovoltaics.
- Considered that PV panels were most appropriate in the context of this development
- Anticipated that a total of 211 sqm of PV panels will be installed at roof level, to the flat roof of the five-storey element of Building B

127. The council's sustainability officer has been consulted on the proposals and is satisfied that the proposals would meet the 35% target for on-site reduction in carbon emissions without the need for a CHP system to be installed. Officers recommend a condition to ensure that full details of the PV panels (including drawings and a technical specification) are submitted and approved by the Council to ensure they are suitably screened and are as efficient as possible.

128. London Plan policy 5.15 states residential developments are to be designed to meet the target of 105 litres or less per head per day. It is highlighted this will be sought, but final calculations based on sanitary ware specifics will need to be undertaken. It is recommended that a condition is attached to ensure this standard will be achieved.

Trees and landscaping

129. The Arboricultural Assessment identifies that although the site is largely hard surfaced, there are a number of low value trees to the southern boundary of the site. Three Grade C trees would be directly removed as a result of the development, and the Council's arboricultural officer is satisfied with the assessment that these would have a low value and therefore their removal is acceptable. There are no trees which are subject to a Tree Preservation Order which would be affected by the proposal.

130. A scheme of re-planting of 16 replacement trees is specified as a part of a broader landscape plan, which would result in an increase in the number of trees on site. Brent's arboricultural officer has stated that a greater variety of species should be used, above the Himalayan Birch which has been initially identified. However, officers are satisfied that this can be considered in further detail as part of a condition requiring full details of tree planting, which will be secured as part of a detailed landscaping strategy.

131. A detailed landscaping masterplan and outline planting strategy has also been submitted as part of the applicant's design and access statement. This demonstrates a high quality of both hard and soft landscaping, in particular to the residents' communal courtyard centrally to the site. A full landscaping strategy, including details of all species of all new trees, shrubs and hedges, including those to the proposed roof terrace, will be secured via condition.

Ecology

132. Although the majority of the site is hard surfaced, there is a thin strip of land adjacent to the railway embankment which forms part of a designated wildlife corridor. The applicant has therefore provided an Ecology Report as part of the submission.

133. The report indicates that the site itself and neighbouring sites are considered to be of negligible value for birds and bats and of no value to protected fauna. However, it does state that enhancement measures such as bird and bat boxes are included within the development in order to improve the ecological value of the site. Officers therefore recommend a condition to secure these measures as part of the development. The execution of a high quality soft landscaping scheme as part of the development can also contribute in this respect.

Flood Risk and Drainage

134. The site falls within flood zone 1 of the Environment Agency's flood designations (the lowest flood risk). Nonetheless, given the scale of the development, the applicant has submitted a drainage strategy for the site which would significantly reduce surface water discharge rates of the site from their existing levels, in line with the requirements of London Plan policy 5.13. The developer will achieve this by providing

rainwater storage tanks and suitable sustainable urban drainage (SuDS) measures which will result in a reduction in the existing rate of discharge to the sewage network.

135. The document has been reviewed by Brent's flood risk consultants and it is confirmed that the approach to flood risk and sustainable drainage for this development is acceptable and in line with Brent and London Plan standards. A condition will require that the measures as outlined in the drainage strategy are adhered to throughout the development.

136. Thames Water has also reviewed the application and have raised no in principle objections to the application. However, they have requested a condition requiring the submission of a piling method statement for approval before works commence, given the proximity of the development to a strategic sewer. They have also provided information relating to the requirements for connecting the development to the public sewer, and minimising groundwater discharge during construction. This information will be communicated to the applicant by way of informative.

Fire Safety

137. Fire Safety is formally considered at Building Regulations stage, however the applicants have clarified a fire safety strategy within their planning submission. It is important to note that the main vehicle access through the site (i.e. to the northern boundary) would be sufficient to accommodate emergency vehicles, with an appropriate turning space within the communal courtyard.

138. Both cores will have fire evacuation lifts and escape stairs which provide protected routes direct to the outside at ground level. Emergency egress windows and external doors would be provided from all main habitable rooms at ground floor to provide occupants with an secondary means of escape, while on upper floors cross-corridor doors would be provided to limit travel distances to 7.5m.

139. It has been confirmed that as the blocks are less than 30m high, internal sprinkler systems would not be required.

Statement of Community Involvement

140. The applicant has set out the level of pre-consultation that was carried out, as required through the Localism Act (2011). The consultation process was based around the following methods:

- A public consultation was held by the applicants at Barham Community Library on 21.11.18, with further consultation held with the Sudbury Town Residents Association, local councillors and other interested parties on 12.02.19. Concerns raised included the likely impact of on street parking and spillover on to Station Approach, overlooking from Building A, and concerns about security between the proposed development and rear gardens of properties on Barham Close.

Equalities

141. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

142. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy (both adopted and emerging). Amenity space falls below levels set out in adopted policy DMP19 and emerging policies BH13 and DH6. However, the proposal is considered to provide a good standard of residential accommodation due to the quality of the amenity spaces that are proposed, the proximity to nearby open spaces and the housing mix (1-person homes only). The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

CIL DETAILS

This application is liable to pay **£1,028,839.28** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 2875 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	2875		2875	£200.00	£0.00	£857,366.07	£0.00
(Mayoral) Dwelling houses	2875		2875	£0.00	£60.00	£0.00	£171,473.21

BCIS figure for year in which the charging schedule took effect (Ic)	224	336
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£857,366.07	£171,473.21

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

**Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



DECISION NOTICE – APPROVAL

Application No: 19/1241

To: Mr Rogers
Terence O'Rourke
Third Floor
7 Heddon Street
LONDON
W1B 4BD

I refer to your application dated **01/04/2019** proposing the following:

Re-development of existing car park for the erection of a three-storey building (Building A), and a part-three, part-five storey building (Building B), providing 52 x one-bed dwellings. Associated provision of communal roof terrace and courtyard, refuse storage, cycle parking and landscaping. Re-provision of 3 disabled car parking bays nearest to Station Approach to serve Sudbury Town Underground Station. (DEPARTURE FROM POLICY CP21 OF BRENT'S LOCAL PLAN).

and accompanied by plans or documents listed here:
Refer to condition 2

at **Car Park next to Sudbury Town Station, Station Approach, Wembley, HA0 2LA**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 09/03/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
 - National Planning Policy Framework 2019
 - The London Plan 2016
 - Brent's Core Strategy 2010
 - Brent's Development Management Policies 2016
 - Brent's Supplementary planning Document 1: Design Guide for New Development 2018

- 1 The development to which this permission relates must be begun not later than the expiration of two years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

0001; 0002; 0003 Rev P01; 0200 Rev P01; 0201 Rev P01; 0202 Rev P01; 0203 Rev P01; 0204 Rev P01; 0205 Rev P01; 0300 Rev P01; 0301 Rev P01; 0302 Rev P01; 0400 Rev P01; 0401 Rev P01; 0402 Rev P01; 0500 Rev P01.

PLL-STB_HTAL_00_DR_0900 Rev A; PLL-STB_HTAL_00_DR_0901 Rev B;
PLL-STB_HTAL_00_DR_0902 Rev A; PLL-STB_HTAL_06_DR_0903 Rev B;
PLL-STB_HTAL_06_DR_0901 Rev B.

Planning statement (including Affordable Housing Statement and Statement of Community Involvement) from Terence O'Rourke dated March 2019 (addendum received October 2019);
Design and access statement from HTA Design dated March 2019 (Addendum 01 received 09.10.19)
Heritage Statement (including Archaeological Assessment) from Terence O'Rourke Ltd dated February 2019 (Addendum received October 2019);
Air Quality Assessment (including Air Quality Neutral Assessment) from Air Quality Assessments Ltd (ref. J0279/1/F1) dated 27.03.19 (Technical Note Update received 09.10.19);
Assessment of the Demand for Affordable Homes for First Time Buyers in LB Brent Revised Daylight and sunlight study (Neighbouring Properties) from Right of Light Consulting dated 04.10.19;
Daylight and sunlight study (Within Development) from from Right of Light Consulting dated 22.02.19
Drainage Strategy (ref. P4500194-REP-001) from Whitby Wood dated February 2019;
Energy Statement from TUV Sud dated March 2019;
Noise and Vibration Assessment (ref. 18262.NVA.01) from KP Acoustics Ltd dated 31.10.2018;
Transport Assessment (ref. 31115/D01a) from Transport Planning Practice dated February 2019 (Addendum received October 2019);
Draft Travel Plan (ref. 31115/D02) from Transport Planning Practice dated February 2019;
Preliminary Ecological Appraisal (ref. POC22148_PEA Rev P1) from ACP Environmental dated 01.02.19;
Arboricultural Impact Assessment and Method Statement (ref. POC22148aia-ams) from ACD Environmental dated 21.02.2019;
Tree report ref. POC22148tr (including Tree Protection Plan ref. POC22148-3) from ACD Environmental received February 2019;
Phase 1 Environmental Study (ref. 29474 R01 (00)) from RSK Environment Ltd dated September 2017;
Fire Engineering Review (ref. CL6025/NH/15hta) from Jeremy Gardner Associates dated 26.3.19

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 4 The development hereby approved should be built so that 90.4% of the residential units (47 of the total number) achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 9.6% of the residential units (5 units) achieve Building Regulations requirement M4(3) - ‘wheelchair user dwellings’.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8.

- 5 Notwithstanding what is shown on the approved drawings, the three Blue Badge parking spaces shall be retained on site for users of Sudbury Town Station for the duration of the development.

Reason: To ensure sufficient car parking capacity for Blue Badge holders is retained.

- 6 The northeast facing windows to the flank elevation of Building A (as shown on drawing 0400 Rev P01) shall be constructed with obscure glazing and shall not have openings below a height of 1.8m measured from the floor level of the rooms which the windows serve. These windows shall be maintained in accordance with the above requirements for the lifetime of the development, unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the adjoining occupiers.

- 7 The development hereby approved shall be carried out in full accordance with the mitigation measures stipulated in the approved Air Quality Assessment (including Air Quality Neutral Assessment) from Air Quality Assessments Ltd (ref. J0279/1/F1) dated 27.03.19 (and Technical Note Update received 09.10.19).

Reason: To appropriately mitigate air quality impact.

- 8 The development hereby approved shall be carried out in full accordance with the details stipulated in the approved Drainage Strategy (ref. P4500194-REP-001) from Whitby Wood dated February 2019.

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 9 The building shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 10 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW

used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14

- 11 Prior to first occupation of the development hereby approved, an electric vehicle charging point shall be provided to one of the three Blue Badge spaces retained, whilst the remaining two will provide passive charging facilities. The provision of electric vehicle charging points shall be in accordance with London Plan standards, providing both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of London Plan policy 6.13.

- 12 The cycle storage facilities and visitor cycle stands, and refuse storage shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development. The cycle storage facilities (both for occupiers and visitors) shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 13 A communal television aerial and satellite dish system shall be provided, linking to all residential units within the development unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 14 All tree protection measures as recommended within the submitted BS 5837:2012 Arboricultural Impact Assessment and Method Statement (ref. POC22148aia-ams) from ACD Environmental dated 21.02.2019 and Tree report ref. POC22148tr (including Tree Protection Plan ref. POC22148-3) from ACD Environmental received February 2019 shall be adhered to throughout the construction of the development.

Reason: To protect trees surrounding the site from damage associated with construction processes.

- 15 All recommendations contained within the Preliminary Ecological Appraisal (ref. POC22148_PEA Rev P1) from ACP Environmental dated 01.02.19) shall be adhered to throughout the construction of development.

Reason: To protect and enhance local ecosystems that would otherwise be unduly harmed by the development.

- 16 Prior to the commencement of the development, a Construction Method Statement which incorporates a dust management plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be

implemented throughout the duration of construction.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development and therefore needs to be discharged prior to construction.

- 17 Prior to the commencement of the development, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to address issues such as delivery of materials, lorry routeing, staff parking etc., whilst also minimising lorry movements by recycling on site and back loading spoil and aggregates. The plan will need to comply with TfL's guidance on Construction Logistics Plans and in specific relation to this site, will need to carefully consider co-ordination with other development projects in the area. The approved statement shall be implemented throughout the duration of demolition and construction.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development and therefore needs to be discharged prior to construction.

- 18 (a) Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full. The development shall not be occupied until a verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site.

- 19 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 20 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing (excluding any demolition, site clearance and the laying of foundations). The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 21 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), a scheme shall be submitted to and approved in writing by the Local Planning Authority that provides details of all landscaped areas of the development. Such approved landscaping works shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) the planting scheme for the site, which shall include species, size and density of plants and trees, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries;
- b) walls, fencing and any other means of enclosure, including materials, designs and heights;
- c) treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;
- d) a landscaping maintenance strategy, including details of management responsibilities.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

- 22 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), revised details showing the following shall be submitted to the Local Planning Authority for approval:

- minor amendments to the site layout plan to show 300mm margins between the edge of the access road and any adjoining walls or fences and suitably robust paving for the turning area within the central courtyard

The development shall be constructed in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure safe and convenient vehicular and pedestrian access through the site.

- 23 Prior to the commencement of development (excluding any demolition, site clearance and the laying of foundations), a revised Noise and Vibration assessment should be submitted to the Local Planning Authority for approval. The assessment should include an allowance for future worsening (night time operation and track ageing), vehicle movements through the site serving the track compound and noisy works within the track compound at any time.

The development shall be constructed in accordance with the approved details, and remain as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 24 The development hereby approved shall be constructed to provide sound insulation against internally generated noise. This sound insulation scheme shall be submitted to and approved in

writing by the Local Planning Authority prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), and thereafter carried out in full accordance with the approved details. .

The proposal must comply with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels: For daytime (0700 - 2300) noise levels for living rooms and bedrooms the maximum noise levels are 35 dB LAeq (16hr). Outside of this time (2300 - 0700) the standard for bedrooms is 30 dB LAeq (8hr), 45 dB Lmax.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the residents by reason of undue noise emission and/or unacceptable disturbance, in accordance with Brent's Noise Policy.

- 25 Within six months of commencement of work on site, detailed drawings showing the photovoltaic panel arrays to the roof of Buildings A and B shall be submitted to and approved in writing by the Local Planning Authority.

The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the development hereby approved.

Reason: To ensure that the development minimises its carbon emissions, in accordance with London Plan policy 5.2.

- 26 Prior to occupation of any of the units hereby approved, details of screening (whether obscure glazed balustrade, planters or other appropriate measures) to the roof terrace at roof level of Building B shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved plans.

Reason: In the interests of the amenities of the adjoining occupiers.

- 27 Prior to occupation of any of the units hereby approved, details of louvres submitted to the north facing windows of properties at first and second floor level of Building B, showing these to be installed above a height of 1.7m from floor level, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved plans.

Reason: In the interests of the amenities of the adjoining occupiers.

- 28 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of such plant. All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours.

- 29 Prior to occupation of any of the units hereby approved, a revised Final Travel Plan Statement shall be submitted to the Local Planning Authority for approval, committing to implementing the measures set out within the draft Travel Plan submitted by Transport Planning Practice dated February 2019 (ref. 31115/D02).

The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

Reason: In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with London Plan (2016),

- 30 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the existing Controlled Parking Zone (CPZ) in the locality within which the development is situated, unless the occupier is entitled to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development.

Details of the wording to be included in the licence transfer lease or tenancy agreement shall be submitted and approved in writing by the local planning authority prior to the licence lease or tenancy agreement being entered in to and the approved details shall thereafter be used in all such licence lease or tenancy agreements.

For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In the interest of highway flow and safety.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 Thames Water wishes to advise the applicant of the following:
 - With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.
https://urldefense.proofpoint.com/v2/url?u=https-3A_developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Apply-2Dand-2Dpay-2Dfor-2Dservices_Wastewater-2Dservices&d=DwIFaQ&c=OMjwGp47Ad5otWI0_IpOg&r=G_hzVvYsAKixNxE_J_EjNJR_FDWFie_xJLES8DRQ06qKk&m=Mo6YrmF80h48BJ7RfUaDCKzplVD12hp4VkmSP0jzQtC&s=pnrHLmYhyndzdboP2R5yMD_jTKRBZJPsr6m3OxiZH3o&e=
 - A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
 - There are public sewers crossing or close to the development. If you're planning

significant work near our sewers, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

https://urldefense.proofpoint.com/v2/url?u=https-3A_developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwlFaQ&c=OMjwGp47Ad5otWI0_lpOq&r=G_hzVySAkixNx_E_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=Mo6YrmF80h48BJ7RfUaDCKzpLVD12hp4VkmSP0jzQtc&s=chB8p-8X95GEJKTcuk-oQKuTr0rrZ8aUQMXqA9ntRzM&e=

- 4 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 5 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 With regard to soil contamination requirements, the quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

Any person wishing to inspect the above papers should contact Neil Quinn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5349

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 March, 2020
06
19/4272

SITE INFORMATION

RECEIVED	2 December, 2019
WARD	Northwick Park
PLANNING AREA	
LOCATION	Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ
PROPOSAL	Erection of a multi-storey car park on 5 levels for staff only, a separate plant/energy facility and associated works to access road at Northwick Park Hospital
PLAN NO'S	Refer to condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_148061</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "19/4272" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

A. To resolve to grant planning permission, subject to the Stage 2 referral to the Mayor of London and subject to the conditions and informatives recommended in this report.

B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Three year rule
2. Approved plans / documents
3. Emission standards for Non-Road Mobile Machinery
4. Electric vehicles
5. No use of existing identified staff car parking areas following first use of the Multi Storey Car Park (MSCP)
6. Details of Construction Method Statement
7. Details of Construction Logistics Plan
8. Details of Sustainable Drainage measures
9. Details of external materials
10. Details of energy strategy
11. Access and pedestrian pathway details
12. Details of remediation strategy (in relation to contaminated land)
13. External lighting
14. Car Park Management Plan details
15. Travel Plan
16. Disabled parking details
17. Cycle parking details
18. Replacement trees

Informatives

1. CIL liability
- 2.. Any other informative(s) considered necessary by the Head of Planning

C. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

D. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planning of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

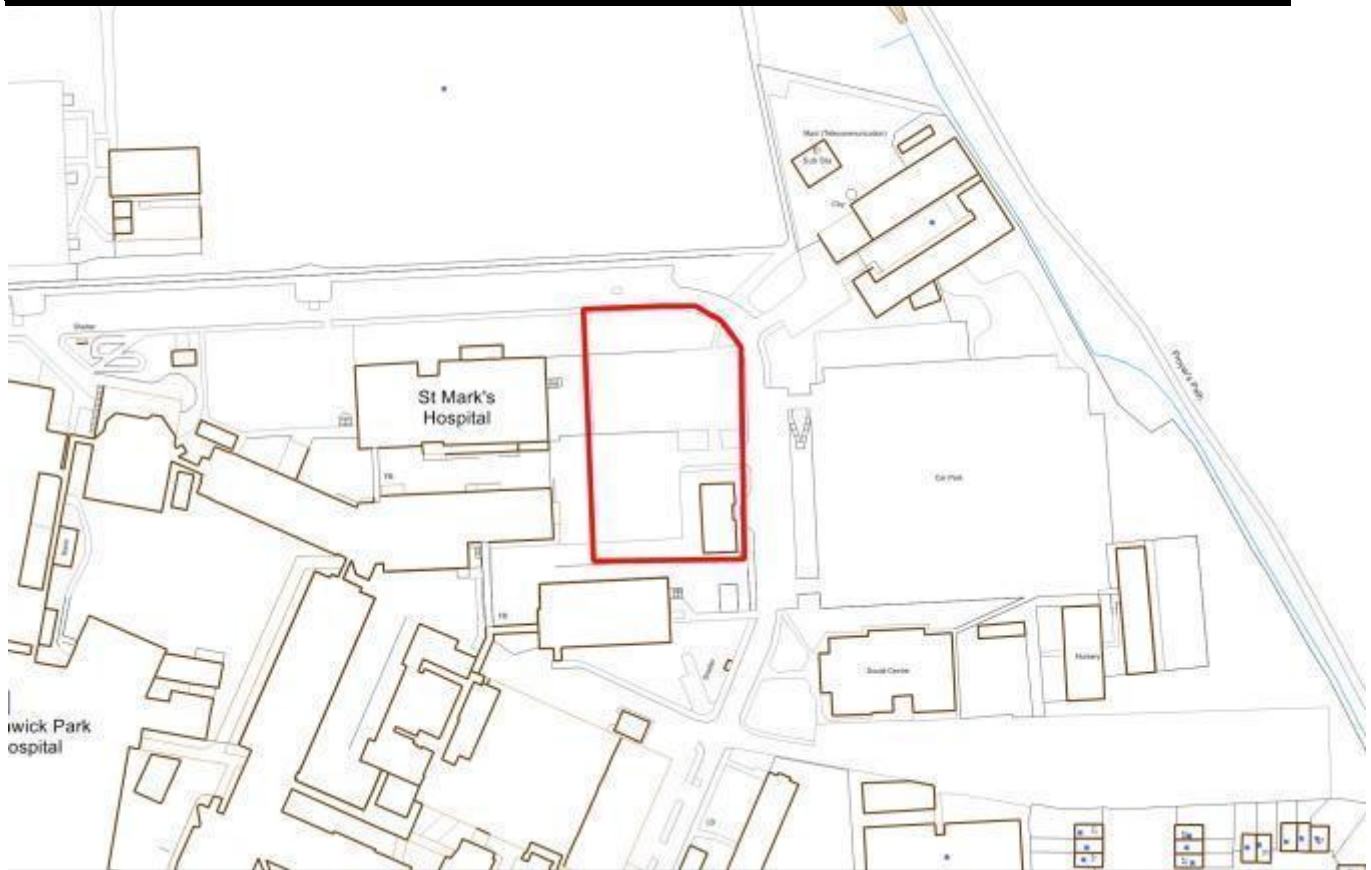


Brent

Planning Committee Map

Site address: Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ

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This map is indicative only.

PROPOSAL IN DETAIL

Erection of a multi-storey car park on 5 levels for staff only, a separate plant/energy facility and associated works to access road at Northwick Park Hospital

EXISTING

Northwick Park Hospital is located on the eastern side of Watford Road (a London distributor road), just south of its roundabout junction with Kenton Road. The University of Westminster sits immediately north of the site and shares the same access arrangements. To the south is the Northwick Park golf centre.

The existing application site comprises of a surface level car park with 141 spaces utilised by the Hospital staff and the southern portion of the currently occupies a single storey building linked to the main hospital building (Building Z - Medical Physics). The main hospital building is located directly west and additional staff car parking is situated to the east of the site. The one way ring road runs directly east and north of the application site.

The application site is part of the proposed Northwick Park Growth Area and is incorporated as part of a wider allocation within the emerging Local Plan 2019 (Site Allocation: BNWGA1).

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. One letters of objection and two comments were received regarding some of these matters. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Neighbour objections: One objection have been received together with a neutral comment. These raise concerns with the scale and height of the proposal, the loss of staff car parking and wider implications on overspill parking onto surrounding streets the need to provide safe and secure cycle parking, any loss of trees should be replaced within the wider hospital site. These issues are considered at the relevant points in the report.

Principle of development: The proposal seeks to rationalise staff car parking across the hospital site within a purpose built multi storey car park. This is in the context of facilitating a wider masterplan around Northwick Park hospital for residential led regeneration, as set out in draft site allocation BNWGA1. The overall net loss of staff car parking across the hospital site by meets wider objectives of encouraging more active and sustainable travel rather than reliance on private motor vehicles. It is therefore supported in principle.

Design, scale and appearance: The proposed structure would be five storeys high, and is considered acceptable for this location. The architectural detailing is considered acceptable, with use of screening along the northern and eastern elevations to provide visual interest when viewed from the public access roads.

Sustainability and energy: Details of an energy strategy are recommended to be conditioned as part of any forthcoming consent, to meet the London Plan targets of zero carbon.

Flood risk and drainage: The drainage strategy proposes attenuation tanks below ground to store flood water, and thus reduce surface water run off.

Trees and biodiversity: The proposal would lead to the loss of 18 trees within the site (including 5 category B (moderate) trees). One for one replacement tree planting elsewhere within the hospital site are recommended to be conditioned to any forthcoming consent.

Environmental health considerations: Air quality, noise and land contamination have been assessed, and environmental health officers have recommended conditions as appropriate to mitigate any impacts, including those arising from the construction process.

Transport: There will be a net decrease of 306 hospital staff car parking spaces from 1288 spaces to 982

spaces through the consolidation of existing staff car parking along the northern and eastern areas of the site into the multi storey car park and a change of the top floor of the existing multi-storey car park from staff parking to visitor parking. This net reduction is in line with current policies that support the use of sustainable and active modes of transport compared to reliance on private motor vehicles. A number of measures are recommended to be secured by condition (including Travel Plan, cycle parking details, car park management plan and details to prevent use of existing car parks identified to be lost by this proposal) to manage the impacts of overspill parking.

RELEVANT SITE HISTORY

There is no planning history that is directly relevant to this application.

CONSULTATIONS

Public Consultation

Site notices were posted within the vicinity of the applications site on the 28/01/2020.

The application was advertised in the press on 06/02/2020.

One comment was received neither objecting or supporting the planning application.

Summary of comment:

Comments	Officer Response
Secure & safe cycle storage within the new development especially when the Hospital is claiming to encourage bicycle usage.	Details of cycling are proposed to be secured through a condition.
Removal of any trees as part of the development should be replanted by the Hospital in an appropriate location. Replacement trees should be maintained.	Details of replacement trees around the hospital grounds has been recommended as a condition.

One objection was received during the course of the application.

Summary of comment:

Comments	Officer Response
Concerns highlighted in relation to the height and scale of the development.	Refer to paragraphs 7 to 12
Parking will be reduced and there is potential for parking on surrounding streets.	Refer to paragraphs 15 to 22 and paragraph 28

Internal Consultation:

Sustainability Officer – Noted that limited information on the energy centre set out in the application. Confirmed that due to the nature of the building as a car park there is no requirement for heating/cooling

strategy under part L of the Building Regulations

Environmental Health – Recommended a number of conditions in relation to control of construction noise and dust, contaminated land and non road mobile machinery.

External Consultation

Harrow Council – raised no objections to the proposal subject to a contribution to investigate the potential risk to the Highway Network within Harrow resulting from potential over-spill car parking.

GLA (including TfL comments) - Advised that while the application is supported in principle, it does not fully comply with the London Plan and London Plan Intend to Publish Version as set out below:

1. Principle of development: The rationalisation and replacement of the existing staff car parks and reduction of parking spaces across the Trust's land is supported in principle, however appropriate planning mechanisms to prevent the simultaneous use of the existing and additional parking should be secured.

2. Urban design: The proposed architecture and materials are acceptable given the nature of the development. A fire statement should be submitted.

3. Environment: Further information has been requested on the energy strategy. The proposals represent a reduction in car parking spaces and a reduction in vehicle trips and is not predicted to lead to adverse impacts on local air quality and is therefore supported. A construction dust risk assessment and compliance with non-road mobile machinery low emission zone should be secured by condition/obligation.

4. Transport: The provision of staff cycle parking and staff disabled parking should be secured by conditions/obligations. A Construction Logistics Plan, a Travel Plan and a Car Park Management Plan should be secured by condition/obligation.

The above matters are discussed within the remarks section below.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise. The development plan is comprised of the London Plan 2016, Brent Core Strategy 2010 and Brent Development Management Policies 2016.

Key policies include:

The London Plan 2016

2.13: Opportunity areas and intensification areas
5.2: Minimising carbon dioxide emissions
6.13 Parking
7.1: Lifetime neighbourhoods
7.4: Local character
7.14 Improving air quality

Brent Core Strategy (2010)

CP1: Spatial Development Strategy

Development Management Policies 2016

DMP 1: Development Management General Policy
DMP9B: On site water management and surface water attenuation
DMP 11: Forming an Access on to a Road
DMP 12 Parking

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London

Plan 2016 once adopted.

Key policies include

Draft London Plan "Intend to Publish" 2019

T1: Strategic approach to transport
T5: Cycling
T6: Car Parking
D1: London's form, character and capacity for growth
D2: Infrastructure requirements for sustainable densities
D12: Fire Safety
S11: Improving Air Quality
S12: Minimising greenhouse gas emissions
GG2: Making the best use of land
GG3: Creating a healthy city
SD1: Opportunity Areas

Brent's draft Local Plan

DMP 1: Development Management General Policy
BP4: North West
BNWGA1: Northwick Park Growth Area
BD1: Leading the Way in Good Urban Design
BG12: Trees and Woodlands
BSUI1: Creating a resilient and efficient Brent
BSUI2: Air Quality
BSUI4: On site water management and surface water attenuation
BT1: Sustainable travel choice
BT2: Parking and car free development
BT4: Forming an access on to a road

DETAILED CONSIDERATIONS

1. The application is seeking planning permission for to construct a new multi-storey car park (MSCP) which would be situated within the hospital's boundaries. Building Z would be removed to facilitate the proposed MSCP. This building currently serves the Medical Physics facility and would be relocated into the existing void space on Level 7W which has been vacant. This space is currently being refitted for the Medical Physics team. The car park would include 697 staff car park spaces. The proposal is seeking to replace a number of existing staff car parks on the hospital site that is intended to be primarily re-developed as part of wider Masterplan proposals to deliver a large residential-led, mixed-use scheme at Northwick Park, brought together by the four principal landowners, under the One Public Estate (OPE) initiative, as follows:

- London Borough of Brent
- London Northwest Healthcare NHS Trust
- Network Homes Ltd
- University of Westminster

2. A total of 1003 existing staff car parking space are to be lost across the wider hospital site and these are summarised in the table below

Ring Road North	148 spaces
Wolfson (where the proposed MSCP is proposed to be located)	141 spaces
Paraxel	23 spaces

Boilerhouse	9 spaces
Football pitch	350 spaces
Social Club	212 spaces
Existing MSCP (top floor)	120 spaces

3. The existing surface level staff car parks along the southern end of the hospital site (known as MRI/LB2, Golf Course, Theatre and Ring Road South & East) will be retained. These car parks accommodate 285 spaces in total. Overall there will be a net loss in staff car parking across the hospital site by 306 spaces from a total of 1288 spaces to 982 spaces. The top floor of the existing MSCP will be changed from staff parking to general hospital visitor parking.
4. The MSCP would re-provide necessary staff car parking that would be lost to the east and north of the site which is intended to be re-developed. The proposal would therefore aid in the overall objectives of the wider site allocation BNWGA1.
5. The wider Growth Area has been allocated for mixed used development within the emerging Local Plan. The objectives of the wider site allocation is to provide additional residential development to enable upgrades/ refurbishment to the existing and retained Northwick Park Hospital and University of Westminster facilities. A replacement sports pavilion, small amount of commercial floorspace, and possibly new small-scale non-acute medical facilities to also be provided on site. Capacity has been identified for circa 3,600 homes, of which 2,600 would be net additional.
6. The proposal also includes a void/space to accommodate a new energy centre for the hospital that would replace the outdated energy source supplying the hospital which is currently located north east of the site. Details of the energy centre would come forward as a separate planning application.

Design, scale and layout

7. The proposal would respond to the site levels at entrance and exit points, with ramps towards the centre of the plans. The entrance and exit points are in opposite corners, south east and north west of the new build which would lead to the main ring road of the hospital. The proposal would result in the re-routing of the service road running through the site. The service road would be re-positioned to the west of the new build. A space is provided to accommodate an energy centre and plant room area located along the southern portion of the development. This area would facilitate the ground floor and the first floor level of the building.
8. DMP1 outlines development will be acceptable provided it is of the of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality.
9. The proposal would be 5 storeys in height and would occupy the majority of the site. The proposed building would contain two staircase cores, with the north western core containing passenger lifts. The building would comprise of an expanded mesh material and aluminium cladding along the north and eastern elevations. A 5 storey structure is considered acceptable given the height of the built form west of the application site. The main hospital building is 11 storeys in height and drops down to 5 storeys south west of the application site. The student accommodation buildings further north of the site contain heights between 3 and 4 storeys. Therefore it is considered that the proposed development is of an appropriate height and scaled given the nature of the existing hospital building and surrounding buildings. Furthermore given the location and scale of the proposed development, it would not have a negative impact on the openness of the MOL situated further east.
10. The use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with local character. The proposal would include vertical cladding with open air ventilation gaps between panels. Metal mesh panels would be added to certain facades and the main core. The proposal would also incorporate additional contrasting coloured cladding materials. The use of a different range of materials are considered a favourable approach and would not appear out of character in relation the existing surrounding buildings and built form within the greater vicinity of the application site. Further details of external materials are recommended to be conditioned to any

forthcoming consent.

11. A footpath would be included along the eastern and northern portion of the new build for pedestrian use.
12. The proposal is considered to accord with Policy DMP1 with regards to its scale, layout, design and appearance.

Impact on Amenities of surrounding occupiers

13. Given the context of the area there are no residential properties within the direct vicinity of the application site. The proposal would be approximately 108m from the residential flats further south-east of the site. Additionally the proposal would be positioned a substantial distance of approximately 150m from the student accommodation further north. In addition to this, the proposed structure would be situated a satisfactory distance from any potential residential development at the site to the east. The proposal is not considered to harm the residential amenities of any residential uses given the existing uses within the direct vicinity of the application site.
14. The proposal is considered to accord with policy DMP1 with regard to maintaining acceptable levels of amenity for surrounding occupiers.

Transportation considerations

Loss of staff car parking spaces

15. There are no specific parking standards for hospitals set out in Brent's Development Management Policies. The parking standards set out that for hospitals, these should be assessed individually due to the differing nature of the parking demands depending on the range of treatments offered. There will be a higher level of operational parking required than for other large institutions. A Travel Plan should be developed to ensure that visitor and employee parking is managed. Where existing hospitals are subject to developments or refurbishment, the existing levels of parking should be the starting point, with any additional requirements justified through a transport assessment.
16. As discussed above there will be a net decrease of 306 hospital staff car parking spaces from 1288 spaces to 982 spaces through the consolidation of existing staff car parking along the northern and eastern areas of the site into the multi storey car park and a change of the top floor of the existing multi-storey car park from staff parking to visitor parking. This net reduction is in line with current policies that support the use of sustainable and active modes of transport compared to reliance on private motor vehicles.
17. However, consideration does need to be given to the potential impact of overspill parking onto the surrounding road network as a result in the reduction in staff car parking.
18. The applicants have submitted a Car Parking Management Plan, which includes information on staff that are entitled to a parking permit and analysis of where they travel from. The document also includes outlines that the overall parking policy of the hospital aims to incorporate more sustainable modes of transport for staff travel (include a review of the entitlement of permits for staff). There are currently 2406 existing permit holders, 1155 are outside a 45 minute public transport travel time window. 1251 current permit holders are therefore within the 45 minute window and therefore will require to meet further criteria if their permits are to be retained. The Trust is of the opinion that it is highly likely that approximately two-thirds of this cohort of staff will be able to justifiably be granted a permit (e.g. Mobile workforce, On-call/Emergency attendances, staff for whom reasonable adjustments under Equality Act, etc.) and therefore approximately 425 of existing permits will be rejected. By nature of the deselection process, this cohort of Permit holders will also be made up of staff that work standard hours (Monday to Friday, 09:00 to 17:00). As the hospital is committed to promoting more sustainable modes of transport for its staff, the proportion of permit holders that would lose their permits that work during peak times and within 45 minutes public transport travel time, could realistically use alternative modes of transport. The NHS Trust is confident that the loss of 307 spaces consequential to the new staff Car Park and associated planned developments is both manageable and deliverable.
19. To be able to secure the promotion of sustainable modes of transport, a Travel Plan will need to be secured. This would need to provide baseline figures on current work travel patterns and targets to reduce reliance on private motor vehicles to allow travel by car to be reduced to not result in detrimental levels of overspill parking onto the surrounding road network. In addition, it should be noted that in the

context of the forecasted development within the Northwick Park Growth Area as identified within the emerging Local Plan (which proposes in the region of 2,600 new homes), any future applications for the wider masterplan would seek to secure contributions towards Controlled Parking Zones within the surrounding area, as seen in Wembley, Alperton and Burnt Oak/Colindale Growth Area. Such contributions would allow the Council to mitigate against the potential impact of overspill parking.

20. It is noted that Harrow has requested contribution to investigate the potential risk to the Highway Network within Harrow resulting from potential over-spill car parking. As discussed above, it is considered that measures set out within a Travel Plan will be sufficient to mitigate against overspill parking. Nevertheless, the boundary with Harrow is a distance away from the hospital site and the roads within Harrow that are closest to the hospital are already subject to CPZs that would prevent people parking throughout the day when at work. Therefore, it is not considered that the request for the contribution from Harrow can be justified in planning terms.
21. The submission includes information on travel to work by cycling but does not include other details, such as the facilities that are available for cyclists. Good quality facilities can help to increase the modal share for cycling, reducing the need for car parking. Details of cycling facilities are accordingly recommended to be secured through condition. This will include details on the location of staff cycle facilities across the wider hospital site, together with areas of expansion of future cycle facilities to reflect the target modes for cycle parking set out within the Travel Plan.
22. In summary, the proposed reduction in staff parking levels is considered to accord with development plan policy and is supported in principle subject to the proposed measures to reduce car use, including the changes to the parking permit allocation regime and improvement to cycling facilities, are secured in order to mitigate the potential impact of over-spill parking.

Access arrangements

23. The hospital grounds currently have a one-way road circulating around the hospital in an anti-clockwise direction, with only emergency service vehicles also able to go in a clockwise direction. The proposed access (from the east) and egress (to the north) to the car park takes this into account. As part of the wider masterplan proposals for the estate, the provision of a new two-way spine road to the north of the car park is envisaged as set out in site allocation.
24. The submission includes plans for both a pre-spine road layout and a post spine road layout. The proposal can work for both the existing highway arrangements north of the site and any highway improvements to this road. Based on this information, it appears that the new spine road would result in limited difference to the access and egress of the car park, as vehicles would still need to access the car park via the existing one-way road. It should be noted that while it may be beneficial to be able to access the car park from the new spine road, it is not necessary to make the proposal acceptable.
25. The proposals include a rerouting of a hospital service road which current crosses west to east. The multi-storey car park would cut off the eastern access, so it is proposed to divert it northwards towards the spine road along the western side of the multi-storey car park.
26. The plans include the provision of a pedestrian footway around the eastern and northern sides of the car park. These would comply with the minimum width of 2m, but further details are required of measures to ensure pedestrian priority across the vehicle accesses. Such details would be secured through condition.
27. Access to car park would be provided via an access point located along the south eastern portion of the site. The internal road layout of each level would utilise a one way system for cars to manoeuvre thought out the site. A total of 67 electrical charging points are proposed which occupy each floor. Two set of stair cores are proposed along the north western portion of the site and towards the south eastern portion of the site. Two lifts are also proposed to provide step free access to each level of the proposal. The electric vehicle charging points are recommended to be conditioned to any forthcoming consent.

Wider hospital parking

28. The proposed multi-storey car park is required to re-provide parking currently provided within the areas of the wider site that will form a part of the wider masterplan. As such, the new car park would need to be operational before the other car parking areas closed. However, those existing areas are outside of the site for the current application. To ensure that no more than the existing amount of car parking is being

provided at any one time, a condition is recommended to ensure that that all the other existing car parking areas are no longer used for parking before this car park is brought into use. The exception to this is the top floor of the existing multi-storey car park. The use of this for staff parking would need to cease prior to the use of the proposed car park commencing, after which time it would be used for hospital visitor parking.

Environmental Health Considerations

Contaminated Land

29. Phase 1 and phase 2 assessments were submitted as part of the application. These were reviewed by the Council's Environmental Officers who were satisfied with the findings of the reports. However, a gas remediation verification report was recommended to be approved by the Local Planning Authority and this is proposed to be secured through condition.

Construction Noise and Dust

30. The approval of a Construction Method Statement is also recommended to be secured through a planning condition. This will include a construction dust risk assessment accompanied with a dust management plan containing measures to control emissions during construction and demolition prior to commencement of work.

Non Road Mobile Machinery

31. Brent is currently part of the 'London low emission construction partnership'. Therefore the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. A condition has been recommended.

Air Quality

32. An air quality assessment was submitted with the application. The report concluded that movements will reduce as a result of the reduction in car parking and that there will also be the introduction of electric vehicle charging points within the car park, then it is unlikely that this development will adversely impact on air quality. As a result, there is no requirement for additional air quality studies. Both the GLA and Brent's Environmental Health Officers were satisfied with information submitted on this basis.

Energy and Sustainability Considerations

33. It has been outlined that the outdated energy source for the hospital located further north east of the site need replacing. The application proposes a space for a new energy centre to the south of the car park building. Details of the energy centre will need to be considered as part of a separate planning application.

34. It has been outlined that the outdated energy source for the hospital located further north east of the site need replacing. The application proposes a space for a new energy centre to the south of the car park building. Details of the energy centre will need to be considered as part of a separate planning application.

35. The Greater London Authority have requested an energy assessment for the proposed development demonstrating how the scheme will achieve the zero carbon draft London Plan target. Energy use for the proposed development will be limited due to the nature of the proposed use. As such, it is recommended that the energy assessment is secured through condition.

Flood Risk and Drainage

36. A drainage plan was submitted with the application. This was required as the scheme is a major planning application and requires a Sustainable Drainage Assessment. It should be noted that the site does not lie within a flood zone as defined by the Environment Agency. The plan demonstrates that the proposed development would comprise of an attenuation tank that will be positioned below the MSCP. The principle of an attenuation tank is considered acceptable to restrict the flow of surface water flooding, however

further details of the measures are recommended to be conditioned to any forthcoming consent.

Trees

37. The location of the new multi storey car park will result in the loss of 18 trees, including the loss of 5 category B (moderate) trees. The tree officer has agreed to the loss of these trees subject to replacement 1:1 tree planting elsewhere within the hospital site. Such details are recommended to be secured as a condition to any forthcoming consent.

Fire Statement

38. The GLA have requested a fire statement in line with emerging policy D12. The MSCP will be accessible on two sides from the access road and therefore easily accessible by the fire brigade. Fire safety considerations are covered by Building Regulations. It is therefore not considered that a fire statement is necessary.

Equalities

39. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In determining planning applications, consideration will be given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation). The proposal may impact upon protected characteristics, for example in terms of the provision of housing for specialist needs and access to open space and recreation opportunities, and it is recommended that an Equalities Impact Assessment is carried out to support the outline masterplan application.

Summary

40. Officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions.

CIL DETAILS

This application is liable to pay **£1,850,837.14** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 15516 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Sui generis	15516		15516	£40.00	£0.00	£925,418.57	£0.00
(Brent)			0	£0.00	£0.00	£0.00	£0.00
(Mayoral) Sui generis	15516		15516	£0.00	£60.00	£0.00	£925,418.57
(Mayoral)			0	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	336
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£925,418.57	£925,418.57

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking

as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



Brent

DECISION NOTICE – APPROVAL

Application No: 19/4272

To: Mr Wills
Apcoa Parking
4-10 Cowley Road
Uxbridge
UB8 2XW

I refer to your application dated **02/12/2019** proposing the following:

Erection of a multi-storey car park on 5 levels for staff only, a separate plant/energy facility and associated works to access road at Northwick Park Hospital

and accompanied by plans or documents listed here:
Refer to condition 2

at **Northwick Park Hospital, Watford Road, Harrow, HA1 3UJ**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 09/03/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
 - National Planning Policy Framework 2018
 - The London Plan 2016
 - Brent's Core Strategy 2010
 - Brent's Development Management Policies 2016
 - Brent's Supplementary planning Document 1: Design Guide for New Development 2018

 - Draft London Plan "Intend to Publish" 2019
 - Brent's draft Local Plan

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

Drawing Numbers: _

AL(0)11 Rev. B, AL(0)10 Rev. B, 19-013/BH1, 19-013(90.4)004 Rev. A, 19-013(90.4)002 Rev. C, 19-013(90.4)004, 19-013(52)001 Rev. B, 19-013(43)03 Rev. F, 19-013(43)02 Rev. F, 19-013(43)01 Rev. G, 19-013(43)005, 19-013(43)004 Rev. C, NPH-PROPOSED CP, NPH-PROPOSED CP, NPH-EXISTING CP, AL(0)13 Rev. A, AL(0)12 Rev. A, 19-013(90.4)001

Supporting Documents

Arboricultural Impact Assessment prepared by Arborteerra Ltd

Car Park Management Plan prepared by Steer

Phase I Site Appraisal conducted by Patrick Parsons

Phase II Site Appraisal conducted by Patrick Parsons

Planning Statement prepared by SBAAKA Architects

Air Quality Assessment prepared by Air Quality Assessments

Design and Access Statement prepared by SBAAKA Architects

Reason: For the avoidance of doubt and in the interests of proper planning

- 3 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register

at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1 and London Plan policies 5.3 and 7.14.

- 4 The Electric Vehicle Charging Points within the multi storey car park shall be provided in accordance with the details as identified on plans 19-013(43)01 Rev. G and 19-013(43)03 Rev. F prior to first use of the car park hereby approved, and thereafter retained throughout the lifetime of the development.

Reason: In the interests of air quality.

- 5 The multi storey car park hereby approved shall not be used for parking unless the use of the existing car parks denoted as "Ring Road North", "Wolfson", "Paraxel", "Boilerhouse", "Football pitch" and "Social Club" (as shown on Drawing No: NPH-EXISTING CP) has ceased and the use of the car park denoted as "Ex MSCP (Top Floor)" (as shown on Drawing No: NPH-EXISTING CP) for staff parking has ceased. Thereafter, no parking shall take place in the existing car parks as identified above for either staff, visitor or any other ancillary parking in connection with the NHS North West London Trust, other than "Ex MSCP (Top Floor)" which shall be used for visitor parking.

Reason: To prevent over provision of parking within the hospital site, in the interests of highway and pedestrian safety.

- 6 Prior to the commencement of the development, a Construction Method Statement which incorporates a dust management plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development and therefore needs to be discharged prior to construction.

- 7 Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved construction logistics plan.

Reason: To ensure construction processes do not unduly prejudice the free and safe flow of local highways.

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development and therefore needs to be discharged prior to construction.

- 8 Prior to commencement of the development hereby approved, details of sustainable drainage measures to restrict the flow of surface water from the MSCP shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall include details of the location of any attenuation tank and the restriction in the flow of surface water in litres per second to greenfield rates, unless otherwise agreed by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of controlling and reducing surface water run-off in line with policy DMP9B of Brent's Development Management Policies 2016.

Pre-commencement reason: The condition involves measures that need to be designed from the outset of construction works, and therefore needs to be discharged prior to construction.

- 9 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 10 Prior to commencement of the development hereby approved (excluding any demolition, site clearance and the laying of foundations), an Energy Strategy setting out measures to reduce carbon emissions for the proposal (including feasibility of measures to maximise provision of renewables (such as PV panels) and storage for electricity generation) shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which accords with the objectives of Policy 5.2 of the London Plan and Policy S12 of the Intend to Publish London Plan.

- 11 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), further details of the accesses points into the car park and pedestrian pathway running along eastern and northern boundary have been submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details, such details shall include:

(a) Details of each access point with pedestrian priority.

(b) Plans demonstrating provision of a pedestrian footway around the eastern and northern sides of the car park with a minimum width of 2m.

Reason: In the interest of highway safety.

- 12 Any gas protection remediation measures required by the Local Planning Authority shall be carried out in full. No parking shall take place in the multi storey car park until a verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site.

- 13 Prior to first use of the multi storey car park hereby approved, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the lighting luminance levels. The lighting shall not be installed other than in accordance with the approved details.

Reason: In the interests of safety and the amenities of the area.

- 14 Prior to the first use of the multi storey car park hereby approved, a car park management plan

shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of the following:

(a) Details of how the car park would be restricted for use by legitimate staff permit holders only

The car park shall thereafter be managed in full accordance with the approved car park management plan.

Reason: In the interest of sustainable transportation and to mitigate the potential impact of overspill parking on the surrounding roads.

- 15 The car park hereby approved shall not be used for parking unless a Travel Plan for the wider hospital has been submitted to and approved in writing by the Local Planning Authority and the approved travel plan is implemented in full. The travel plan shall include the following details:

Baseline figures for existing staff travel patterns, incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 16 The car park hereby approved shall not be used for parking unless details of disabled staff parking spaces across the wider hospital site have been submitted to and approved in writing by the Local Planning Authority, and thereafter laid out in accordance with the approved details.

Reason: To provide satisfactory provision of disabled parking for staff.

- 17 The car park hereby approved shall not be used for parking unless details of cycle parking facilities reflecting the targets set out within the Travel Plan within the wider hospital site have been submitted to and approved in writing by the Local Planning Authority, and thereafter provided in accordance with the approved details.

Reason: In the interest of sustainable transportation and to mitigate the potential impact of overspill parking on the surrounding roads.

- 18 The car park hereby approved shall not be used for parking unless details of replacement of minimum of 18 trees within the wider hospital grounds (including species, location and densities) have been submitted and approved by the Local Planning Authority, and thereafter the trees have been planted in accordance with the agreed approved details.

Reason: To replace the loss of trees currently occupying the site.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

Any person wishing to inspect the above papers should contact Denis Toomey, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1620