



Planning Committee

Wednesday 24 June 2020 at 6.00 pm

This will be held as an online virtual meeting

The link to view proceedings live is available [HERE](#)

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

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:
democracy.brent.gov.uk

Members' virtual briefing will take place at 5.00pm.

The press and public are welcome to attend this as an on online virtual meeting. The link to attend and view proceedings is available [HERE](#)

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.		
APPLICATIONS FOR DECISION			
2.	19/4545 1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ	Queensbury	5 - 48
3.	19/4541 2A, Part of Former Westend Saab and Boyriven Textile, Bridgewater Road, Wembley, HA0 1AJ	Alperton	49 - 86
4.	19/2408 111-115 Salusbury Road, London, NW6 6RG	Queens Park	87 - 108
5.	19/4351 62 Dunster Drive, London, NW9 8EL	Barnhill	109 - 126
6.	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 her representative before the meeting in accordance with Standing Order 60.		

Date of the next meeting: Wednesday 22 July 2020

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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

24 June, 2020
03
19/4545

SITE INFORMATION

RECEIVED	27 December, 2019
WARD	Queensbury
PLANNING AREA	
LOCATION	1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ
PROPOSAL	Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to twelve storeys comprising residential units and commercial floorspace, and the erection of a part two part three storey commercial building with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.
PLAN NO'S	Please 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_148363</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 "19/4545" (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 London Mayor pursuant to the Mayor of London Order
- B. Any direction by the Secretary of State pursuant to the Consultation Direction
- C. The prior completion of a legal agreement to secure the following planning obligations:

- 1. Payment of legal fees and other professional costs
- 2. Notification of material start 28 days prior to commencement
- 3. Affordable housing (to comprise 54 units at London Affordable Rent and 86 units for Shared Ownership) with appropriate post implementation review mechanism
- 4. Carbon Off-setting scheme. Revised Energy Assessment at detailed design stage and post-completion. Two-stage contribution towards Brent's carbon offsetting scheme to achieve the London Plan targets for carbon reduction, should those targets not be met through on site measures. BREEAM Completion Certificate evidencing BREEAM Excellent status for commercial floorspace. Sustainability mitigation if above measures not met
- 5. Revised Travel Plan
- 6. S38 and S278 works
- 7. Financial contribution (exact amount to be agreed) towards introduction of a Controlled Parking Zone
- 8. Parking permit restrictions
- 9. Financial contribution to Transport for London towards public transport improvements (comprising £30,000 contribution to bus stop relocation and £106,000 contribution towards Colindale Station upgrade)
- 10. Training and employment of Brent residents
- 11. Financial contribution of £15,000 towards improvements to off-site amenity space and play provision.

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

Compliance

- 1. 3 year time limit
- 2. Approved plans and drawings
- 3. Withdraw permitted development rights for C3 to C4 small HMOs
- 4. Block F to be retained as industrial floorspace
- 5. Number of residential units
- 6. Quantum of commercial floorspace
- 7. Withdraw permitted development rights for conversion of office to residential use
- 8. Residential units to comply with wheelchair accessible (10%) or accessible and adaptable (90%) standards
- 9. Electric vehicle charging points to be provided prior to occupation or use
- 10. All parking etc to be provided prior to occupation or use
- 11. Restrictions on non-road mobile machinery

Pre-commencement

- 12. Phasing plan
- 13. Construction Logistics Plan
- 14. Construction Management Plan
- 15. Tree protection measures

Pre-construction

- 16. Investigation of contaminated land
- 17. Detailed basement sections
- 18. Materials samples

Pre-occupation

19. Remediation and verification of contaminated land
20. Details of cycle parking
21. Details of future connection to district heating network
22. Details of play areas
23. Details of PV panels and air source heat pumps
24. Details of CCTV
25. Delivery and servicing plan
26. Parking design and management plan
27. Commercial kitchen extract ventilation
28. Details of sound insulation between commercial and residential premises
29. Residential noise levels
30. Details of external lighting
31. Plant noise assessment

Informatives

1. CIL Liable development
2. Protected species
3. Asbestos
4. Notify Highways before commencement
5. London Living Wage
6. Party Wall matters
7. Soil quality
8. Fire safety standards
9. Construction hours
10. 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

	Planning Committee Map
	Site address: 1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ © Crown copyright and database rights 2011 Ordnance Survey 100025260

This map is indicative only.



PROPOSAL IN DETAIL

Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to twelve storeys comprising 501 residential units, eight three storey mews houses, and the erection of a part two part three storey commercial building, providing a total 4,051sqm of commercial floorspace (Use Classes B1(a),(b) and (c), B8, D2 and A3) across the site with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.

The proposed layout on the main site consists of five linear north-south orientated residential blocks, with business uses at ground level (with mezzanine levels in Blocks C and D) fronting onto Capitol Way to the south, and a residential mews terrace running along the northern edge of the site. The satellite site would contain a building for industrial use.

Four communal landscaped courtyards are proposed and would be enclosed by the residential blocks and linked via internal pathways. Additional shared amenity space would run north to south along the eastern boundary. A basement level car park would be accessed via Capitol Way and would provide 114 residential car parking spaces and 624 residential cycle parking spaces (in addition to 198 cycle parking spaces provided at first floor level). A one-way surface level service road through the site would be provided for servicing, delivery and emergency vehicles, with access from Capitol Way and egress onto Stag Lane. A further 12 car parking spaces would be provided at street level for commercial use.

EXISTING

The existing site is in two parts. The main site is bounded to the west by Stag Lane, to the north by single storey trade retail units on the south side of Carlisle Road, to the east by similar units forming part of Capitol Industrial Park, and to the south by the northernmost spur of Capitol Way. The site is currently occupied by a single storey vacant warehouse building.

The smaller satellite site is to the south of the main site, bounded to the west by Stag Lane, to the north by Capitol Way at its junction with Stag Lane, and to the east and south by a vehicle showroom and service centre. It is currently bounded by a metal paling fence and consists of an area of hardstanding.

The surrounding area includes the remaining single storey industrial units further south on Capitol Way and to the north on Carlisle Road, traditional residential areas to the west and south around Stag Lane and a large-scale modern housing-led development known as TNQ to the east (LPA ref 08/2823).

The site is designated as a Locally Significant Industrial Site and covered by an Article 4 Direction removing permitted development rights for changes of use from Office / Industrial / Warehousing to residential.

AMENDMENTS SINCE SUBMISSION

Amended plans were received on 26 March 2020 and 13 May 2020 in response to comments from the Highway Authority and Transport for London:

The Proposed Ground Floor Plan was amended on 26 March 2020, removing one of six proposed on-street servicing bays on Capitol Way as the use of this bay would require service vehicles to turn around on the road.

The Proposed Basement, Ground Floor and First Floor Plans were amended on 13 May 2020, enhancing cycle storage and providing a cycle repair and pump station on site.

These amendments did not materially alter the scheme and did not require a further period of consultation.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Seventeen letters of objection have been 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: These relate primarily to the increased scale of the scheme compared to the consented scheme on this site, reference 17/0837, and to the impacts on the local highway network including the availability of on-street parking within the area. Some argue that the design of the scheme is not in keeping with the character of Stag Lane, that the density is too high, or that local infrastructure and services are not sufficiently resourced to cater for the additional population.

Principle of development: The proposal would be similar in nature to the consented scheme on this site, albeit with some buildings increased in height, an increase in the number of residential units and reduced parking provision. New commercial floorspace including a stand-alone industrial unit would be provided to mitigate the loss of the existing vacant warehouse building and, whilst the replacement floorspace would fall below the industrial capacity of this LSIS-designated site, the site is part of a proposed site allocation which allows for its redevelopment for a mix of uses. The development would create new business and employment opportunities and would help to foster a vibrant new business community. The proposal would also contribute to Brent's housing targets, providing an additional 87 residential units compared to the consented scheme.

Affordable housing and housing mix: The proposal would deliver 35% affordable housing by habitable room (including 54 units at London Affordable Rent and 86 units for shared ownership), a significant uplift on the 30% secured under the consented scheme. Whilst the tenure split of 44 : 56 (by habitable room) Affordable Rent to Shared Ownership would not comply with Brent's policy, 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. The same number of affordable rented units would be provided as in the consented scheme, but at more genuinely affordable rent levels (London Affordable Rent). The number of family-sized units would be 103 (20.6%), compared to 102 in the consented scheme, and 61% of the affordable rented units would be family-sized. While this is below the borough wide target proportion, it is considered to represent an acceptable balance between Affordable Homes and family sized homes in this particular instance.

Design, scale and appearance: The scheme is identical to the consented scheme in design terms, other than with respect to the increased height of some buildings and increased separation distances between them. The design is considered to be of high quality and to effectively combine new commercial floorspace providing an active street frontage and improved public realm with residential development, respecting the suburban character of Stag Lane whilst optimising the development potential of the site.

Quality of accommodation: The 501 residential units would be of high quality, with efficient layouts, and would all meet or exceed internal space standards. Whilst the number of dual aspect units would be low, none would be north- or south-facing and most would enjoy a high quality outlook over the attractively landscaped communal courtyards. All units would have access to private balconies or terraces and a variety of high quality external amenity areas on site including several playspaces, and the overall amenity space provision is considered to be acceptable. There would be a small shortfall against the targets set out in Policy DMP19. However, the quality of accommodation is considered to be good overall, and this shortfall would be mitigated by a financial contribution of £15,000 towards off-site provision in Grove Park.

Impact on neighbouring properties: The daylight sunlight assessment shows that neighbouring properties would continue to receive good levels of daylight and sunlight, and that the impact of the development on them would not be materially different to that of the consented scheme. The proposed buildings would retain adequate separation distances to neighbouring properties and sites, and would not cause any harmful impacts to the outlook or privacy enjoyed by neighbouring residents.

Sustainability and energy: The proposal would achieve a 57.5% reduction in residential carbon emissions against the 2013 Building Regulations baseline, and a 42.5% reduction in non-residential emissions. This represents a significant improvement on the consented scheme. The commercial floorspace would also achieve BREEAM Excellent status.

Flood risk and drainage: The site is in Flood Zone 1 and the flood risk assessment demonstrates that the development would not cause risk of flooding within the site or elsewhere in the area. The drainage strategy would deliver an 80% reduction of the existing peak runoff rate, utilising sustainable drainage measures including blue and green roofs.

Urban greening, trees and biodiversity: The proposal achieves an urban greening factor of 0.3, a very significant improvement on the existing conditions. Nine trees and one tree group within a group Tree Preservation Order on Stag Lane would need to be removed, however these are all of low to moderate quality and replacement tree planting would be secured, with a significant number of new trees (146 in total including

68 semi mature trees) and biodiversity enhancements as part of the landscaping scheme across the site.

Environmental health considerations: Noise, air quality and contaminated land concerns have been addressed through the submission and review of specialist reports, and environmental health officers have recommended conditions as appropriate to mitigate any impacts, including those arising from the construction process.

Transport considerations: On-site parking would be provided, including 114 basement spaces for residential use and 12 spaces for commercial use. This is a significant reduction in comparison to the 254 residential spaces and 26 commercial spaces provided in the consented scheme. Lower parking provision is strongly supported by the emerging policy context and would be mitigated by a financial contribution secured through the s106 agreement, towards the introduction of a Controlled Parking Zone within the surrounding area. Servicing and access arrangements would be as in the consented scheme, and cycle parking provision would be increased in line with draft London Plan standards. Highway works, travel plans and financial contributions to public transport service improvements would also be secured.

RELEVANT SITE HISTORY

17/0837

Full Planning Permission
Granted 12/11/2018

Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to nine storeys and eight three storey mews houses, and the erection of a two storey commercial building, providing a total 4,051m of flexible commercial floorspace (B1(a),(b) and (c), B8, D2 and A3) across the site and 414 residential units including a mix of studio, 1, 2 and 3 bedroom units with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works, subject to Deed of Agreement dated 12 November 2018 under Section 106 of Town and Country Planning Act 1990, as amended.

CONSULTATIONS

922 neighbouring properties and the Friends of Eton Grove Park were consulted by letter on 7 January 2020. Site notices were posted in the vicinity of the site on 8 January 2020 and a press notice was published on 23 January 2020. Seventeen objections were received and are summarised as follows:

Objection	Officer response
<p>Little mention of the local infrastructure and amenities to accommodate the increase in local population - existing facilities unable to service the huge influx of new families. New social infrastructure and employment should be in place before development is completed.</p>	<p>New developments provide funding through the Community Infrastructure Levy towards infrastructure improvements. However, no specific requirements for infrastructure upgrades have been identified as a result of this proposal.</p> <p>The Council's school places team monitors and forecasts the need for additional school places. They currently consider that there is sufficient capacity within primary schools, but that additional capacity will be needed in the short to medium term for secondary school places. A new secondary school is proposed to be delivered within Neasden to address this need.</p> <p>The CCG have not identified the need for a new medical centre within this locality.</p> <p>The development would also provide new business and employment opportunities for the area.</p>
<p>General concerns about overdevelopment in area.</p>	<p>The site is part of a Growth Area which has been identified as suitable for high density development.</p>

Proposal will decrease amount of commercial land available in area.	Please refer to Principle of Development section of report. The proposal would create new commercial and industrial floorspace to replace a vacant warehouse building.
Height fronting Stag Lane has been disregarded	Please refer to Design, Scale and Appearance section of the report
Increased vertical structures out of keeping with the area.	Please refer to Design, Scale and Appearance section of the report.
Detrimental to visual amenity of the area	Please refer to Design, Scale and Appearance section of the report
Compresses too many undersized dwellings in a relatively small area of land	All the dwellings would meet minimum space standards and the density is justified in this location
Not in keeping with the surrounding suburban two storey houses	Please refer to Design, Scale and Appearance section of the report
Properties facing Stag Lane should reflect design and appearance of existing properties. If four-storey building is permitted, existing residents should have right to extend to four stories without planning permission.	Please refer to Design, Scale and Appearance section of the report. The Council cannot unilaterally alter permitted development rights for householder extensions, which are established nationally.
High density development will reduce the quality of life for all local residents, particularly the elderly	There is no evidence that this would be the case. Specific concerns are addressed in relevant sections of the report.
Additional bulking would result in additional burden to residents.	There is no evidence that this would be the case. Specific concerns are addressed in relevant sections of the report.
Balconies facing Stag Lane should be eliminated. If front dormers are proposed, Stag Lane properties should have automatic consent for front dormers.	There are no planning reasons to object to the proposed balconies facing Stag Lane. No front dormers are proposed.
Loss of light and outlook	Please refer to Impact on Neighbouring Properties section of report
Increased noise and disturbance resulting from use	The Council's Environment and Regulatory officers were consulted. They recommend that subject to appropriate conditions the proposal is considered acceptable in these terms.
Local traffic congestion will increase significantly, raising air pollution beyond already dangerous levels	The application has been accompanied by an air quality neutral assessment. On the basis of this information, the development would be air quality neutral in terms of transport emissions.
Noise and disturbance during construction	This is dealt with under Environmental Health legislation and would also be controlled through a Construction Management Plan.

Increased disruption and congestion that development will bring to busy location	Please see Transport section of report
Area is unable to accommodate increased parking in neighbouring streets	Please refer to Transport section of report
Further residents parking will only serve to hinder the normal business of the companies in the road	Please refer to Transport section of report. It is understood business parking permits would be issued if it is demonstrated it is essential to the operation of the business
Road blockage during use of construction vehicles and construction vehicle access from Stag Lane.	The applicant would be required to submit a Construction Logistics Plan to ensure effective control of highway impacts during construction, which would include routing of all construction traffic to avoid Stag Lane.
Adequacy of parking, loading, turning space	Please refer to Transport section of report
Additional strain will be placed on local tube networks and bus routes	Transport for London have raised no concerns with the impact of the development on local transport infrastructure, subject to a financial contribution towards service improvements.
Journey times will increase and there will be insufficient space for local residents	Please see Transport section of report. The development proposes a contribution to a future CPZ with residents of the development not being entitled to a parking permit, to ensure on street parking is retained for existing residents
CPZ will disadvantage local home owners. Developers should be liable to pay for existing residents' permits. Future residents should only be allowed to park within site.	Please see Transport section of report. A CPZ would ensure that on-street parking in the area is retained for the use of existing residents and residents of the development would not be entitled to parking permits.
Stag Lane is a feeder road to Sikh temple, Ekta Centre and doctors surgery and pharmacy and village school all which already attracts a high volume of traffic, which the development will worsen	Please see Transport section of report.
Bus routes should not cross Capitol Way.	The proposal does not involve any changes to existing bus routes.
Newly created bus stop on Stag Lane is not required and will deprive occupants of 276 Stag Lane of parking outside home	Please see Transport section of report. The proposal would result in relocation of an existing bus stop rather than the creation of a new one and would not affect 276 Stag Lane.
The Council has instructed the developers to increase the size of the development in order to provide housing.	This is not the case. The current proposal has been considered in the context of an emerging policy context that includes the needs for Brent to significantly increase its housing targets.
Impact on existing residents' views and property prices.	These are not material planning considerations.
Proposal is a rehash of previous proposal from 2017 and local concerns were not taken into	The proposal is based on the consented scheme, however objections to this proposal

account then.	have been considered against current adopted and emerging planning policies.
Impact on water and sewerage services.	Thames Water and Affinity Water have been consulted and have raised no objections in relation to these issues.

Statutory and internal consultees

Greater London Authority / Transport for London:

Principle of development: The proposal is supported given the extant consent for similar land uses. The industrial use of Building F should be secured.

Housing and affordable housing: The proposal represents an uplift of 87 units compared to the previous consent. The proposed 36% affordable housing does not meet the 50% fast track route requirement for industrial sites. The applicant's Financial Viability Assessment is undergoing robust assessment by GLA officers to ensure the maximum contribution is secured.

Design: The design approach is supported and of good quality, with industrial floorspace suitable for industrial users.

Sustainable development: Further evidence required in relation to energy, flood risk and green infrastructure.

Transport: The application is broadly supported, and contributions and conditions are required.

Transport for London detailed response: The highway and public realm improvements are welcomed and in keeping with TfL Healthy Streets approach and Vision Zero. TfL welcomes the reduction in parking, which will promote a greater shift to active modes and public transport in keeping with the Mayor's ambition for 80% of trips by 2041 to be by non-car modes. A car park management plan and contribution to implementing a CPZ should be secured. Further detail is required to ascertain the quality of cycle parking. Whilst the additional public transport trips will place a greater demand on services operating in the vicinity, it would not rise to a level that would be considered severe. A contribution of £106,000 towards a major upgrade scheme for Colindale station is expected.

London Borough of Barnet: Objection due to insufficient parking provision [officer note: this issue is discussed in the Transport section of the report].

Environment Agency: No comment.

Thames Water: No objection in respect of surface water network and foul water sewerage network.

Environmental Health: No objection subject to conditions including to secure amendments to noise assessment report and conditions relating to contaminated land, external lighting and construction noise and dust.

Pre-application consultation:

The applicant's Design and Access Statement sets out the public consultation and engagement activities undertaken by the applicants prior to submitting this application. These included a two-day public exhibition held on site in October 2019, advertised by leaflets sent to 2,722 local residents and businesses, and a dedicated project website and advertisement in the Brent and Kilburn Times. A total of 57 people attended the public exhibition. Consultation was also conducted with local community and residents groups.

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, and the Brent Development Management Policies 2016.

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
3.9	Mixed and balanced communities
3.11	Affordable housing targets
3.12	Negotiating affordable housing on individual private residential and mixed use schemes
3.13	Affordable housing thresholds
4.4	Managing industrial land and premises
5.2	Minimising carbon dioxide emissions
5.10	Urban greening
5.13	Sustainable drainage
5.15	Water use and supplies
5.21	Contaminated land
6.9	Cycling
6.13	Parking
7.1	Lifetime neighbourhoods
7.2	An inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of tall and large buildings
7.14	Improving air quality

Brent Core Strategy 2010

CP1	Spatial Development Strategy
CP2	Population and Housing Growth
CP11	Burnt Oak/Colindale Growth Area
CP19	Strategic Climate Change Mitigation and Adaptation Measures
CP20	Strategic Industrial Locations and Locally Significant Industrial Sites
CP21	A Balanced Housing Stock

Brent Development Management Policies 2016

DMP1	Development Management General Policy
DMP9b	On Site Water Management and Surface Water Attenuation
DMP11	Forming an Access on to a Road
DMP12	Parking
DMP13	Movement of Goods and Materials
DMP14	Employment Sites
DMP15	Affordable Housing
DMP18	Dwelling Size and Residential Outbuildings
DMP19	Residential Amenity Space

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 relevant policies include:

Draft New London Plan

GG1	Building strong and inclusive communities
GG2	Making the best use of land
GG3	Creating a healthy city

GG4	Delivering the homes Londoners need
GG5	Growing a good economy
GG6	Increasing efficiency and resilience
SD1	Opportunity Areas
D1	London's form, character and capacity for growth
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D8	Public realm
D9	Tall buildings
D12	Fire safety
D13	Agent of Change
D14	Noise
H1	Increasing housing supply
H4	Delivering affordable housing
H5	Threshold approach to applications
H6	Affordable housing tenure
H7	Monitoring of affordable housing
S4	Play and informal recreation
E4	Land for industry, logistics and services to support London's economic function
E6	Locally Significant Industrial Sites
E7	Industrial intensification, co-location and substitution
G5	Urban greening
SI1	Improving air quality
SI2	Minimising greenhouse gas emissions
SI5	Water infrastructure
SI13	Sustainable drainage
T1	Strategic approach to transport
T2	Healthy Streets
T4	Assessing and mitigating transport impacts
T5	Cycling
T6.1	Residential parking
T7	Deliveries, servicing and construction
T9	Funding transport infrastructure through planning

Draft Local Plan

DMP1	Development management general policy
BP3	North
BNGA1	Burnt Oak / Colindale Growth Area
BNSA1	Capitol Way Valley
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
BE1	Economic growth and employment opportunities for all
BE2	Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)
BGI1	Green and blue infrastructure in Brent
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
BT4	Forming an access on to a road

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

DETAILED CONSIDERATIONS

Background

1. The proposal presents an amended version of the consented scheme for the redevelopment of the site, ref 17/0837. The consented scheme could be legally implemented at this time and is therefore a material planning consideration of significant weight in the determination of this application. The main points of comparison between the two applications are summarised below and considered in more detail at the relevant points in the report:
 - The commercial floorspace would remain as in the consented scheme in terms of amount, layout and design. However, the satellite site (Block F) has now been conditioned to be in industrial use only, to reflect the emerging policy context.
 - The number of residential units would increase by 87 from 414 to 501 new homes
 - Affordable housing provision would increase from 30% (at a 54:46 tenure split) to 35% (at a 44:56 tenure split)
 - Building heights would increase by one storey (Blocks B, C and D) and three stories (Block E)
 - Separation distances between Blocks C and D, and Blocks D and E, would be increased by 2m in each case
 - Some residential floors would be reconfigured to increase the number of units provided
 - The energy strategy would be updated, to further reduce carbon emissions from the development
 - The basement car parking provision would be reduced from 254 spaces to 114 spaces, whilst basement cycle storage and bin storage would be increased.

Principle of development

2. 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. Core Strategy Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period, including a target of 25% family sized accommodation. Notwithstanding the Locally Significant Industrial Site designation, the extant permission was granted on the basis that the proposal complied with the requirements for the redevelopment of industrial land set out in Brent's Policies CP20 and DMP14, given the constraints of the building and its servicing arrangements and the evidence submitted of continuing vacancy following active marketing.
3. However, the draft new London Plan is also a material planning consideration of increasing weight, and Draft Policy E4 proposes to prevent further losses of industrial land across London as a whole, in part by requiring a number of boroughs including Brent to "provide capacity" for employment floorspace to support London's economic function. Further detail on how this is to be achieved is provided in Draft Policy E7, of which paragraph C identifies the potential for LSIS-designated sites to accommodate industrial floorspace co-located with other uses, and indicates that this should be through a plan led approach or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, rather than through ad-hoc planning applications.
4. The site is part of a proposed site allocation (BNSA1, Capitol Way Valley) identified in Brent's draft Local Plan for mixed use development including employment intensification and co-location. The allocation allows for the redevelopment of the proposal site as consented, and the current proposal would therefore be aligned with the general policy aims of the allocation (including the intensification of employment floorspace) and with the process set out in paragraph C of Draft Policy E4.

5. Draft Policy E4 also sets out a principle that there should be no net loss of industrial floorspace in LSIS-designated areas, and the supporting text defines the floorspace capacity as the existing floorspace on site or the potential floorspace at a 65 per cent plot ratio. Based on the site area (including the satellite site) of 1.88ha, the potential floorspace would be 12,200sqm, significantly greater than the amount secured through the extant consent.
6. Notwithstanding the imminent policy changes, the consented scheme is a material planning consideration carrying significant weight. The proposal maintains the same level of employment floorspace as the extant permission and has further developed the satellite site (Block F) as an industrial development, compared to the consented scheme which would deliver commercial floorspace that could be occupied by other commercial uses. In doing this, it would ensure that the Block F building specification would be designed to meet the operational requirements of industrial end users. Features such as 4m ceiling heights, adequate floor loading, vehicle access of sufficient dimensions for deliveries, separate access for staff and visitors, a goods lift and functional yard space would be provided to meet the needs of industrial uses, and the industrial use of this building would be secured by condition.
7. In relation to the housing element, the proposed intensification of the development site would deliver an additional 87 residential units compared to the consented scheme. The draft London Plan proposes increasing housing targets for London boroughs with the target number for Brent set to increase from 1,525 to 2,325 per year. Brent's emerging Local Plan seeks to focus housing growth within its growth areas and site allocations. The application site lies within the extended boundaries of the Burnt Oak Colindale Growth Area and site allocation BNASA1 proposed as part of the emerging Local Plan. The development would therefore contribute to the delivery of London's housing requirements and the Council's minimum housing target in line with London Plan Policy 3.3, draft London Plan Policy H1, and emerging policy BH1 of Brent's Local Plan.
8. The principle of the development is therefore acceptable.

Affordable housing and housing mix

Policy background

9. Brent's adopted local policy (CP2 and DMP15) sets out the affordable housing requirements for major applications and stipulates that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing. The policies allow for the reduction in the level of Affordable Housing (below the 50% target) on economic viability grounds. This is discussed in more detail later in this report.
10. The emerging London Plan (Intend to Publish Version) has been subject to examination and the associated affordable housing policies (H4, H5 and H6) are now given greater weight. These policies establish the threshold approach to applications where a policy compliant tenure mix is proposed*, where viability is not tested at application stage if affordable housing proposals achieve a minimum of:
 - 35% Affordable Housing; or
 - 50% Affordable Housing on industrial land** or public sector land where there is no portfolio agreement with the Mayor.

* other criteria are also applicable.
 ** industrial land includes Strategic Industrial Locations, Locally Significant Industrial Sites and non-designated industrial sites where the scheme would result in a net loss of industrial capacity.
11. The policies set out the Mayor's commitment to delivering "genuinely affordable" housing and the following mix of affordable housing is applied to development proposals:
 - A minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent);
 - A minimum of 30% intermediate homes;
 - 40% to be determined by the borough based on identified need.
12. When interpreting these policies, the tenure mix set out in Brent's adopted policies (70:30 ratio of

Affordable Rent : Intermediate) and Brent's emerging policies (70:30 ratio of London Affordable Rent : Intermediate) provide clarity on the tenure of the third category (40 % to be determined by the borough). This means that this element of Affordable housing mix should be provided as Affordable Rented homes.

13. These policies allow for a reduction to affordable housing obligations on economic viability grounds where it can be robustly demonstrated that the target level of affordable housing would undermine the deliverability of the scheme. The policies require schemes to deliver the maximum reasonable amount of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the targets) and schemes that are not eligible for the threshold approach must be accompanied by a Financial Viability Assessment. It is important to note that these policies do not require all schemes to deliver 35% or 50% Affordable Housing.
14. Brent's emerging Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted policy DMP15 policy and emerging London Plan policies H4, H5 and H6 would carry considerably more weight than the Brent emerging Affordable Housing policy at this point in time.

Extant consent

15. The extant consent secured 30% affordable housing by habitable room (26% by unit), providing 54 affordable rent and 53 intermediate units (a tenure split of 54 : 46 in favour of affordable rent, by habitable room). This represented an improved offer, in terms of the overall percentage and tenure mix, compared to the initial proposal, and included a high percentage (54%) of affordable rented units as 3beds. Although the tenure split was not policy-compliant the overall level of provision was accepted following the viability appraisal process. Rents were secured at up to 80% of market rents for 1bed and 2bed units, and 60% of market rents for 3bed units. The housing mix secured was as follows:

Consented mix	Studio	1bed	2bed	3bed	Total
Private	44	103	100	60	307 (74%)
Intermediate	0	15	25	13	53 (13%)
Affordable Rent	0	6	19	29	54 (13%)
Total	44 (10%)	124 (30%)	144 (35%)	102 (25%)	

Assessment of proposal

16. The proposal would increase the proportion of affordable housing to 35% by habitable room (28% by unit), providing 54 units at London Affordable Rent levels and 86 units for shared ownership. Again the tenure split of 43:57 by habitable room (39:61 by unit) would not be compliant with Policy DMP15, which requires a 70:30 split in favour of affordable rent. However, the tenure split would be compliant with the emerging London Plan as it would provide over 30% of the units as London Affordable Rent. The detailed housing mix proposed is set out in the following table:

Proposed mix	Studio	1bed	2bed	3bed	4bed	Total
Private	67	160	82	52	0	361 (72%)
Intermediate	0	21	47	18	0	86 (17%)
London Affordable Rent	0	2	19	25	8	54 (11%)
Total	67	183	148	95	8	

	(13%)	(37%)	(30%)	(19%)	(2%)	

17. 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 Policy DMP15 and the draft London Plan fast-track threshold route for sites in industrial use) and the Affordable Housing ratio tenure split proposed is not in line with the Brent Policy ratio of 70:30.
18. A FVA has been prepared on behalf of the applicant by JLL and submitted in supported of the application. The FVA assumes a Benchmark Land Value (BLV) of £9.5m, which is the agreed BLV for the consented scheme that would be used to review viability if that scheme were implemented, together with other key assumptions secured in the s106 agreement for the consented scheme such as profit levels, professional fees and finance costs. At profit levels of 17% across the scheme (which represents a blended average of different profit levels on the commercial floorspace and various residential tenures, including 20% profit on private residential sales), the scheme generates a deficit of £9.91m against the site's benchmark land value on the assumption that no grant funding is available.
19. The FVA has been reviewed on behalf of the Council by BNP Paribas. In light of the consented scheme being a material consideration, they have accepted the Benchmark Land Value of £9.5m. Their appraisal demonstrates a smaller deficit of £5.22m. Although they consider 20% profit to be reasonable in this case, they have also carried out sensitivity testing, reducing the profit on private residential sales to 17.5%, and this generates a smaller deficit of £2.42m.
20. The scheme has been demonstrated to be delivering beyond the maximum reasonable amount of affordable housing. Whilst the tenure split does not comply with policy, the same number of affordable rented units would be secured as in the consented scheme. Furthermore, these units would be secured at London Affordable Rent levels whereas the consented scheme would provide units at higher rent levels as noted above. Additional sensitivity testing has been carried out and has established that a policy-compliant tenure split for a viable scheme would deliver less affordable housing than the consented scheme overall and fewer units for affordable rent.
21. The scheme would deliver beyond the maximum reasonable number of units at London Affordable Rent and the applicant has chosen to provide additional units for shared ownership. Both elements are considered to represent significant planning benefits of the scheme in comparison to the consented scheme.
22. The proposal does not meet the GLA's threshold for the fast track route under draft London Plan Policies H5 and H6, which remains at 50% affordable housing for proposals involving the release of designated industrial land and net loss of industrial capacity. The GLA are currently assessing scheme viability and their comments will be reported via the Supplementary Agenda.
23. In terms of the family sized dwellings, 103 are proposed, comprising 95 x three bedroom dwellings and 8 x four bedroom dwellings. At 21% of the overall number of units, this would fall below the 25% target set out in Policy CP2 and emerging policy BH6. The extant scheme proposed a total of 102 family sized dwellings, all being three bedrooms, which equated to 25% of the total number of units and therefore was fully compliant with Policy CP2. The percentage of family housing would be reduced as a result of the overall increase in the number of units so that the scheme would no longer be policy compliant in this respect, however the number of family-sized dwellings provided would be increased by one and the inclusion of the four bedroom homes, which would all be at London Affordable Rent levels, is considered to be an additional benefit of the scheme. Furthermore 34.7% of the family sized units (3 and 4 bedrooms) are proposed at London Affordable Rent levels, whereas the consented scheme secured 28% of the family sized units as affordable rent. The housing mix is compared in full in the table below.

	Consented scheme	Consented %	Proposed scheme	Proposed %
Studio	44	10%	67	13%

1bed	124	30%	183	37%
2bed	144	35%	148	30%
3bed	102	25%	95	9%
4bed	0	0%	8	2%
Total	414	100%	501	100%

Design, scale and appearance

Policy background

24. The NPPF seeks developments of high quality design that will function well and add to the overall quality of the area, being sympathetic to local character and history, establishing or maintaining a strong sense of place, and optimising the potential of the site to accommodate an appropriate amount and mix of development. Further detailed design principles are set out in Chapter 7 of the London Plan and Chapter 3 of the draft new London Plan, and in Brent's Policy DMP1 and the Brent Design Guide SPD1. Draft Local Plan Policy BD1 also seeks a high standard of design quality, and more specific guidance on tall buildings is given in draft new London Plan Policy D8, and Brent's draft Policy BD2 and draft Tall Buildings Strategy. The latter document identifies the Burnt Oak / Colindale Growth Area as a Tall Buildings Zone with appropriate heights being up to 17 stories.
25. In terms of the character of the surrounding area, this can be divided into distinct sections. West and northwest of the site along Stag Lane is an area of two-storey 1920s housing including Roe Green Village Conservation Area, the boundary of which is approximately 200m southwest of the site. Immediately to the north, the site boundary is with a row of small industrial units on Carlisle Road, which are also part of the LSIS designation. Similar industrial units, also part of the Capitol Way Industrial Park, line the eastern and southern boundaries of the site. To the southeast, the recent TNQ development has a maximum height of eight stories other than on the Edgware Road frontage which features a taller point block of 18 stories, and there is a low-rise supermarket further to the southeast.
26. The site, the surrounding industrial units in the Capitol Way Industrial Park and the supermarket together form the proposed site allocation BNSA1: Capitol Way Valley. The site allocation highlights the need for tall buildings on this site to respond to the height of the surrounding residential character and provide a step down in height towards the 2-storey residential character.

Layout and relationship with street

27. The proposed layout is based around five north-south orientated blocks facing towards Stag Lane (Blocks A to E) of which Blocks A to D would be L-shaped with a return section facing south onto Capitol Way. Each block would include a ground floor commercial unit on the Capitol Way frontage, Blocks C and D with mezzanine floor levels. To the north of the blocks, on the northern boundary of the site, would be a row of mews terraces (Block G). On the satellite site to the south of the main site there would be a separate building providing industrial floorspace (Block F). This building would face north onto Capitol Way and west onto Stag Lane.
28. The layout of the main site would provide a sustained active commercial frontage along Capitol Way, and the commercial units would reinforce the character of the area as a location for predominantly small local businesses. The L-shaped return sections would create four enclosed courtyards between the blocks, which would have a more secluded and domestic character and secure entrances for use by residents, whilst smaller areas between the L-shaped returns would provide pedestrianised public spaces accessible from the street, which would further help to activate the frontage and create a sense of place for the new development. The eastern edge of the site would be landscaped, providing a buffer between the residential use and the industrial units currently remaining.
29. On the Stag Lane frontage, Block A would be set back from the pavement edge by 2m – 6m to continue the existing building line of adjacent properties, and ground floor residential units would have landscaped front gardens and individual entrances direct from the street, with a centrally located communal entrance

providing access for units on the upper floors. These would provide natural surveillance and a traditional residential character along the Stag Lane frontage in keeping with the surrounding properties to the west and northwest. The residential units in the other blocks would primarily be accessed from within the courtyards, with entrances provided from the public spaces on the Capitol Way frontage, and Block E would also have an entrance from the eastern site boundary. The mews terraces would have a more intimate character, with direct access to individual units from within the site to the rear of the larger blocks, and these would be directly accessible via an entrance from Stag Lane, with vehicle access for refuse collection and fire vehicles only.

30. In general the pedestrian routes through the development have been designed across the landscaped courtyards and alongside ground floor active frontages to maximise passive surveillance, making the routes safe and attractive. This would be facilitated by positioning the parking, bin stores and cycle stores for the flats at basement level, as in the consented scheme. As in the consented scheme, the landscaped buffer along the eastern boundary would allow for future pedestrian connections to be established to the east and north as and when neighbouring sites come forward for redevelopment.
31. The satellite site would be physically separated by the road network and would be in keeping with the industrial character of the remaining industrial units to the south of the main site. The main part of the building would be set back from the pavement edge on Stag Lane by 11m approx., providing a substantial buffer of retained tree coverage to soften the impact of the industrial building upon the residential character across Stag Lane.
32. The landscaping strategy comprises the provision of extensive landscaping within the amenity areas between the blocks, as well as street trees proposed along all of the frontages. The satellite site (Block F) located to the south of the main site currently has a vegetated bank with existing trees that run along the eastern side of Stag Lane. This would be retained as a landscaped buffer, to include replacement tree planting (discussed further under Urban greening, trees and biodiversity).
33. In comparison to the consented scheme, the distances between Blocks C, D and E would be increased, to ensure that the levels of daylight and sunlight to residential units would remain the same as for the consented scheme and to increase the size of the communal amenity spaces (these issues are discussed further under Residential Living Standards). The increased separation distances would also create a more spacious character across the development as a whole. The separation distances between blocks are summarised in the Table below:

	Consented scheme	Proposed scheme
Stag Lane to Block A	5m to 6m	5m to 6m
Block A to Block B	20m to 22m	20m to 22m
Block B to Block C	24m	24m
Block C to Block D	24m	26m
Block D to Block E	32m to 35m	34m to 37m
Block E to eastern boundary	18m	13m

34. In summary, the layout is identical to that of the consented scheme 17/0837, other than in terms of the distances between Blocks C, D and E. The layout is considered to effectively combine commercial floorspace with high quality new residential development and is supported on this basis.

Height, bulk and massing

35. The building heights would increase gradually from west to east, in order to respect the lower heights of

the existing residential buildings on Stag Lane and make an appropriate transition to this more traditional area, whilst responding to the opportunity for greater height provided by the predominantly industrial nature and emerging character of high-density residential development to the east and south. This is in line with the aspirations of the site allocation. The height of Block G on the northern boundary would also increase from west to east but would be of lower heights overall than the main blocks, in order to lessen the visual impact on residential properties further to the north on Holmstall Avenue. The industrial building, Block F, would be two to three stories high but, due to the greater floor-to-ceiling height, the three-storey element would be of the same overall height as the four storey Block A, which it would sit alongside on the Stag Lane frontage, and this common height would enable the block to integrate visually with the main development.

36. On Blocks A, E and G, the top floor would be set back from the main building line to minimise the impression of bulk and height and define the top of the building. A similar approach on Blocks B, C and D would involve the top two stories being set back, with the lower height elements wrapping around the L-shaped return sections on the Capitol Way frontage. The longer north-south elevations on the main blocks would be broken up by recessed glazed central cores. Block G would be divided into four sections of increasing height, linked by two-storey sections providing bin storage and access to units on the upper floors. These features would help to modulate the height and bulk of the development and create a shared identity across the blocks.
37. The same overall approach to building heights was considered acceptable in the consented scheme. In comparison, in the current proposal Block A on the Stag Lane frontage would be of the same four-storey height as the consented scheme, whilst Blocks B, C and D would be one storey higher and Block E would be three stories higher, being the tallest part of the development at twelve stories (compared to the nine storey maximum height of the consented scheme). The lower height return sections on Blocks B, C and D would also be increased by one storey. The height of Block F, the industrial building on the satellite site, would remain as in the consented scheme at two to three stories. Building heights are summarised in the following Table.

	Consented scheme	Proposed scheme
Block A	4 stories	4 stories
Block B	6 stories with 4 storey return	7 stories with 5 storey return
Block C	7 stories with 5 storey return	8 stories with 6 storey return
Block D	8 stories with 6 storey return	9 stories with 7 storey return
Block E	9 stories	12 stories
Block F	2 to 3 stories	2 to 3 stories
Block G	3 to 7 stories	3 to 7 stories

38. The Design & Access Statement includes a townscape analysis showing views of the proposed scheme in comparison to views of the consented scheme, from six viewpoints in surrounding areas. From Grove Crescent, 700m to the southeast, the increased height of Block E would be noticeably above the heights of the consented streetscene but would not appear excessively tall. From the junction of Stag Lane and Princes Avenue, 200m to the south and just to the north of the Roe Green Conservation Area, neither the consented nor the proposed scheme would be visible within the streetscene given the retained mature tree cover along Stag Lane and, without the tree cover, the view would be mainly of the lower height buildings nearer to Stag Lane. From the junction of Park Gardens and Fairway Avenue, 250m to the west, there would be a marginal increase in the overall height and massing compared to the consented scheme. From the junction of Stag Lane, Holmstall Avenue and Beverley Drive, 150m to the north, the additional storey on the mid-height buildings would be visible but overall the scheme would still appear of medium height from this view. From the junction of Edgware Road and Carlisle Road, 230m to the northeast, the increased height of Block E would be noticeable, however this is the least sensitive view as

it is within an area with a more dense urban character where other developments of similar scales are expected to come forward in a similar timeframe. From the TNQ development on Capitol Way, 150m to the southeast, the increased height of Block E would be more obvious, however this is again within a predominantly industrial area where similar high-density redevelopment is expected to take place.

39. There are no protected views or buildings of historical interest that would be affected by the proposal, and the visual impact on traditional residential areas nearby is considered to be minimal, given the similarity to the consented scheme.
40. The overall height, bulk and massing are considered acceptable within the context.

Architectural approach and detailing

41. The architectural approach and detailing remain as in the consented scheme. In terms of materials, a mixed palette based around brick finishes is proposed. The main blocks would be predominantly of brick, with the colours darkening gradually across a spectrum from light yellow grey on Block E to red buff on Block A, the latter reflecting the similar tones of the existing properties on Stag Lane. The taller set back elements on the main blocks would be of a copper coloured rainscreen cladding, to add visual interest, further emphasise the reduced bulk of these elements and add further definition to the tops of the buildings. The proposed balconies would be of a dark bronze effect metal, which would complement the proposed brick colours and cladding. The commercial units would feature large-plate glazed elevations set within brick piers to create active frontages but also provide visual continuity with the residential elements above.
42. The mews terraces would feature light yellow stock bricks with weathered bronze accents, set on a dark brick plinth that would help to ground this element within the streetscene along the mews street. Other features would include inset panels of copper coloured rainscreen cladding, opaque high level windows to ground floor kitchens and bathrooms, and reglit glass blocks to provide light to stairwells. The two-storey linking elements providing bin storage and cycle storage would be in copper mesh. Overall, this part of the scheme would have a distinct architectural character whilst also sharing the overall identity of the scheme through the common use of materials such as the rainscreen cladding.
43. Hard landscaped pedestrian areas within the site boundary would consist primarily of precast concrete slabs, with soft landscape features and tree planting. The 'mews street' would be surfaced with herringbone clay paving and resin gravel paving would be provided within the courtyards. Soft landscaping and play features are proposed within the courtyards, to provide a high quality environment for residents that would also be partly visible from the street and would help to activate the streetscene further.
44. Details of materials and a detailed landscaping scheme would be required by condition. Subject to these details, the design approach is considered to be of high quality and can be supported.

Quality of accommodation

Internal amenity

45. Policy DMP18 states that the size of the dwellings should be consistent with London Plan Policy 3.5 Table 3.3 Minimum Space Standards for New Dwellings. Draft London Plan Policy D6 also sets out minimum space standards for new dwellings. The development includes the creation of 501 residential units all of which would meet or exceed technical space standard requirements for their respective size and occupancy levels.

Layout and aspect

46. The Mayor's Housing SPG and draft London Plan Policy D6 seek to minimise the number of single aspect dwellings, and to avoid single aspect dwellings that are north facing or those that are at risk of being exposed to detrimental noise levels. Three-bedroom units should also be designed to be dual aspect.
47. Of the 501 units proposed, 173 of the units are proposed to be dual aspect. Whilst the proportion is relatively low at 35% of the total units, there would be no single aspect north facing units and

proportionally this figure would be higher than secured on the extant scheme (which provides 115 dual aspect units of a total of 414, or 28%). Where single aspect units are proposed, the shallow nature of the units ensures that good levels of daylight would be able to penetrate habitable rooms, thus ensuring a pleasant environment for future occupants.

Privacy

48. SPD1 seeks to ensure adequate privacy by requiring an 18m separation distance between overlooking habitable room windows. The separation distances between the blocks would be a minimum of 20m (Blocks A and B) with separation distances increasing to a maximum of 34m between blocks D and E. This ensures the development comfortably complies with the SPD1 guidance.
49. The separation distances between the flank walls of blocks A to E and Block G would fall short of the 18m required. However, all the units would be orientated in such a way that they would not unduly affect the privacy of each other or neighbouring properties. The residential units comprising Block G, the mews running along the site's northern boundary, have been designed to have no rear windows from first floor upwards in order to turn away from the commercial units on Carlisle Road and to avoid conflict between the residential and commercial uses. Therefore balconies are proposed on their southern elevations; and each balcony has been carefully designed so that they would be angled away from the flank walls of the perpendicular blocks towards the courtyards. This is necessary because the flank walls of the main blocks would each have windows intended to animate these facades. These arrangements are identical to those approved in the consented scheme.
50. The proposed separation distances allow for a good quality of outlook from the proposed residential properties as well as ensuring adequate privacy for the future occupants of the residential development.

Daylight/sunlight

51. An Internal Daylight, Sunlight and Overshadowing Report to assess the light received by the proposed rooms within the development has been submitted with the application. All habitable rooms have been assessed for Average Daylight Factor (ADF), No Sky Line (NSL) and Room Depth Criterion (RDC). The results show that there would be no material difference to the daylight and sunlight potential within the proposed habitable rooms, comparing the proposal to the consented scheme. Overall, the proposal would provide a very high standard of compliance with the recommended targets, commensurate with a high density urban development of this type.

Landscaping and external amenity space

52. Policy DMP19 and emerging Policy BH13 state that 50sqm of external amenity space should normally be provided for family sized units (3plus bedrooms) at ground floor level and 20sqm for all other units. The policy sets out that this should be in the form of private external amenity space but recognises that where this cannot be achieved, communal amenity space contributes towards the policy targets. This is a significantly higher policy standard than that specified in the Mayors Housing SPG and emerging London Plan Policy D6, which requires a minimum of 5sqm of private outdoor space for 1-2 dwellings with an extra 1sqm to be provided for each additional occupant.
53. Private space would be provided in the form of balconies or private terraces for each unit, which would meet or more often exceed the Housing SPG's requirements. Terraces to the ground floor units would be slightly raised above external ground level to offer a sense of separation whilst maintaining lower balustrades and views from the terraces into the communal courtyard gardens.
54. Four large communal courtyards would be created in order to serve the units, and these represent an enlargement on those proposed under the consented scheme. The courtyard areas would consist predominantly of soft landscaping with the exception of the footpaths, which would provide links and permeability throughout the scheme. Trees are also proposed within these areas. Overall, the landscaping strategy proposes the provision of 68 new semi mature trees and 78 smaller trees including multi stem trees to be planted, in addition to those retained. There would also be 243 linear metres of hedging as well as other herbaceous planting. As well as the courtyard area, external amenity space would be maximised through the introduction of two rooftop terraces to Blocks C and D, which would also be attractively landscaped, and an area of soft landscaping to the eastern boundary.

55. The quality of sunlight penetration to the communal courtyard areas has been assessed through the submission of the Internal Daylight, Sunlight and Overshadowing Report. This demonstrates that for sun hours on the ground, this area would receive the suggested two hours of direct sunlight to over 57% of the total area and therefore would be fully compliant with BRE guidelines, which require a 50% area to achieve two hours of sun on ground.
56. When calculating on-site external amenity provision, the 501 units would require a total of 13,110 sqm. of amenity space, including 103 units assessed at the 50sqm standard. A total of 4,716sqm of private amenity space would be provided and compliance with Policy DMP19 and emerging Policy BH13 standards has been assessed by unit, with individual shortfalls against the standards totalling 8,394sqm. Against this cumulative shortfall, 6,927sqm of communal amenity space would be provided at ground floor and rooftop level (compared to 4,612sqm for the consented scheme, which provides slightly smaller courtyards and no rooftop terraces). This would largely offset the shortfall in private amenity space, leaving a total residual shortfall of 1,467sqm of amenity space when considered against Policy DMP19 standards.
57. However, in the context of the scale of the scheme, this shortfall is considered to be relatively small, representing less than 3sqm per unit on average, and would be lower than the shortfall on the consented scheme (the proposal would provide an average of 23sqm amenity space per unit, whereas the consented scheme provided 22sqm per unit on average although individual shortfalls against the policy standard were not assessed at that time). Having regard to the density of the scheme, the high quality and variety of space that would be provided, the larger internal areas of the units and the fact that the provision would well exceed the standards specified in the Mayors Housing SPG, the shortfall is considered to be acceptable in this instance. Furthermore, a financial contribution of £15,000 towards improvements to off-site amenity space at Grove Park has been agreed with the applicant. A contribution was not secured for the consented scheme, and so the proposal represents a betterment in terms of local open space provision. A good standard of external amenity would therefore be provided for future residents.

Childrens playspace

58. Of the total external amenity provision, 1,010sqm is to be designated as children's playspace, in accordance with the Mayor's Play and Informal Recreation SPG and draft London Plan Policy S4. A child yield of 134 is expected from the development, with on site play provision directed towards the ages of 0-11, with 530sqm provided for under 5s and 480sqm provided for 5-11 year olds. The playspace would be provided in Courtyards A, B and C and would include such play equipment as play huts, slides, swings and climbing boulders. These would be conveniently located for the affordable housing units, which would be expected to have a higher child yield, and would allow for quiet, secure and overlooked play areas suitable for younger age groups.
59. No on site playspace would be provided within the development for 12+ years and the development would generate an expected child yield of 33 within this age group, which would require 330sqm of playspace. However, the SPG and draft Policy S4 enable consideration of the use of offsite provision of play area facilities for children. For children aged 12 and above, facilities within an 800m walking distance may be taken into account. A number of open spaces have been identified within 800m walking distance of the development, including Grove Park, Montrose Playing Fields, Silk Stream Park, Eton Grove and Roe Green Park. It is therefore accepted that the 12+ provision could be met by offsite provision in close proximity to the development site.
60. It should be noted that although the expected child yield would increase compared to the consented scheme, the arrangements in terms of off-site provision for this age group were considered acceptable at that time. In light of this, there is nothing to indicate that off-site provision would no longer be suitable for the enlarged scheme. However, the GLA has recommended that a financial contribution towards improvements to off-site play areas is secured. As noted above, a financial contribution of £15,000 towards Grove Park would be secured through the s106 agreement.

Impact on neighbouring properties

Daylight and sunlight

61. A Daylight, Sunlight and Overshadowing Report has been submitted which assesses the development's potential impacts on the surrounding residential properties when compared to the existing site conditions. The assessment has been undertaken in accordance with the British Research Establishment (BRE) Report 2009, Site Layout Planning for Daylight and Sunlight: A guide to good practice (Second Edition, 2011). This document is referred to in the report as the "BRE Guidelines" which is supported in SPD1. Whilst there is no quantitative comparison with the extant scheme, the report does provide a qualitative assessment of the additional impact on daylight/sunlight when considering what could reasonably be implemented on site.
62. The daylight sunlight report identifies that the same properties would be affected by the proposed development as the extant scheme, and that there would be no properties previously identified to be unaffected, that would now be impacted. As such Nos 148-150, 244 -248 (even) and Nos 256 - 276 (even) Stag Lane, would continue to demonstrate full compliance with the BRE Guidelines.
63. In relation to Nos 250, 252 and 254 Stag Lane, the daylight assessment results demonstrates isolated impacts on ground floor windows, however all windows and rooms would retain good levels of daylight following construction of the proposed development. There are no windows facing within 90 degrees of due south of the proposed development and therefore a sunlight assessment is not required. This same level of harm was identified in the extant scheme and considered acceptable.
64. The results of the daylight assessment for No 153 Stag Lane largely demonstrates compliance with the BRE Guidelines. The single secondary window that deviates from the Annual Probable Sunlight Hours (APSH) guidance would retain good levels of annual sunlight following construction of the proposed development. Furthermore, this window serves a room with multiple windows and therefore any alteration to the existing condition is unlikely to be considered noticeable.
65. The sun hours on ground results demonstrate that No 151 Stag Lane would be fully compliant with the BRE Guidelines following construction of the proposed development. For No 153 Stag Lane, the rear garden area will suffer some loss of sunlight on March 21st. However, the rear garden would retain very good sunlight levels in the summer months, and the overshadowing would be caused by the 2/3 storey proposed mews houses to the north west corner of the scheme, the height of which is the same as in the consented scheme and compatible with the local adjacent townscape and building heights, and is therefore considered characteristic of the area and to result in an acceptable situation.
66. In summary, the assessment demonstrates that neighbouring residential properties would continue to receive good levels of daylight and sunlight. Where breaches of BRE standards have been identified, these are considered to be negligible and would likely be unnoticeable to the occupants of these properties.
67. The resulting overshadowing is also considered to be within appropriate limits. As referred to above there would be some instances where the BRE daylight guidelines would not be achieved, however, it is accepted that this is a normal outcome of a large scale development in such an area.

30 degree and 45 degree rules

68. In order to minimise the impact of new development on surrounding properties and spaces, SPD1 states that the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of neighbouring properties, measured from a height of 2m above floor level. Where development adjoins private amenity or garden areas then the height of the new development should normally be set below a line of 45 degrees. However, it should be noted that SPD1 states that development should normally meet this guidance, although denser forms of development may be supported in Growth Areas subject to a daylight sunlight assessment of the impact on neighbouring properties.
69. In this case, the application site does not adjoin any private rear gardens and the submitted section plans show the four-storey Block A sitting well below the 30 degree line from the ground floor windows of the properties on Stag Lane, with the two-storey and three-storey Blocks F and G being lower still in relation to those properties.

Privacy

70. Separation distances of 18m to windows and 9m to the site boundaries should be maintained, and the latter is particularly important with reference to industrial and commercial sites that may come forward for residential-led redevelopment in the future, as it allows for their redevelopment on the same basis.
71. The proposal would involve relocating Block E by 5m towards the eastern site boundary. The consented site layout shows Block E being a distance of 18m from this boundary, and the proposal would reduce this distance to 13m. This would still comply with the requirement for a 9m separation distance, and the distances to other site boundaries, compared to the consented scheme, would not be affected by the proposal.
72. Whilst Block G would be located very close to the boundary with the industrial units on Carlisle Road, and would fall far short of the 9m typically required, the units within Block G have been designed to be single aspect above ground floor level, with the only windows facing Carlisle Road serving communal areas. This approach therefore ensures that the development would not jeopardise the operation or future development potential of this neighbouring industrial site.

Sustainability and energy

73. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy CP19 and draft Local Plan Policy BSUI1, 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.
74. 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 and emerging London Plan Policy SI2. 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. Draft Policy SI2 also 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

75. The Energy Assessment and Sustainability Strategy submitted sets out how the London Plan energy hierarchy has been applied, using energy efficiency measures and renewable energy. A wide range of passive design and energy efficiency measures would be employed, including improved fabric 'U' values, improved air tightness, minimising cold bridging, low energy lighting and smart meters. The potential for area wide and site wide heat networks has been assessed. There are no district heating networks in the vicinity of the site and none are planned for the near future. However, the design would be future-proofed to allow for future connection to a network, and further details of this would be required by condition. The proposal would provide a site-wide heat network serving all parts of the development, fed by air source heat pumps supplemented by water-to-water heat pumps within individual flats. Photovoltaic panels would be installed on some rooftops, to provide additional renewable energy and further reduce carbon emissions.
76. For the residential elements of the scheme, carbon emissions would be reduced by 57.5% over the Building Regulations 2013 baseline, including a 12.4% reduction through passive design and energy efficiency measures alone. A reduction of 45.2% would be achieved for the non-residential elements. The proposal represents a significant improvement on the performance of the consented scheme (40% reduction for residential and 30.4% reduction for non-residential) and exceeds the London Plan policy targets and this is welcomed. Furthermore, a BREEAM Pre-assessment has been carried out, indicating a minimum rating of 'Excellent' for the commercial and industrial units, in compliance with Policy CP19 and draft Policy BSUI1.
77. Revised Energy Assessments would be secured at detailed design and construction stages, together with a financial contribution to Brent's carbon offsetting scheme to achieve zero carbon residential development (this is predicted to be £322,823, based on the submitted details, however an improved

on-site carbon performance would result in a lower level of contribution). A Post-Completion Certificate to evidence the BREEAM Excellent rating would also be secured.

Flood risk and drainage

78. The Environment Agency flood map shows the site to be located within Flood Zone 1, however as the site is larger than 1 hectare in area, a Flood Risk Assessment is required to demonstrate that the proposed development would be safe and would not increase flood risk in the surrounding area. The NPPF classifies the vulnerability of different forms of development to flooding, with residential development classified as 'more vulnerable', which is considered appropriate in Flood Zone 1. Further guidance on flood risk is set out in London Plan Policy 5.12, draft London Plan Policy SI12, Brent's Policy DMP9A and draft Policy BSUI3. London Plan Policy 5.13, draft London Plan Policy SI13 and Brent's Policy DMP9B and draft Policy BSUI4 set out principles for sustainable drainage strategies to be provided for major developments.
79. The Flood Risk Assessment submitted with the application concludes that the site is at a higher level than the adjacent Stag Lane and at a low risk of surface water and sewer flooding. Surface levels would be set to fall away from the buildings and basement entrances to prevent flooding from overland flow. The drainage strategy would deliver an 80% reduction of the existing peak runoff rate, utilising sustainable drainage measures such as blue/green roofs, podium drainage and below ground cellular storage. This represents an improvement on the consented scheme, which would deliver only a 50% reduction of the existing peak runoff rate.
80. The approach to flood risk and drainage would comply with the relevant policies and is considered to be acceptable. In terms of flood risk and drainage, there is minimal change from the consented scheme, and the same requirement for a detailed drainage strategy by condition is recommended.

Urban greening, trees and biodiversity

Urban greening

81. In line with London Plan Policy 5.10, draft London Plan Policies G1 and G5 and Brent's draft Policy BGI1, 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 (UGF) for the development, as set out in Policy G5 of the draft London Plan, and to seek to achieve the specified target of 0.4 prior to the Mayor's decision making stage.
82. A drawing showing the surface cover types and accompanying UGF calculation has been submitted. This demonstrates an urban greening factor of 0.3 and although it would not achieve the target figure it would still represent a very significant improvement on the existing site conditions.

Impact on trees and biodiversity

83. Draft London Plan Policy G7 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 site is not subject to any environmental designations other than a Tree Preservation Order covering the road frontage along the front of the satellite site.
84. A preliminary ecological appraisal was submitted, updating the survey carried out for the consented scheme in 2016. This found that the habitats present were predominantly buildings and hardstanding, with smaller areas of introduced shrubs, scrub, scattered trees, amenity grassland and poor semi-improved grassland habitat, which are considered common and widespread habitats with limited value to wildlife. On the main site, self-seeding ash, sycamore and alder saplings and shrubs were the only trees observed and were also observed during the 2016 survey. These are not considered to have any significant arboricultural value and their removal to facilitate the redevelopment of the site was considered acceptable in the determination of the consented scheme.
85. The Arboricultural Impact Assessment submitted identifies 21 individual trees and two tree groups within the area covered by the Tree Preservation Order. Of these, nine individual trees and one set of group value trees are required to be removed, although all of these are classified as either low or moderate value. The remaining trees are proposed to be retained along this frontage. Eight new trees are proposed to the Capitol Way frontage and five along Stag Lane. Therefore whilst there would be some

loss of trees, overall there would be a net gain through replacement planting which would enhance the street scene along both frontages. Furthermore, as discussed above there would be significant new tree planting within the communal gardens. The Tree Officer has no objection to the proposed removal of trees and welcomes the landscaping proposals to include new trees and hedges, subject to conditions to secure a detailed arboricultural method statement and tree protection plan

86. Trees and buildings within the site were also assessed for bat roost potential, and these were deemed to have negligible potential for bats other than two trees which were assessed as having low suitability (T12 Alder and T6 Norway Maple). These are amongst the trees that would be removed, and precautionary measures are recommended to prevent any harm to bat roosts that may be present. Mitigation measures regarding breeding birds and invasive species are also recommended. Informatives will be provided on these matters, which are covered by separate legislative regimes.
87. The proposal also presents opportunities for ecological enhancement, through providing green infrastructure within the site. The landscaping strategy would provide new habitat, and features such as bird boxes and insect refugia are recommended. Further details of these would be secured through the landscaping condition.

Environmental health considerations

Noise

88. A noise impact assessment has been submitted, demonstrating that noise limits within the site would comply with British Standards. Environmental Health officers have reviewed the assessment and have asked for confirmation that actual noise levels in the completed building would comply with these standards. A condition is recommended to secure this.

Air quality

89. An air quality assessment including an air quality neutral assessment has been submitted, and has been accepted by Environmental Health officers. No conditions are required to ensure acceptable air quality. However a condition is recommended to secure further details of extract ventilation systems and odour control equipment associated with any A3 uses operating within the commercial units.

External lighting

90. Details of external lighting would also be required by condition, to ensure that lighting from commercial uses does not adversely affect residents.

Contaminated land

91. A preliminary investigation report has been submitted, which identifies a low to moderate risk of ground contamination from the current and former uses of the site. It recommends an intrusive site investigation to quantify risks identified. Environmental Health officers have been consulted and agree that further sampling and testing would be required, following demolition of the existing buildings. Conditions would be required to this effect.

Wind microclimate

92. A wind assessment was submitted, using the Lawson Comfort Criteria to describe expected on-site wind conditions. Entrances and ground level areas would all have the desired wind conditions for standing and pedestrian use and upper level amenity spaces would be expected to be suitable for amenity use during the summer season. Stronger winds would be expected occasionally in areas with leisure walking conditions but would not cause a nuisance for pedestrians, and overall the wind microclimate is considered to be acceptable for its intended use.

Construction management

93. A construction method statement is required, outlining measures to control dust, noise and other environmental impacts of the development. This would be secured as a pre-commencement condition, together with controls on non-road mobile machinery

Transport considerations

94. Capitol Way is a local industrial access road with a width restriction and emergency gate at the junction with Stag Lane to the west. Stag Lane is a local distributor road and a bus route. On-street parking is generally unrestricted. Six bus routes serve the site, of which two can be accessed from Stag Lane and four others within walking distance. The nearest London Underground station is Burnt Oak, located 900m north of the site, which is served by the Northern Line. The Public Transport Access Level (PTAL) of the site is rated at 3 (on a scale where 0 is the lowest and 6b the highest). The A5 (Edgware Road) is located approximately 300m to the east.

Car parking

95. Car parking allowances for the proposed uses within the site are set out in Appendix 1 of the adopted Development Management Policies 2016, in accordance with Policy DMP12. As the site does not have good access to public transport services, the higher residential allowance set out in adopted policy applies, whilst the site's location in the north of the Borough means the higher employment standard of one space per 200sqm also applies. As such, up to 556 car parking spaces would be permitted for the 501 residential units, with 20 further spaces permitted for the commercial units (based on the office parking standard), giving a total allowance of 576 spaces. The proposed provision of just 126 parking spaces would therefore be within maximum parking standards. This would include 114 for residential use in a basement car park (a ratio of 0.22 spaces per unit), of which 15 spaces would be designated for disabled use (to serve 3% of the residential units) and 52 spaces could potentially be designated for disabled use in the future, subject to demand (to serve 10% of the units), thereby satisfying draft London Plan Policy T6.1 requirements. The remaining 12 spaces would be provided within the satellite site for commercial use.
96. The consented scheme would provide significantly more parking, including a total of 254 spaces for residential use giving a ratio of 0.6 spaces per unit, together with 26 spaces for commercial and visitor use. However, the draft London Plan is now a material consideration of significant weight and draft Policy T6 expects car-free development (i.e no general parking but disabled parking still to be provided in line with policy) to be the starting point for all new developments in places that are or are planned to be well-connected by public transport, whilst the minimum necessary parking should be provided elsewhere. Brent's draft Policy BT2 also reflects this position. The level of parking provision is considered to be acceptable given that it reflects the direction of travel set out in emerging policy.
97. The disabled spaces would be distributed evenly across the basement close to lift cores to facilitate easy access to the residential units. All 114 of the proposed basement spaces are shown with electric vehicle charging points (of which 20% would be active provision and the remainder passive provision), which would more than meet minimum requirements. In general the layout of all basement spaces in terms of dimensions and turning areas is acceptable. Transport officers have sought further clarification on headroom within the basement, which varies between 2.1m and 3.6m, as at least 2.6m would be required to allow access to disabled spaces by high-top conversion vehicles. The applicant has confirmed that the heights would be 2.6m.
98. A Parking Design and Management Plan would be required by condition to comply with draft London Plan Policy T6.1, setting out how the spaces would be allocated amongst residents to ensure that spaces are allocated on short-term leases based on need.
99. With regard to the 12 commercial spaces, at least one space would need to be marked for disabled parking and at least five spaces would need to be provided with active or passive electric vehicle charging points. Further details would be required by condition.
100. Where development is likely to generate overspill parking, Brent's Policy DMP12 requires that such parking can be safely accommodated on-street. In general, it is estimated that developments will generate car ownership at 75% of the residential (50% in the case of affordable housing units) and on this basis, the residential units are estimated to generate demand for 340 spaces, giving a predicted overspill of up to 226 cars from the site. Opportunities to safely accommodate overspill parking on-street in the surrounding area are limited. In the absence of a Controlled Parking Zone to regulate overspill parking from the site on surrounding roads, this proposal would give rise to concern over the impact of overspill parking, with the likelihood being that instances of dangerous and obstructive parking on footways, at junctions and across accesses would increase as a result.
101. Similar concerns regarding the impact on overspill parking in surrounding streets were raised during the determination of the consented scheme, and a contribution of £200,000 was secured to cover the

majority of the costs involved in implementing a Controlled Parking Zone in the area. It is noted that some objectors have raised concerns to the cost of a residents' parking permit. Overspill parking cannot be properly controlled where there are no CPZs in the local area. All Councils are required to meet their housing targets and are subject to the new Housing Delivery Test to ensure that they are achieved. The new housing would have a significant impact on the streets within Brent if the potential impacts of overspill parking cannot be controlled. The absence of a CPZ would therefore necessitate the provision of a significant amount of on-site parking which would result in very significant issues associated with traffic congestion and junction loadings, and would have significant air quality implications. As such, the introduction of CPZs to mitigate the potential impact of overspill parking is considered to be the best way to ensure the delivery of homes while mitigating the potential impacts. Notwithstanding concerns raised by the London Borough of Barnet in relation to parking provision, the nearby streets in Barnet already form part of a Controlled Parking Zone such that overspill parking from this development would be prevented there.

102. A contribution to implementing a Controlled Parking Zone would be required for this development (the exact amount is under discussion with the applicants). This would include £10,000 payable upfront to allow early consultation. Future residents and business tenants of the development would not be eligible for on-street parking permits, with the exception of permits for blue badge holders.

Cycle parking

103. Draft London Plan Policy T5 requires at least 1.5 cycle parking spaces per 1bed flat and two spaces per larger flat, plus one space per 40 flats for visitors. To meet the residential requirement for this development, a total of 612 spaces are proposed within the basement in various stores, with a further 196 provided at mezzanine floor level in Block G, 10 in individual garden stores for ground floor units, and 26 for non-standard sized cycles at ground floor alongside the energy centre, together with additional Sheffield stands for short-stay use in the areas of public realm between the commercial units.

104. The access to the basement would be via ramped access with a gradient of 1:12, which provides an appropriate gradient for access to cycle parking. Further details of cycle storage have been provided in response to queries raised by Transport officers and TfL, and these have involved minor amendments to the plans, for example to utilise spare space within the energy centre to provide additional cycle storage, and to provide cycle maintenance hubs within the site.

105. For the commercial floorspace, 26 long-term and 8 short-stay spaces are required, giving a total need for 34 spaces. Again, Sheffield stands would provide for short-stay use whilst long-term storage would be provided within the units.

106. The cycle parking provision is in essentially the same locations as for the consented scheme, albeit with an increased number of long-stay residential spaces within the basement. Cycle parking provision would be secured by condition.

Servicing and access

107. With regard to servicing, the workspace units would require loading by 8m rigid vehicles. It is proposed to provide five 12m long loading bays in laybys along the Capitol Way frontage, through a combination of narrowing the carriageway of Capitol Way and widening the footway. Compared to the consented scheme, the bays would be located further towards the eastern part of the site, which would enable vehicles to use the southern spur of Capitol Way to turn around. However, as with the consented scheme, there would be no loading bay directly outside Block A and goods would need to be trolleyed to this unit from the bay outside Block B.

108. The bays would result in the loss of on-street parking along this length of Capitol Way. This would not have been a concern based on Brent's 2013 survey of on-street parking, but the more recent rise in overnight parking identified in the applicant's parking beat surveys, which may relate to the TNQ development, means that there is a risk of parking being displaced into nearby residential streets further afield. This further justifies the requirement for a financial contribution towards a Controlled Parking Zone.

109. Delivery and servicing for Block F, the industrial unit on the satellite site, would be accommodated via a layby on Stag Lane.

110. Refuse collection and residential deliveries would be made from a one-way shared surface service road

of 3.7m minimum width through the site from Capitol Way to Stag Lane, with access to the service road controlled using gates set 10m in from the existing highway boundary. Tracking diagrams have been provided to show that the alignment of the road could accommodate refuse vehicles, whilst adequate visibility would be available at the site egress together with appropriate kerb radii to ease turning out of the site by refuse and delivery vehicles without overrunning the opposing traffic lane. It should be noted that due to the weight restriction on Stag Lane only delivery vehicles of less than 7.5 tonnes would be able to use this as an egress route, although larger vehicles could utilise the on-street loading bays.

- 111.** The minimum residential refuse storage capacity is 44,280l for recyclable waste, 44,280l for residual waste and 12,240l for organic food waste, which results in total minimum requirement of 100,800l. To meet this requirement, 50 x 1,100l Eurobins are proposed to be stored in five storage areas at ground floor level and a further 42 x 1,100l Eurobins in four storage areas in the basement. These areas combined result in a capacity of 101,200l, thus meeting the storage requirements. Furthermore, the dwellings fronting Stag Lane would have their own refuse stores which further adds to the capacity. The management company would need to bring the bins from the basement up to the courtyard areas on collection days.
- 112.** A detailed Delivery and Servicing Plan would be required by condition, which would need to consider management of deliveries to residential units including ensuring that weight restrictions on Stag Lane are observed, details of holding areas for refuse bins on collection day to ensure they do not obstruct movement or affect residential amenity, and arrangements for deliveries to the commercial unit in Block A given that there would be no adjacent loading bay.
- 113.** The internal access road for the development would also enable emergency services to penetrate the development and would ensure that fire appliances could reach within 45m of all block entrances and turn safely. A Fire Statement has been submitted, as required by draft London Plan Policy D12.
- 114.** The width of the proposed basement access ramp meets requirements and would allow cars to pass one another, with the gates being set back sufficiently from the highway boundary to allow cars to stand clear of the Capitol Way footway whilst they are opened and closed. Sightlines from the car park access would be acceptable, with the access located on the outside of a bend in Capitol Way.
- 115.** All redundant crossovers to the site from Capitol Way would need to be closed and reinstated to footway at the developer's expense, and this would be secured as part of the highway works in the s106 agreement. The proposed egress from Stag Lane would be in close proximity to an existing bus stop, and as with the consented scheme the relocation of this bus stop further to the south on Stag Lane would be required as a result of the scheme. A financial contribution to Transport for London of £30,000 would be secured for these works through the s106 agreement.
- 116.** With regard to pedestrian access, the proposed introduction of a network of footpaths through courtyards through the development, emerging between blocks onto Capitol Way, is welcomed, ensuring there would be fully segregated routes available for pedestrians.

Transport Assessment

- 117.** To gauge likely impacts on local transport networks for the previous application, the applicants have submitted a Transport Assessment, which provided surveys of existing traffic movements, predicted trip generation figures for the proposal and the resultant impact on traffic movements on the surrounding highway network.
- 118.** The commercial trip rates predicted are the same as for the consented scheme, and this approach is broadly acceptable as there is no change to the floor area of the commercial units. For the residential trip rate, the TRICS database was interrogated to determine the total predicted people trips to and from the site, based upon six similar residential developments in outer London surveyed since 2016. A total of 32 inbound and 183 outbound trips are predicted in the weekday morning peak, 129 inbound and 64 outbound trips in the weekday evening peak and finally 80 inbound and 123 outbound trips in the Saturday peak. These trips were then further broken down into travel modes by reference to journey to work data, with the results reproduced in the table below.

	Car	Tube	Bus	Train	Walk	Cycle	Total people Trips
Weekday AM Peak	48	78	35	15	25	13	214

Weekday PM Peak	48	69	30	12	22	12	193
Saturday Peak	33	80	35	15	25	16	204

119. The total two-way trips for the residential element of the scheme are similar to those calculated for the consented scheme, despite the increased number of units. This is due to the use of more up-to-date surveys for more comparably sized developments than the previous Transport Assessment, which results in a lower average trip rate per unit.

120. The proposal is not therefore considered likely to result in any worsening of the vehicle trip impacts compared to the consented scheme. As such, the previous conclusions that the resultant junction modelling would be acceptable remain valid. Transport for London also support the conclusions of the Transport Assessment, and do not consider that it would give rise to any significant strategic traffic impacts.

121. However, the revised development is predicted to result in an increase in travel by sustainable transport modes, such as increased use of public transport. In this respect, Transport for London consider that whilst the additional trips would place a greater demand on services operating in the vicinity, it would not rise to a level that would be considered severe. A major upgrade scheme is planned for Colindale station and due to commence in summer or autumn 2020. This is to provide step free access alongside increased capacity and circulation to cater for growth in the Colindale area.

122. Transport for London are seeking a proportionate contribution towards the £2m approx. funding requirement for the station upgrade, based on the additional number of trips generated by this development, and a figure of £106,000 has been agreed with the applicant.

Highway works and Healthy Streets Assessment

123. The proposal would deliver amendments to the existing Stag Lane / Capitol Way junction and highway improvements on Capitol Way. Your transport officers and Transport for London are generally supportive of these, subject to detailed design being agreed through a s278 agreement with the highway authority, which would be secured through the s106 agreement. Transport for London consider the proposals to be in keeping with the Healthy Streets approach set out in draft London Plan Policy T2 and the aims of Vision Zero. A financial contribution to Transport for London of £30,000 towards relocation of the bus stop has been agreed with the applicant.

124. It is acknowledged that pedestrian and cycle facilities in the immediate vicinity of the site are not to such a standard that walking and cycling would become the default choices, for example the provision of formal pedestrian crossings along Stag Lane could encourage more pedestrian trips to be made. Other issues are identified in the Active Travel Zone Assessment which forms part of the Transport Assessment. These issues could be addressed through CIL funding, which this development would contribute towards.

Travel Plans

125. The scale of the proposal is such that it exceeds the threshold above which Residential and Workplace Travel Plans are required, and Travel Plans have been submitted as part of the application. Measures proposed include a car club parking space adjacent to Capitol Way. However, overall the Travel Plans require amendment in order to meet the required standards. Amended Travel Plans would be secured prior to occupation as part of the s106 agreement.

Construction Management

126. An outline construction management plan for the development has been submitted with the application, setting out key issues that would need to be addressed within a further detailed CMP over the 30-40 month demolition and construction period. Construction vehicles would be routed to and from the site via Edgware Road and un/loaded within the site boundary. Vehicles would only be able to access the site between 10:00 and 16:00 hours, to avoid peak traffic times in the area. These timings would be acceptable, and the framework plan is welcomed.

127. A detailed Construction Logistics Plan would need to be submitted prior to any works commencing on

site and kept under review thereafter. This would need to include co-ordination arrangements to ensure management of cumulative impacts.

Equalities

128. 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

129. 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.

130. The loss of industrial floorspace on this LSIS-designated space is considered to be acceptable given the weight attached to the consented scheme as a material consideration in this case. Furthermore, the high quality of design and landscaping and improvements to the public realm would create a sense of place, and the delivery of new commercial and industrial workspace, together with an increased number of residential units and increased proportion of affordable housing compared to the consented scheme, are considered to be beneficial in planning terms and to outweigh concerns regarding the loss of industrial floorspace.

CIL DETAILS

This application is liable to pay **£16,496,245.61** * 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): 0 sq. m.

Total amount of floorspace on completion (G): 49309.65 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) Businesses and light industry	2259	0	2259	£0.00	£0.00	£0.00	£0.00
(Brent) Dwelling houses	44869.65	0	44869.65	£200.00	£0.00	£13,380,770.63	£0.00
(Brent) General business use	2181	0	2181	£40.00	£0.00	£130,081.07	£0.00
(Mayoral) Businesses and light industry	2259	0	2259	£0.00	£60.00	£0.00	£136,768.46
(Mayoral) Dwelling houses	44869.65	0	44869.65	£0.00	£60.00	£0.00	£2,716,579.41
(Mayoral) General business use	2181	0	2181	£0.00	£60.00	£0.00	£132,046.04

BCIS figure for year in which the charging schedule took effect (Ic)	224	331
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£13,510,851.70	£2,985,393.91

*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: 19/4545

To: Mr Coleman
Rolfe Judd Planning
Old Church Court
Claylands Road
The Oval
London
SW8 1NZ

I refer to your application dated **27/12/2019** proposing the following:

Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to twelve storeys comprising residential units and commercial floorspace, and the erection of a part two part three storey commercial building with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.

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

at **1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ**

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: 15/06/2020

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

- 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):

NEA001-DCR-EX-LP-A-001
NEA001-DCR-ZZ-EL-A-0007
NEA001-DCR-EX-SP-A-0002
NEA001-DCR-EX-E-A-0001
NEA001-DCR-00-PL-A-0001 REV A
NEA001-DCR-GF-PL-A-0100
NEA001-DCR-GF-PL-A-0101
NEA001-DCR-GF-PL-A-0102
NEA001-DCR-GF-PL-A-0103
NEA001-DCR-GF-PL-A-0104
NEA001-DCR-GF-PL-A-0105
NEA001-DCR-01-PL-A-0002
NEA001-DCR-01-PL-A-0200
NEA001-DCR-01-PL-A-0201
NEA001-DCR-01-PL-A-0202
NEA001-DCR-01-PL-A-0203
NEA001-DCR-01-PL-A-0204
NEA001-DCR-01-PL-A-0205
NEA001-DCR-02-PL-A-0003
NEA001-DCR-02-PL-A-0300
NEA001-DCR-02-PL-A-0305
NEA001-DCR-03-PL-A-0004
NEA001-DCR-03-PL-A-0400
NEA001-DCR-03-PL-A-0404
NEA001-DCR-03-PL-A-0405
NEA001-DCR-04-PL-A-0005
NEA001-DCR-04-PL-A-0505
NEA001-DCR-05-PL-A-0006
NEA001-DCR-05-PL-A-0601
NEA001-DCR-05-PL-A-0605
NEA001-DCR-06-PL-A-0007
NEA001-DCR-06-PL-A-0701
NEA001-DCR-06-PL-A-0702
NEA001-DCR-06-PL-A-0705
NEA001-DCR-07-PL-A-0008
NEA001-DCR-07-PL-A-0802
NEA001-DCR-07-PL-A-0803
NEA001-DCR-08-PL-A-0009

NEA001-DCR-08-PL-A-0903
NEA001-DCR-09-PL-A-0010
NEA001-DCR-10-PL-A-0011
NEA001-DCR-10-PL-A-1104
NEA001-DCR-11-PL-A-0012
NEA001-DCR-11-PL-A-1204
NEA001-DCR-12-PL-A-0013
NEA001-DCR-BF-PL-A-9002
NEA001-DCR-DE-A-401
NEA001-DCR-DE-A-402
NEA001-DCR-DE-A-403
NEA001-DCR-DE-A-404
NEA001-DCR-DE-A-405
NEA001-DCR-DE-A-406
NEA001-DCR-DE-A-407
NEA001-DCR-DE-A-408
NEA001-DCR-DE-A-409
NEA001-DCR-DE-A-410
NEA001-DCR-DE-A-411
NEA001-DCR-SP-A-0001
NEA001-DCR-ZZ-EL-A-0001.
NEA001-DCR-ZZ-EL-A-0002
NEA001-DCR-ZZ-EL-A-0003
NEA001-DCR-ZZ-EL-A-0004
NEA001-DCR-ZZ-EL-A-0005
NEA001-DCR-ZZ-EL-A-0006
NEA001-DCR-CO-PL-A-310 Rev A
NEA001-DCR-CO-PL-A-311 Rev A
NEA001-DCR-CO-PL-A-312 Rev A
NEA001-DCR-GF-PL-A-313 Rev A
NEA001-DCR-CO-PL-A-314 Rev A
NEA001-DCR-CO-PL-A-315
NEA001-DCR-CO-PL-A-316
S42-CTF-XX-22-DR-L-7002-P03

Air Quality Assessment (AECOM, December 2019)
Arboricultural Impact Assessment (Arbtech, Rev A, 27 November 2019)
Archaeological Desk Based Assessment (AECOM, December 2019)
Basement Impact Assessment (A-squared Studio, ref 0356-A2S-XX-XX-RP-Y-0001_04, December 2019)
Daylight, Sunlight and Overshadowing Report (The Chancery Group, Ref C1023/DSO, 5 December 2019)
Design & Access Statement (Dunnett Craven, December 2019) and Appendix (Dunnett Craven, May 2020)
Drainage Strategy (Meinhardt, Ref 1937-MHT-CV-RPT-01, Issue P05, 12 December 2019)
Economic Viability Report (JLL, December 2019)
Energy Assessment and Sustainability Strategy (Meinhardt, Issue P5, 12 December 2019)
Fire Strategy Report (Astute Fire, 10 December 2019)
Flood Risk Assessment (AECOM, December 2019)
Healthy Streets Transport Assessment (Ardent Consulting Engineers, Ref 192980-02D, December 2019)
Noise and Vibration Assessment (AECOM, December 2019)
Outline Construction Logistics Plan (Ardent Consulting Engineers, Ref 192980-03D, November 2019)
Planning Statement (Rolfe Judd Planning, Ref P7338 PP-08298457, December 2019)
Preliminary Ecological Appraisal (AECOM, December 2019)
Residential Travel Plan (Ardent Consulting Engineers, Ref 192980-05C, November 2019)
Statement of Community Involvement (Snapdragon at PLMR, November 2019)
Workplace Travel Plan (Ardent Consulting Engineers, Ref 192980-05C, November 2019)
Wind Assessment (RWDI, #2000526-REV B, 10 December 2019)

Reason: For the avoidance of doubt and in the interests of proper planning. The development hereby permitted shall be carried out in accordance with the following approved drawing(s)

and/or document(s):

- 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 building marked as Block F on the approved plans shall not be used other than for purposes in Use Classes B1(b), B1(c), B2 or B8, notwithstanding the provisions of Schedule 2 Part 3 Class P 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 an adequate amount of industrial floorspace is retained on the site.

- 5 The development shall provide 501 residential units (Class C3), as shown on the approved plans, unless otherwise approved by the Local Planning Authority.

Reason: To ensure the development delivers housing to meet the needs of the Borough.

- 6 The development shall provide a total of 4,051sqm of commercial floorspace (in Use Classes B1(a),(b) and (c), B8, D2 and A3) across the site as shown on the approved plans, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure adequate provision of commercial floorspace as part of the development.

- 7 The parts of buildings marked as 'commercial' on Blocks A, B, C, D and E on the approved plans shall not be used other than for purposes in Use Classes A, B or D, notwithstanding the provisions of Schedule 2 Part 3 Class I, Class O and Class P 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 an adequate amount of commercial floorspace and an active street frontage is retained on the site.

- 8 10% of the proposed units shall be completed as Wheelchair accessible (in the case of Affordable Rented homes) or easily adaptable (in the case of Private and Intermediate homes) in accordance with Building Regulations requirement M4(3) as set out on the approved drawings listed in Condition 2 and the remaining homes within the development shall be completed in accordance with Building Regulation requirement M4(2) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable facilities for disabled users, in accordance with the London Plan policy.

- 9 Electric vehicle charging points shall be provided in accordance with the approved plans prior to the commencement of use and occupation of the development, and shall not be altered thereafter without prior written consent from the local planning authority.

Reason: To ensure appropriate provision of electric vehicle charging points to meet the current standards and future demand.

- 10 All parking spaces, cycle parking, bin storage, turning areas, loading bays, access road and footways shall be constructed and permanently marked out prior to first occupation of the

relevant part of the development and thereafter shall not be used other than for purposes ancillary to the development hereby approved.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway. To ensure an acceptable form of development.

- 11 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" SPG 2014, 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 7.14A

- 12 The development hereby approved shall not be commenced until a phasing plan showing the location of phases (and their related land, e.g. parking and amenity spaces), the sequencing for those phases and indicative timescales for their delivery shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the plan thereby approved. The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority.

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 and the triggers in any relevant agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended).

Pre-commencement reason: This information is needed prior to commencement in order to ensure that the phasing of the construction process is acceptable.

- 13 The development hereby approved shall not commence until a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority, outlining how construction vehicle activity will be managed throughout the construction process.

The works shall thereafter be carried out in full accordance with the approved details.

Reason: In order to minimise any adverse impacts of the construction process upon the highway network in the area.

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 14 Prior to the commencement of the development, a Construction Method Statement and Construction Management Plan 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 at each stage of the works including demolition, earthworks, construction and track out.

The development shall be carried out strictly in accordance with the agreed details.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Reason for pre-commencement condition: Environmental nuisance caused by the construction process can occur at any time from commencement, and adequate controls need to be in place at this time.

- 15 Prior to development commencing in a Phase, details of tree protection measures for that Phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented throughout the relevant demolition and construction phase. Such details shall include:

(i) detailed drawings showing all existing trees which are not directly affected by the building(s) and works hereby approved within the relevant Phase. Such trees shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted without the prior written approval of the Local Planning Authority.

(ii) a detailed arboricultural method statement and tree protection plan including details of all works in the relevant phase including excavations for drainage and other services within the root protection area of any retained tree relating to all stages of development, including a detailed methodology and specification for an airspace investigation in proximity to T13 where works are to be undertaken in the vicinity of T13; These details shall observe the principles embodied within BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations), shall be implemented prior to any works commencing on site in the relevant Phase, shall be retained during the course of demolition and construction, and shall not be varied without the written agreement of the Local Planning Authority.

(ii) following the airspace investigation referred to in part (ii) above, if it is found that the root incursion would be too damaging to retain T13, then proposals shall be submitted to and approved in writing by the local planning authority to remove and replace this category B tree with an advanced nursery stock 18-20cm girth *Carpinus betulus* (Common Hornbeam).

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

Any such tree(s) which subsequently die, become seriously damaged or diseased, or have to be removed as a result of carrying out this development, shall be replaced with a tree of a species and size and in such position, as the Local Planning Authority may require, in conjunction with the general landscaping required herein.

Reason: To ensure that the trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained and kept in good condition.

Pre-commencement reason: The impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 16 (a) The development hereby approved shall not commence (other than site clearance and the demolition of the existing building) unless a site investigation is carried out and remediation strategy is prepared by an appropriate person in accordance with BS 10175:2011 + A2:2017 and 'Model Procedures for the Management of Land Contamination – Contaminated Land Report 11' (CLR 11) (or other such updated British Standard) to determine the nature and extent of any contamination present. The investigation and strategy shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works (other than site clearance and the demolition of the existing building), that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found.

If during works new areas of contamination are encountered, which have not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

(b) Prior to first residential occupation of the development, or the commencement of the approved use within the development hereby approved, a verification report written by a suitably qualified person in accordance with BS 10175:2011 + A2:2017 and 'Model Procedures for the Management of Land Contamination – Contaminated Land Report 11' (CLR 11) (or other such updated British Standard) must be submitted to and approved in writing by the Local Planning

Authority stating that remediation has been carried out in accordance with the remediation scheme approved above and the site is safe for end use.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with Policy 5.21 of the London Plan (2016).

- 17 The development hereby approved shall not commence (other than site clearance and the demolition of the existing building), until further details of the basement (including a cross section) has been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the headroom that will be achieved above the aisles within the basement car park, which shall be at least 2.6m along all access routes to disabled parking spaces unless otherwise approved in writing by the Local Planning Authority.

The development shall be completed in accordance with the approved details.

Reason: In the interest of vehicular flow and safety, disabled access, access and egress and sustainability.

- 18 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 or in another location as agreed) shall be submitted to and approved in writing by the Local Planning Authority. These details shall include mitigation measures to provide sitting wind conditions on balconies affected by stronger winds as recommended in paragraph 6.1.4 of the approved Wind Assessment.

The development shall be completed in accordance with the approved details.

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

- 19 Within six months of commencement of development, a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. Such landscaping work shall be completed prior to first use or 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, sub-surface treatments;
- b) Details of any trees to be trans-located, replaced, and retained, including design of tree pits;
- c) Any walls, fencing and any other means of enclosure, including materials, designs and heights;
- d) The treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;
- e) details of levels and contours within the site and adjoining the site;]
- f) biodiversity enhancement measures in accordance with recommendations in the Preliminary Ecological Appraisal (AECOM, December 2019);
- g) a landscaping maintenance strategy, including details of management responsibilities.

Any trees and shrubs planted, trans-located in accordance with the landscaping scheme and any shrubs 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 as soon as practicable as those trees or shrubs have been affected.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- 20 Notwithstanding the approved plans, prior to first occupation of commencement of use of the development, further details of cycle storage, which shall be in accordance with London Cycling Design Standards, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full prior to first occupation of the relevant part

of the development, being the part of the development that the cycle storage serves.

Such details shall include:

- 843 secure weatherproof cycle storage spaces for residential use and, if the mezzanine level is proposed to house a portion of these cycle spaces, details of a suitable bicycle lift (or suitable alternative arrangement) to ensure access to this level;
- Revised details for the 26 cycle storage spaces for office use which shall be within close proximity to the use to which they will serve;
- A total of 20 'Sheffield' cycle stands shall be delivered within close proximity to Capitol Way for visitor use.

Reason: In the interests of highway flow and safety, and sustainable transport.

- 21 Prior to commencement of development (excluding any demolition or site clearance), further details of how the development shall be 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: To ensure the development is in accordance with the principles of London Plan Policy 5.6.

- 22 Prior to first occupation or use of the residential parts of the development, further details of external childrens play areas, any associated equipment and appropriate access arrangements shall be submitted to and approved in writing by the Local Planning Authority and the play areas shall be completed in accordance with the approved details prior to first occupation of the relevant phase.

Reason: In order to ensure satisfactory provision of the playground and its equipment.

- 23 Prior to first occupation or use of the development, details of photovoltaic panel arrays and air source heat pump installations shall be submitted to and approved in writing by the local planning authority. The details shall demonstrate that the carbon emissions reductions attributed to these elements will be as set out in the detailed design stage Energy Assessment, and shall include plan and elevation drawings to adequately demonstrate the visual impact upon the street scene of the installed energy facilities. The energy facilities shall be installed and operational in accordance with the approved details prior to first occupation or use of the development.

Reason: To ensure compliance with London Plan Policy 5.2 is achieved without detriment to the surrounding street scene.

- 24 Prior to the installation of CCTV equipment, details of any CCTV equipment shall be submitted to and approved in writing by the Local Planning Authority. The CCTV equipment shall thereafter be installed in accordance with the approved details prior to first occupation of the relevant part of the approved development.

Reason: In the interests of safety and security.

- 25 Prior to first occupation or use of the development, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority and the approved plan shall thereafter be implemented from first occupation of the development. The Delivery and Servicing Plan shall have regard to TfL guidance regarding Delivery and Servicing Plans.

The Delivery and Servicing Plan shall include details of how Unit A would be serviced in order to minimise the risk of delivery vehicles standing in close proximity to the mini-roundabout at the junction of Capitol Way and Stag Lane.

The Delivery and Servicing Plan shall include a restriction on the use of the loading bays along Capitol Way to 30 minutes maximum, and measures to ensure non-residential deliveries

including unloading and loading shall not be undertaken other than between the hours of 0800 and 2100 Monday to Friday and between 0800 and 1300 on Saturday.

Reason: In the interest of the free and safe flow of traffic on the highway network. To limit the detrimental effects of noise and disturbance from vehicles on the premises on adjoining residential occupiers.

- 26 Prior to first occupation or use of the development, a Parking Design and Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London, and the plan shall thereafter be implemented in full for the life of the development. The Plan shall be in accordance with the requirements of draft London Plan Policy T6.1 and shall include (unless otherwise agreed by the Local Planning Authority):

- Details of the Car Parking Spaces, comprising the location of spaces and the maximum number of car parking spaces within each area;
 - The means by which parking spaces are allocated, leased and monitored;
 - The location of blue badge parking spaces, the number of spaces within each area and the route between the parking spaces and the uses they serve, including any management measures to assist disabled visitors
- Within the on-site commercial parking, the provision of one blue badge parking space and five spaces with either active or passive electric vehicle charging points.

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

Reason: In the interest of highway flow and safety, disabled access, access and egress and sustainability.

- 27 Prior to first occupation or use of any commercial kitchen to be provided on site, details of the extract ventilation system and odour control equipment including all details of external ducting, shall be submitted to and approved in writing by the Local Planning Authority.

The approved equipment shall be installed prior to the operation of the commercial kitchen, and shall thereafter be operated at all times during the operating hours of the associated commercial unit and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents, in accordance with Brent's Policy DMP1.

- 28 Prior to first occupation of the residential units hereby approved, details of a scheme of sound insulation between the commercial and residential units shall be submitted to and approved in writing by the Local Planning Authority. The sound insulation measures approved shall be installed prior to first occupation of the residential unit(s) and maintained as such in perpetuity.

Reason: To protect the amenity of future residents.

- 29 All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following noise levels:

Daytime noise (07:00 - 23:00)	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise (23:00 - 07:00)	Bedrooms	30 dB LAeq (8hr)

Prior to first occupation of the development, a test shall be carried out to demonstrate that the required noise levels have been met and the results shall be submitted to and approved in writing by the local planning authority.

Reason: To obtain required sound insulation and prevent noise nuisance.

- 30 Prior to first occupation or use of the development, details of all external lighting, together with the lighting lux plan showing the lux levels (in vertical illuminance) at the nearest residential

window façade, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure external lighting from commercial uses does not adversely impact upon neighbouring residential uses, in accordance with Brent Policy DMP1.

- 31 All residential premises shall be designed in accordance with BS 4142:2014 guidelines.

Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

An assessment of expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and shall be submitted to and approved in writing by the local planning authority, including any mitigation measures necessary to achieve the above required noise levels, prior to first occupation of the development.

The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To ensure acceptable noise levels for residential occupiers, in accordance with Brent Policy DMP1.

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 developer should be aware of any protected species legislation relevant to the implementation of this development. Further guidance on construction near protected species can be found at <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>.
- 3 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 4 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 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 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

- 7 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.
- 8 The Council recommends that the maximum standards for fire safety are achieved within the development.

- 9 Under the Control of Pollution Act 1974, noisy construction works are regulated as follows:

Monday to Fridays - permitted between 08:00 to 18:00

Saturday - permitted between 08:00 to 13:00

At no time on Sundays or Bank Holidays

For work outside these hours, the Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at ens.noiseteam@brent.gov.uk to obtain a section 61 application form. Please note that the council has 28 days to process such applications.

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

Agenda Item 02

Supplementary Information

Planning Committee on 24 June, 2020

Case No.

19/4545

Location	1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ
Description	Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to twelve storeys comprising residential units and commercial floorspace, and the erection of a part two part three storey commercial building with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.

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Controlled Parking Zone contribution

Paragraph 102 of the committee report confirms that a contribution to implementing a Controlled Parking Zone would be secured. An amount of £200,000 has now been agreed with the applicant, and this is the same amount as secured for the consented scheme.

Further clarifications

The agent has drawn attention to various positive aspects of the scheme and, whilst these points do not have any material impact on officers' assessment of the scheme, they are provided below for completeness:

Affordable housing and housing mix

Whilst the extant consent provides a high percentage (54%) of the Affordable Rented home with 3 bedrooms, the proposed scheme would increase this to 61% of the Affordable Rented home having 3 or 4 bedrooms. The number of Affordable Rented homes secured is the same as in the consented scheme, however with the inclusion of 4 bedroom homes and an increased number of habitable rooms in this tenure.

Officers agree that the inclusion of 4 bedroom homes is a positive feature of the scheme. This issue is covered in paragraphs 15 and 16 of the report.

Design, scale and appearance

With reference to paragraph 29, the layout of the properties facing Stag Lane (Block A) would be the same as in the consented scheme. This block would be the same height as in the consented scheme (as stated in paragraph 37).

Quality of accommodation

The committee report at paragraph 47 states that 173 units would be dual aspect and that this is a relatively low proportion. The agent's view is that the majority of units would be dual aspect.

Officers have reviewed the plans and consider that 197 of the 501 homes could be described as dual aspect. Some include small secondary windows in close proximity to other units that would not provide a significant amount of outlook but could be opened to provide cross-ventilation and prevent overheating during hot weather. Side windows facing into balconies and windows facing onto internal corridors are not considered to provide a second aspect. Overall, however, officers consider the quality of accommodation to be good.

Cycle parking

Paragraphs 103 and 105 of the report set out the amount and distribution of cycle parking in the original submission. Further details on cycle parking have subsequently been submitted, which has increased the overall amount of cycle parking that would be provided above that stated in the report and has introduced two cycle maintenance hubs within the site.

Officers consider these amendments to be welcome and to contribute to the policy objective of encouraging

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cycling. Transport officers and TfL have some further queries about the cycle parking arrangements, and these would be resolved through the recommended condition.

Amendments to conditions

The agent has requested changes to the proposed conditions as detailed below. Officers consider these to be acceptable and not to materially change the requirements of the conditions.

“Condition 5: The development shall provide 501 residential units (Class C3) once complete, as shown on the approved plans, unless otherwise approved by the Local Planning Authority.”

“Condition 6: The development shall provide a total of 4,051sqm of commercial floorspace (in Use Classes B1(a),(b) and (c), B8, D2 and A3) across the site once complete as shown on the approved plans, unless otherwise agreed in writing with the local planning authority.”

“Condition 8: 10% of the proposed residential units shall be completed as Wheelchair accessible (in the case of Affordable Rented homes) or easily adaptable (in the case of Private and Intermediate homes) in accordance with Building Regulations requirement M4(3) as set out on the approved drawings listed in Condition 2 and the remaining homes within the development shall be completed in accordance with Building Regulation requirement M4(2) unless otherwise agreed in writing by the Local Planning Authority.”

“Condition 9: Prior to first occupation of each Phase or Building the eElectric vehicle charging points that are to serve that Phase or Building (if any) shall be provided in accordance with the approved plans ~~prior to the commencement of use and occupation of the development~~, and shall not be altered thereafter without prior written consent from the local planning authority.”

“Condition 10: Prior to first occupation of each Phase or Building all parking spaces, cycle parking, bin storage, turning areas, loading bays, access road and footways relevant to that Phase or Building shall be constructed and permanently marked out ~~prior to first occupation of the relevant part of the development~~ and thereafter shall not be used other than for purposes ancillary to the development hereby approved.”

“Condition 11: 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~~ 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” SPG 2014, 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~~ Phases of the development on the online register at <https://nrmm.london/>”

“Condition 12: The development hereby approved shall not be commenced until a phasing plan showing the location of ~~phases~~ Phases (and their related land, e.g. parking and amenity spaces), the sequencing for those ~~phases~~ Phases and indicative timescales for their delivery shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the plan thereby approved. The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority.

Reason: To allow the Local Planning Authority to understand the relevant ~~phase~~ Phase of development that is subject to condition discharge, and to ensure coordination between the phasing plan as approved and the triggers in any relevant agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended).”

“Condition 13: Prior to the commencement of each relevant Phase or Building ~~The development hereby approved shall not commence until a~~ Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority, outlining how construction vehicle activity will be managed for the relevant Phase or Building throughout the construction process. The works for each relevant Phase or Building shall thereafter be carried out in full accordance with the approved details.”

“Condition 14: Prior to the commencement of ~~the development~~ each relevant Phase or Building, a Construction Method Statement and Construction Management Plan 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 relevant Phase or Building development at each stage of the works for that Phase or Building

including demolition, earthworks, construction and track out.

The Each Phase or Building development shall be carried out strictly in accordance with the agreed details for that Phase or Building.”

Condition 15: Prior to development commencing in a Phase, details of tree protection measures for that Phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented throughout the relevant demolition and construction ~~phase~~ Phase for that Phase. Such details shall include:

...

(ii) a detailed arboricultural method statement and tree protection plan including details of all works in the relevant ~~phase~~ Phase including excavations for drainage and other services within the root protection area of any retained tree relating to all stages of development, including a detailed methodology and specification for an airspace investigation in proximity to T13 where works are to be undertaken in the vicinity of T13; These details shall observe the principles embodied within BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations), shall be implemented prior to any works commencing on site in the relevant Phase, shall be retained during the course of demolition and construction, and shall not be varied without the written agreement of the Local Planning Authority.

...

The Each Phase of the development shall thereafter be carried out in full accordance with the relevant approved details.

...”

“Condition 17: The Works on the basement development hereby approved shall not commence (other than site clearance and the demolition of the existing building), until further details of the basement (including a cross section) has been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the headroom that will be achieved above the aisles within the basement car park, which shall be at least 2.6m along all access routes to disabled parking spaces unless otherwise approved in writing by the Local Planning Authority.

...”

“Condition 18: Prior to commencement of development on a Phase or Building (excluding any demolition, site clearance and the laying of foundations), details of materials for all external work for the Phase or Building (including samples which shall be made available for viewing on site or in another location as agreed) shall be submitted to and approved in writing by the Local Planning Authority. These details shall include mitigation measures to provide sitting wind conditions on balconies affected by stronger winds as recommended in paragraph 6.1.4 of the approved Wind Assessment.

...”

“Condition 19: Within six months of commencement of development on each Phase, a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority for that Phase. Such landscaping work shall be completed prior to first use or occupation of the development hereby approved for that Phase and thereafter maintained.

The submitted scheme shall include details of:

a) The planting scheme for the Phase site, which shall include species, size and density of plants, sub-surface treatments;

...”

“Condition 20: Notwithstanding the approved plans, prior to first occupation of ~~each Phase commencement of use of the development~~, further details of cycle storage for that Phase, which shall be in accordance with London Cycling Design Standards, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full prior to first occupation of the relevant part of the development, being the part of the development that the cycle storage serves.

Such details for the development as a whole shall include:

...

“Condition 21: Prior to commencement of each Phase development (excluding any demolition or site clearance), further details of how the Phase development shall be 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 for the relevant Phase shall be completed in accordance with the approved details.”

“Condition 22: ~~Prior to first occupation or use of the residential parts of the development,~~ Within six months of commencement of development of a Phase containing residential development, further details of any external childrens play areas, any associated equipment and appropriate access arrangements shall be submitted to and approved in writing by the Local Planning Authority and the play areas shall be completed in accordance with the approved details prior to first occupation of the relevant ~~phase~~ Phase.”

“Condition 23: ~~Prior to first occupation or use of the development,~~ Within six months of commencement of development of each Phase or Building, details of photovoltaic panel arrays and air source heat pump installations shall be submitted to and approved in writing by the local planning authority. The details shall demonstrate that the carbon emissions reductions attributed to these elements will be as set out in the detailed design stage Energy Assessment, and shall include plan and elevation drawings to adequately demonstrate the visual impact upon the street scene of the installed energy facilities.”

“Condition 25: Prior to first occupation or use of a Phase of the development, a Delivery and Servicing Plan for the relevant Phase shall be submitted to and approved in writing by the Local Planning Authority and the approved plan shall thereafter be implemented from first occupation of the relevant part of the development. The Delivery and Servicing Plan for each Phase shall have regard to TfL guidance regarding Delivery and Servicing Plans.

The Delivery and Servicing Plan for the Phase within which Unit A is situated shall include details of how Unit A would be serviced in order to minimise the risk of delivery vehicles standing in close proximity to the mini-roundabout at the junction of Capitol Way and Stag Lane.

The Delivery and Servicing Plan for each relevant Phase shall include a restriction on the use of the loading bays along Capitol Way ... ”

“Condition 26: Prior to first occupation or use of ~~the development~~ a Phase or Building, a Parking Design and Management Plan for the Phase or Building shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London, and the plan shall thereafter be implemented in full for the life of the relevant Phase or Building development. The Plan shall be in accordance with the requirements of draft London Plan Policy T6.1 and shall include (unless otherwise agreed by the Local Planning Authority):

...

The development within each Phase shall thereafter be operated in full accordance with the approved details for the relevant Phase.”

“Condition 30: Prior to first occupation or use of a Phase which includes commercial uses ~~the development,~~ details of all external lighting, within that Phase which is to serve the commercial uses together with the lighting lux plan showing the lux levels (in vertical illuminance) at the nearest residential window façade, shall be submitted to and approved in writing by the local planning authority.”

Officers recommend the following amendments to Condition 16, to take account of Environmental Health officers’ comments in relation to the development being phased:

Condition 16: (a) ~~The development~~ Each Phase of development hereby approved shall not commence (other than site clearance and the demolition of the existing building) unless a site investigation is carried out and remediation strategy is prepared by ~~an appropriate person~~ competent persons in accordance with BS 10175:2011 + A2:2017 and the Environment Agency’s current Land Contamination Risk Management Guidance or any subsequent updates ~~‘Model Procedures for the Management of Land Contamination – Contaminated Land Report 11’ (CLR 11) (or other such updated British Standard)~~ to determine the nature and extent of any soil contamination present in the relevant Phase. ~~The investigation and strategy shall be~~

~~carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works (other than site clearance and the demolition of the existing building), that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found. A report shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination in the relevant Phase. It shall include an appraisal of remediation options and a remediation strategy together with a timetable for its implementation should any contamination be found that presents an unacceptable risk to any identified receptors.~~

...

(b) ~~For each phase of development, any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. Prior to first residential occupation of the development, or the commencement of the approved use within each Phase the development hereby approved a verification report written by a suitably qualified person in accordance with BS 10175:2011 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance or any subsequent updates 'Model Procedures for the Management of Land Contamination – Contaminated Land Report 11' (CLR 11) (or other such updated British Standard) must be submitted to and approved in writing by the Local Planning Authority stating that remediation has been carried out for that Phase in accordance with the remediation scheme approved above and the site is safe for end use (unless the Local Planning Authority has previously confirmed that no remediation measures are required)."~~

Recommendation: Remains to Grant planning permission subject to Stage 2 referral to Mayor of London, s106 agreement, conditions and informatives as set out in the report.

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

24 June, 2020
04
19/4541

SITE INFORMATION

RECEIVED	24 December, 2019
WARD	Alperton
PLANNING AREA	
LOCATION	2A, Part of Former Westend Saab and Boyriven Textile, Bridgewater Road, Wembley, HA0 1AJ
PROPOSAL	Demolition of the existing buildings and structures, the erection of a 'co-location' scheme ranging in height from 4 to 19 storeys, incorporating industrial floorspace with residential units, together with associated landscaping, vehicular access arrangements, car and cycle parking, servicing and refuse and recycling facilities.
PLAN NO'S	Please 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_148359</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 "19/4541" (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:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement.
3. *Affordable Housing* – comprising 47 affordable rent units at London Affordable Rent levels and 77 shared ownership units in line with the household income cap and eligibility criteria for intermediate products set out in the London Plan and draft London Plan.
4. *Training and employment of Brent residents* - Prior to a material start to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works. And, prior to a Material Start to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development.
5. *Carbon Off-setting and BREEAM Certification* – Pre-construction: submission of revised Energy Assessment to achieve London Plan Policy 5.2 standards and revised BREEAM Assessment to achieve BREEAM Excellent, initial financial contribution to Brent's carbon offsetting scheme. Post-completion: submission of revised Assessments, final financial contribution.
6. *Amenity space provision and play off-site* – Financial contribution of £35,000.
7. *Controlled Parking Zone* – Financial contribution of £60,000 towards implementation of Controlled Parking Zone in the vicinity. Residential parking permit restrictions.
8. *Travel Plan* – Submission and implementation of Travel Plan for residential and commercial uses, including monitoring and review arrangements under the i-TRACE or TRICS survey methodology, and three years' free car club membership for eligible residents.
9. *Highway Works* under a S38/S278 Agreement to: (i) reduce the width of the existing vehicular crossover onto Bridgewater Road at the southeastern end of the site frontage to 6.7m to match the width of the proposed service road; (ii) extend the central traffic island in Bridgewater Road across its existing 7.5m wide gap in front of the southeastern vehicle access in order to prevent vehicles turning right into the site; and (iii) construct a highway verge of at least 1.5m width and a footway of at least 2.4m width along the Bridgewater Road frontage and to dedicate the area of the footway that lies within the site boundary as highway maintainable at public expense.
10. *Street trees* – Financial contribution of £6,000 towards the planting and maintenance of three street trees on Bridgewater Road.
11. *Surveys of television and radio reception in surrounding area*, and any mitigation works agreed

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. Three year rule
2. Approved drawings and documents
3. Withdraw permitted development rights for conversion from C3 to C4

4. Non-residential floorspace to be B1(b) or B1(c) only
5. Number of residential units
6. Balcony screening to units A01.02 etc
7. Provision of parking etc
8. Compliance with air quality and noise reports
9. Compliance with arboricultural impact assessment and ecological survey
10. Non Road Mobile Machinery

Pre-commencement

11. Construction Method Statement
12. Construction Logistics Plan
13. Liaison with London Underground

Post-commencement

14. Site investigation
15. Consult Thames Water prior to piling works
16. Materials samples
17. Details of wheelchair accessible units
18. Landscaping scheme
19. Details of PV panels

Pre-occupation or use

20. Contaminated land remediation measures
21. EVCP, Parking Design and Management Plan
22. Site management and maintenance plan including delivery and servicing plan
23. Details of cycle parking
24. Thames Water surface water network upgrades

Informatives

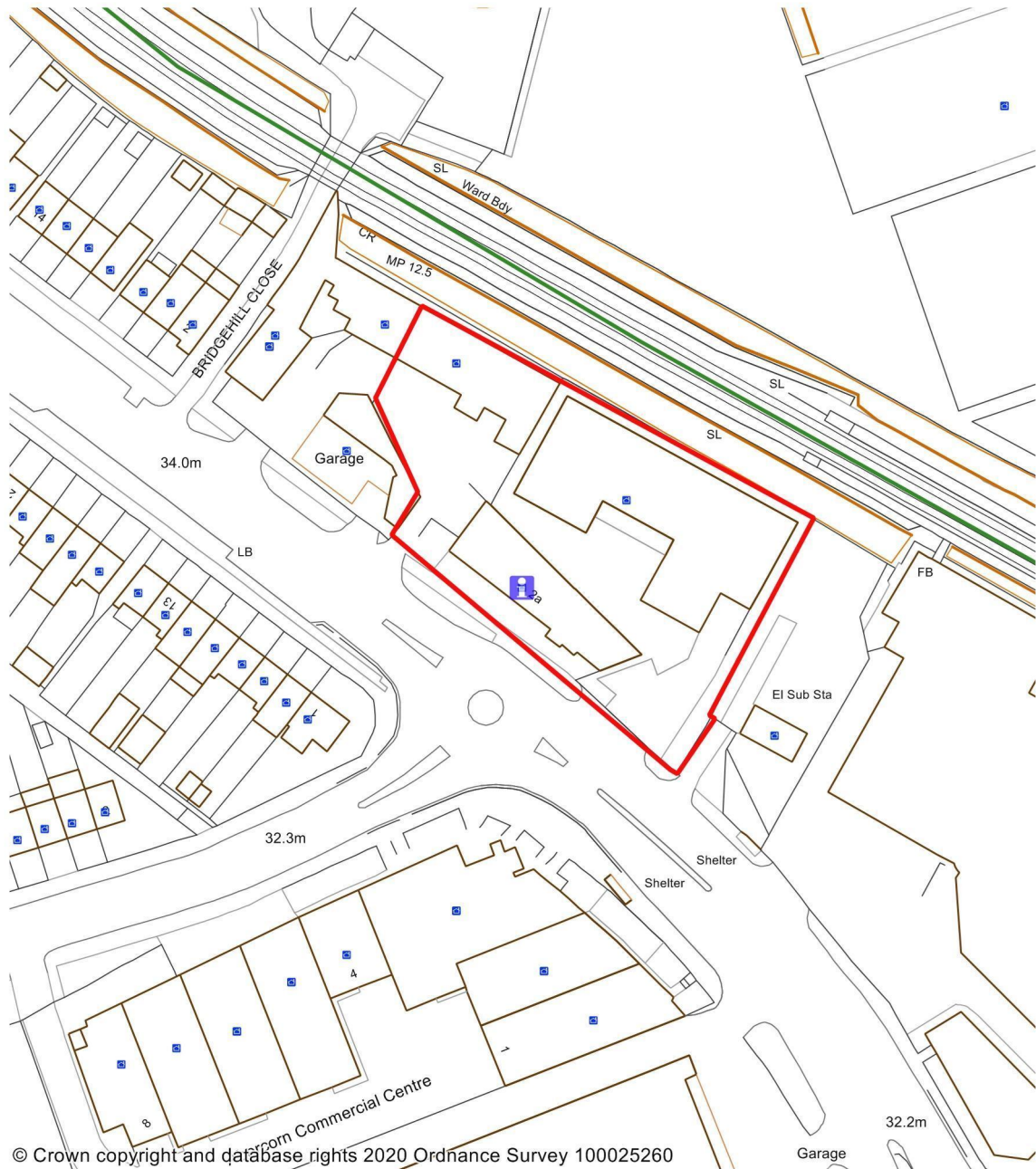
1. CIL Liability
2. Thames Water guidance on groundwater discharge
3. Liaison with London Underground
4. Party Wall Act
5. Asbestos removal
6. Quality of imported soil
7. London Underground advice on openable windows
8. London Living Wage
9. Fire Safety standards
10. Notify Highways of work starting

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



This map is indicative only.

PROPOSAL IN DETAIL

The scheme proposes the redevelopment of the site to deliver a building of four to 19 stories in height, incorporating 124 new homes, all of which would be affordable housing (35 x 1bed, 68 x 2bed and 21 x 3bed) and 1,878sqm of industrial floorspace (B1(b) and B1(c)) with associated access, parking, cycle storage and bin storage, and residential amenity space.

EXISTING

The application site comprises a single-storey car showroom situated on the northeastern side of Bridgewater Road, opposite the intersection with Manor Farm Road, a basement car park to the rear of the showroom (formerly the Boyriven Textiles building) and part of a single-storey workshop building to the rear of an adjacent hand car wash.

The Piccadilly Underground line tracks run directly north of the site, and there is an electricity substation immediately to the southeast. To the northwest are remaining industrial buildings and, separated from the industrial buildings by a pedestrian footpath leading across the railway tracks into One Tree Hill Recreation Ground to the north, a row of traditional two storey housing. The wider surrounding area is mixed in character, comprising traditional residential areas to the west, the Recreation Ground and Alperton School to the north, Alperton Bus Garage to the southeast and commercial and industrial buildings to the south, with large-scale redevelopment occurring in Alperton Growth Area further to the southeast. The site is not within a Conservations Area nor are any of the buildings occupying the site listed buildings.

The site lies within a designated Locally Significant Industrial Site (LSIS). Within the emerging Local Plan it will continue to be designated as LSIS, but is designated for “intensification and some co-location” potentially allowing both industrial capacity and new homes. Whilst it is not within the boundaries of Alperton Growth Area within the adopted Local Plan, the Alperton Growth Area is proposed within the emerging Local Plan to be extended to cover the area along the northern side of Bridgewater Road between the footpath over the railway line to One Tree Hill Recreation Ground and the Bus Depot on the junction with Ealing Road. Within the emerging Local Plan, the application site also forms part of a wider site allocation.

AMENDMENTS SINCE SUBMISSION

Amended plans were received on 13 March 2020, improving the design of the residential entrances and altering the positioning of some residential windows to prevent overlooking between units. These amendments did not materially alter the scheme and did not require a further period of consultation.

The Daylight Sunlight & Overshadowing Report was resubmitted on 21 May 2020, including detailed results relating to impacts on individual neighbouring windows. The version originally submitted only included summarised results, however there is no change to the actual results, only more information on them, and so further consultation was not necessary.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. One letter of objection was 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 neighbour objection has been received, raising concerns about the impact of parking on Bridgewater Road. This issue is considered at the relevant point in the report.

Principle of development: The proposal is for a residential-led mixed use development that responds well to the emerging policy context encouraging co-location of residential and industrial uses on appropriate sites. Although the floorspace proposed would fall short of the industrial capacity of the site, the provision of new purpose-built industrial units would help to facilitate economic growth in the area, and the proposal for 124 residential units would contribute to the borough's housing targets in a Growth Area and Housing Zone. The proposal is acceptable in principle.

Affordable housing and housing mix: The proposed residential units would all be for affordable housing,

including 50% of units at a policy-compliant split (70% at London Affordable Rent and 30% shared ownership) and the remaining 50% for shared ownership. The proposal complies with Brent Policy DMP15 and a viability review mechanism is not required. Whilst the proportion of family-sized units does not meet the 25% target set out in Policy CP2, overall the provision of 100% affordable housing is considered a significant planning benefit to outweigh concerns regarding the low proportion of family-sized units.

Design and appearance: The proposal is for two residential point blocks at 11 stories and 19 stories respectively, set back from the road and linked by a central podium garden and a three-storey commercial building providing an active frontage on Bridgewater Road. The design is considered to be of high quality, and the overall height and massing are considered appropriate in terms of the emerging street scene.

Residential living standards: The 124 units would all meet or exceed minimum space standards and the number of single-aspect units has been minimised through design. All units would have private balconies and access to attractively landscaped communal amenity spaces including a range of play spaces. A shortfall in amenity space of 514sqm against the standards set out in Policy DMP19 would be mitigated by a financial contribution of £35,000 towards improvements to the nearby One Tree Hill Recreation Ground, secured through the s106 agreement. Overall the proposal would provide a high standard of residential accommodation.

Relationship with neighbouring properties: The proposal would retain adequate separation distances to allow adjoining sites to come forward for redevelopment in a similar manner. Impacts on daylight and sunlight to neighbouring properties, and overshadowing to neighbouring external amenity spaces, have been assessed and are considered to be minimal given the emerging high density character of the area and the scale of the development.

Sustainability and energy: The Energy Strategy demonstrates that carbon emissions for the residential use would be reduced by 64.4% and for the commercial use by 41.7%, compared to the Building Regulations 2013 baseline. This exceeds the London Plan policy targets for on-site reductions, and a financial contribution to Brent's carbon offsetting fund would be secured through the s106 agreement, to achieve a zero-carbon residential development. The industrial floorspace would be designed to achieve BREEAM Excellent, to comply with Brent's Policy CP19.

Environmental health considerations: The proposal has been assessed in terms of air quality, noise and vibration, and contaminated land, and Environmental Health officers have requested conditions to ensure these issues are dealt with satisfactorily. A construction method statement would also be required by condition.

Flood risk and drainage: The drainage strategy proposed includes blue-roof systems to hold rainwater temporarily and water butts to irrigate soft landscaped areas, and is considered appropriate for the proposed development.

Trees, landscaping and biodiversity: All trees on or adjoining the site are of low arboricultural value and the ecological value of the site and its surroundings is low. Tree protection measures have been proposed, together with ecological enhancements provided as part of the landscaping scheme.

Urban greening: The proposal would achieve an urban greening factor of 0.35 and would represent a significant uplift in the greening of the site. It is considered to have maximised the urban greening potential of the site.

Transport considerations: The one-way internal service road would allow servicing of the commercial units and refuse collection for the residential units, together with access to nine on-site disabled car parking spaces. This level of parking is considered to be appropriate given the level of public transport accessibility (PTAL 4), subject to a financial contribution of £60,000 towards implementation of a Controlled Parking Zone, car club membership and operation of a travel plan, all of which would be secured through the s106 agreement. The access arrangements have been welcomed by your Transport officers and Transport for London, and are considered to contribute to the Healthy Streets approach and Vision Zero objectives. Cycle parking would be provided to emerging London Plan standards, including three storage rooms for 232 cycles for residents, a cycle store and showering facilities for the workspace, and short-stay 'Sheffield' stands along the service road.

MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a

breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Businesses and light industry	640	0	640	1878	1238

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Affordable Rent Flat)										
EXISTING (Flats û Intermediate)										
PROPOSED (Affordable Rent Flat)	14	18	15							47
PROPOSED (Flats û Intermediate)	21	50	6							77

RELEVANT SITE HISTORY

05/2773 - Demolition of existing warehouse building and the erection of a 3-storey building for use as three B1 light-industrial units on each of the ground floor and first floors and a D2 function room on the second floor, with a basement to provide storage and parking for 26 cars, alterations to vehicular and pedestrian access to site and provision of cycle-parking and refuse storage (as clarified in writing by Mr Kassim, dated 14th November 2005) and subject to a Deed of Agreement dated 22nd December 2005 under Section 106 of the Town and Country Planning Act 1990, as amended - Granted [*Officer Note*: This permission has been implemented in part, the basement car park having been constructed but not the remainder of the building].

CONSULTATIONS

216 neighbouring properties were consulted by letter on 9 January 2020. A site note was posted on 20 January 2020 and a press notice was published on 16 January 2020. Two objections were received, however one was subsequently withdrawn. The remaining objection is summarised as follows:

Objection	Officer response
Concerns regarding impact on parking on Bridgewater Road	This issue is discussed under 'Transport considerations'

Internal and statutory consultees

Greater London Authority / Transport for London Stage 1 response:

- Principle of development: In view of the masterplan approach adopted by the applicant and emerging plan-led approach by the Council, the residential-led mixed use scheme on this LSIS is acceptable in strategic planning terms.
- Affordable housing: 100% affordable housing (with a tenure mix of 38% affordable rent and 62% shared ownership); this is strongly supported and would qualify for the Fast Track Route, subject to the Council's approval of the tenure mix
- Urban design: The residential quality is generally high and the layout, height and massing responds well to the existing and emerging context
- Environment: Further information is required in relation to the district centre connection, overheating and ground source heat pumps. Additional PV cells should be considered
- Transport: Clarification on the trip generation for public transport is required to determine the development's impacts. Details of cycle parking and various transport-related plans should be secured via the S106

London Underground: No objection subject to conditions and informatives.

Thames Water: No objection on foul water sewerage network infrastructure capacity. Surface water network

upgrades or housing and infrastructure phasing plan required [officer note: this would be secured by condition]. Objection to surface water drainage strategy [officer note: this issue is discussed in the main body of the report]

Environmental Health (including Noise Control Team): No objection subject to conditions.

Lead Local Flood Authority: No objection.

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 held at an accessible nearby venue on 18 March and 20 March 2019, to which over 2,500 residential and commercial properties in the area were invited via a mailshot. Nine local residents attended these events, and a further four requested information by email.

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 and Brent Development Management Policies 2016.

Key policies include:

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
- 3.11 Affordable housing targets
- 4.4 Managing industrial land and premises
- 5.2 Minimising carbon dioxide emissions
- 5.10 Urban greening
- 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
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature

Brent Core Strategy 2010

- CP1 Spatial Development Strategy
- CP2 Population and Housing Growth
- CP6 Design & Density in Place Shaping
- CP8 Alperton Growth Area
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP20 Strategic Industrial Locations and Locally Significant Industrial Sites
- CP21 A Balanced Housing Stock

Brent Development Management Policies 2016

DMP1 Development Management General Policy
DMP8 Open Space
DMP9b On Site Water Management and Surface Water Attenuation
DMP11 Forming an access onto a road
DMP12 Parking
DMP13 Movement of Goods and Materials
DMP14 Employment Sites
DMP15 Affordable Housing
DMP18 Dwelling Size and Residential Outbuildings
DMP19 Residential Amenity Space

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 Officers that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Key relevant policies include:

Draft New London Plan

GG1 Building strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG4 Delivering the homes Londoners need
GG5 Growing a good economy
D3 Optimising housing density
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D9 Tall Buildings
D12 Fire safety
D13 Agent of Change
D14 Noise
E4 Land for industry, logistics and services to support London's economic function
E6 Locally Significant Industrial Sites
E7 Industrial intensification, co-location and substitution
H1 Increasing housing supply
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H12 Housing size mix
G1 Green infrastructure
G5 Urban greening
S4 Play and informal recreation
S11 Improving air quality
S12 Minimising greenhouse gas emissions
S15 Water infrastructure
S13 Sustainable drainage
T5 Cycling
T6 Car parking

Draft Local Plan

DMP1 Development management general policy

BP7 South west
BSWGA1 Alperton Growth Area
BSWSA1 Alperton Industrial Sites
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
BH13 Residential amenity space
BE1 Economic growth and employment opportunities for all
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

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
Alperton Masterplan SPD 2011
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

DETAILED CONSIDERATIONS

Principle of development

Policy background

1. The site is in existing employment use and covered by a Locally Significant Industrial Site (LSIS) designation. Core Strategy 2010 Policy CP20 outlines that the council will protect LSIS for the same range of uses as Strategic Industrial Locations. The regeneration of these sites is supported where the proposals would not undermine the employment land hierarchy, although the supporting text makes clear that this policy aims to secure the status of the location as an industrial employment area through redevelopment for industrial use. Policy DMP14 provides further protection for LSIS sites, setting out specific criteria for their release, and seeks to limit the loss of industrial land to approximately 11.5ha within the plan period.
2. However, this excess capacity was subsequently met and if all consents / proposals were implemented, the resultant loss of industrial land would exceed the policy target before the end of the plan period and any further loss of industrial floorspace would reduce Brent's industrial land supply and would be inconsistent with Policy DMP14. The draft new London Plan also identifies that across London loss of employment sites has been far greater than expected, and proposes that across London as a whole there should be no further losses.
3. Draft Policy E7 sets out an approach to combining increased industrial capacity with the delivery of other planning objectives, by encouraging industrial intensification and co-location with other uses including residential, on suitable sites in locations well-connected by public transport. The policy seeks a plan-led approach to identifying areas within LSIS designations that are suitable for intensification and co-location. This is reinforced within draft Policy BE2 of Brent's draft Local Plan which looks to establish the framework to meet both housing need and industrial capacity, and land is identified where both can be provided (known as co-location). The draft Local Plan has designated this LSIS site (Alperton North) for intensification and co-location and while the GLA have objected to the proposed policy designation of some Strategic Industrial Locations for co-location, they have not objected to the LSIS designation and the principle of co-location is in line with the emerging London Plan. It is considered that policy BE2 can

be given weight in relation to this site.

4. The NPPF 2019 also emphasises the provision of new homes as one of the key roles of the planning system, and this is reflected in the housing targets set out in Core Strategy Policy CP2, which aims to deliver 22,000 new homes over the 2007-2026 period. The draft new London Plan proposes a substantial increase in housing targets across London, including a target for Brent of up to 2,325 new homes per year. Brent's draft Local Plan 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.
5. The site is also part of the Alperton Housing Zone, one of a number of such areas designated by the Mayor of London as having the capacity to deliver a substantial quantum of new housing is one of a number of Housing Zones designated by the Mayor of London in November 2015 and for which additional GLA funding has been made available to support this housing growth.
6. Brent's draft Local Plan identifies this site as part of a site allocation (BSWSA1: Alperton Industrial Sites), which seeks mixed use redevelopment involving co-location of housing and industrial uses. As a minimum, the existing industrial floorspace or the industrial capacity (a 0.65 plot ratio) should be provided across the wider site allocation.

Industrial floorspace

7. The site currently contains a vacant car showroom (sui generis) and industrial units (use class B1c) of approx. 620sqm area, together with areas of hardstanding and a semi-basement car park constructed as part of a building approved under planning permission ref 05/2773 (although the rest of the building has never been constructed, the permission has been implemented with the construction of the basement and could lawfully be completed at any time). The approved building would provide 1,393sqm approx. of industrial floorspace in addition to D2 assembly hall floorspace. The total industrial floorspace of the existing site would therefore be 2,033sqm, if the extant permission were completed. However, given changing economic circumstances and the changing nature of demand, your officers consider that the extant permission is unlikely to be completed and that the approved building cannot be considered to contribute to the existing floorspace on site, and that the existing industrial floorspace is therefore 300sqm.
8. However, the industrial capacity is the higher of the existing industrial floorspace or 0.65 times the area of the site, which would be 2,275sqm. Both draft Policy E7 and the proposed site allocation require the greater of existing floorspace or industrial capacity to be reprovided.
9. The proposal includes 1,878sqm of industrial floorspace, which falls short of the industrial capacity of the site by around 396sqm. To support the justification for the shortfall in industrial floorspace within the site, the applicant has submitted an indicative masterplan demonstrating how industrial capacity could be intensified across the wider BSWSA1 site allocation without requiring capacity to be intensified on each individual site. Whilst this is an indicative masterplan and does not carry any weight in planning terms, the GLA have advised that in view of the masterplan-led approach employed by the applicant and the Council's emerging plan-led strategy of intensifying industrial capacity on LSIS including this application site, the principle of development is in line with London Plan Policy 4.4, and Policies E4, E6 and E7 of the Mayor's Intend to Publish London Plan. Furthermore, it is in line with the objectives of emerging policy BE2 and site allocation BSWSA1 of Brent's Local Plan.
10. The industrial floorspace would be provided as a three-storey building on the Bridgewater Road frontage (Block C), with the ground floor being 4.8m and the upper floors being 3.5m in height. The building is designed to provide flexible floorspace with goods lift provision, to meet the needs of creative ventures, start-up businesses and SMEs in the B1(b) and B1(c) industrial use classes, and would be secured for these uses by condition. The generous heights, open plan layouts, convenient access to the highway and on-site servicing provision would enhance the attractiveness of the units for business users and help to facilitate economic growth in the area.
11. Brent's Draft Policy BE2 seeks 10% of employment floorspace to be affordable workspace in redevelopment of LSIS sites. However, complying with this requirement is likely to impact on other benefits of the scheme, including a reduction in affordable housing that could be delivered on site and on balance, the provision of additional affordable homes is considered to outweigh the provision of 10% (approximately 190sqm) of Affordable Workspace in this particular instance.

12. The Secretary of State has recently directed modifications to the Mayor's intend to publish London Plan Policies E4, E5 and E7. The modifications to Policy E4 would have the effect that Brent would no longer be identified as a provide capacity borough, and there would be no requirement to secure no net loss of industrial floorspace on individual sites. However, the directions also emphasise the need for boroughs to continue to meet identified industrial needs. In the case of Brent, according to the GLA's London Plan evidence base, there would still be a need to plan for an additional 43 hectares equivalent over the Local Plan period to 2041. Therefore it is still important to recognise and maximise opportunities for the re-provision of industrial capacity on site through co-location and intensification. In line with that aim, Brent's emerging Policy BE2 supports proposals on LSIS sites where they intensify employment uses and accord with the principle of a net increase in employment floorspace.

Residential development

13. The proposal would provide 124 new homes in an accessible location within the Alperton Housing Zone. The introduction of housing in this location is supported by the emerging policy context, which directs new homes within the Growth Area and Site Allocations identified within the emerging Local Plan in line with emerging Policies BH2, BSWA1 and BE2. The proposal would make a significant contribution to the Borough's housing targets, and is considered to be acceptable in principle subject to other material planning considerations.

Conclusion

14. The proposal has been assessed against both adopted and emerging policies. As emerging policy documents, the draft London Plan and draft Local Plan are material considerations that carry weight in the determination of this application as they progress due to their advanced stage of preparation. In particular the draft London Plan is expected to be adopted in the near future, and carries substantial weight.
15. Whilst the industrial element of the scheme is at odds with emerging policy requirements in terms of the amount of Industrial space provided (falling 17.5% below target re-provision levels, and without affordable workspace), the site is providing 100% affordable housing, making a significant contribution to the borough's overall housing needs. This is a substantial benefit. From a policy perspective, the site should ideally be seeking to meet the minimum of emerging policy BSWA1 requirements. Nevertheless, it is recognised that provision of 100% affordable housing on site will impact significantly on development viability. On balance it is considered that in principle the development is acceptable in relation to this matter.
16. The proposal responds well to the emerging policy context and is considered to be acceptable in principle.

Affordable housing and housing mix

Policy background

17. Brent's adopted local Policies CP2 and DMP15 set out the requirements for major applications in respect of affordable housing provision, and stipulate that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction in affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target). It does not require all schemes to deliver 50% Affordable Housing. This is an important distinction.
18. The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing.
19. The emerging London Plan (Intend to Publish Version) affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and that the following split of affordable housing provision is applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based

on identified need.

20. Brent's emerging Local Plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (emerging Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split. Brent draft Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.
21. Brent's draft Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted Policy DMP15 would carry considerably more weight than the emerging policy at present.
22. The draft London Plan is at a more advanced stage than Brent's emerging Local Plan and has been subject to comments from the Planning Inspectorate. Whilst concerns have been raised about some London Plan draft policies by the Inspectorate, none of those concerns relate to these policies and it can therefore be considered that this draft policy carries reasonable weight at this stage. The policy requirements can be summarised as follows:

Policy context	Status	% Affordable Housing required	Tenure split		
Existing adopted policy	Adopted	Maximum reasonable proportion	70% Affordable Rent (to 80% Market)	30% Intermediate	
Emerging London Plan	Greater weight	Maximum reasonable proportion	30% Social / London Affordable Rent	30% Intermediate	40% determined by borough
Emerging Local Plan	Limited weight	Maximum reasonable proportion	70% Social / London Affordable Rent	30% Intermediate	

Assessment

23. The proposal would provide the following mix of units:

	1bed	2bed	3bed	Notes
47 x affordable rented units *	14	18	15	70% of 62
15 x shared ownership units *	4	10	1	30% of 62
62 x shared ownership units **	17	40	5	
Total units	35	68	21	124
% of total	28%	55%	17%	100%

* These 62 units represent 50% of the total provided as affordable housing, at a tenure split of 70:30.

** These 62 units would be shared ownership, above and beyond a policy-compliant level of affordable housing.

24. Based on 100% affordable housing across the whole scheme, the tenure split would be 60:40 (by habitable room) shared ownership to affordable rent. However it is important to recognise that both Local Plan policies and the Mayor's policies seek 50% affordable housing on industrial sites. In this case, half of the units (62 units in total) would be provided as affordable housing at a policy compliant tenure split (77:23 affordable rent to shared ownership by habitable room, with the affordable rented provision more

heavily weighted towards family-sized units). This would fully comply with the requirements of Policy DMP15. Furthermore, it would comply with the threshold criteria set out in draft London Plan Policy H6, and would therefore be eligible for the fast track route.

25. The proposal does not require a Financial Viability Assessment to comply with either Brent or London Plan policy requirements, and the provision of this level of affordable housing is considered to be a significant planning benefit. The applicant has chosen to provide the additional 62 units for shared ownership, and the provision of affordable housing above and beyond the policy requirement, notwithstanding that this is not Brent's preferred tenure, also represents a planning benefit.
26. The affordable rented units would be provided at London Affordable Rent or similar levels and the Shared Ownership units in line with the household income cap and eligibility criteria for intermediate products set out in the London Plan and draft London Plan. These matters would be secured through the s106 agreement.
27. Whilst the proportion of family-sized units does not meet the 25% target set out in Policy CP2 as only 17% is proposed in total), the proposed housing mix represents a balance between the competing policy priorities of providing industrial capacity and affordable housing. Furthermore, the family-sized units would be predominantly for London Affordable Rent (15 of the 21 LAR units) and that this would respond to a specific local need for family-sized affordable housing.

Design and appearance

Policy background

28. 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. Draft London Plan Policy D6 proposes a design-led approach to density and optimising the development potential of sites. Brent's emerging Policy BD2 directs tall buildings towards specific locations including allocated sites, and requires these to be of exceptional design quality and providing positive additions to the skyline. This site is within one of the Tall Building Zones identified, and the proposed site allocation BSWSA1 also sees the sites in this area as being suitable for continuing the emerging cluster of tall buildings around Alperton Station, while stepping down towards boundaries with traditional two-storey housing.
29. The surrounding area is varied in character and the site is in an area of transition, between traditional two-storey housing to the west and northwest, and the larger scale buildings and mix of uses around Alperton Station to the east and south. The emerging street scene is characterised by a cluster of tall buildings centred near to the station, including Minavil House (maximum height of 26 stories, granted permission under 16/2129 and now in construction) and Alperton House (maximum height of 23 stories, granted permission under 18/4199), both located in close proximity to the application site.

Height, mass and bulk

30. The proposal would be essentially comprised of four elements. Addressing the street frontage on Bridgewater Road would be a three-storey building for industrial use (Block C). Towards the northwestern boundary, an eleven-storey point block (Block A) would provide residential units for affordable rent, whilst a 19-storey point block towards the southeastern boundary (Block B) would provide residential units for shared ownership (both having ancillary facilities on the ground floor and units on the upper floors). The buildings would be linked at first floor level by a podium garden, and the two point blocks would be linked by a central element on the rear northeastern boundary of seven stories above the podium. This central element would comprise a combination of affordable rent and shared ownership units.
31. The greater height of the two point blocks would be mitigated by their being set back from the road frontage. The lesser height and depth of the central element to the rear would establish its subservience to the point blocks and would prevent the impression of an extended and bulky mass. The lower eleven-storey Block A would provide a stepping down towards the two-storey residential properties further to the northwest, and the taller 19-storey Block B would be appropriately placed to contribute to the emerging cluster of tall buildings around the Bridgewater Road / Ealing Road junction. On the street frontage the lower height of the three-storey Block C would further mitigate the visual impact of the buildings and would prevent the development appearing oppressive and overbearing within the street scene. At ground floor level, the distinct architectural treatment of the commercial frontage and residential entrances would create a clearly defined base, while the top of each part of the building would

also be well defined through parapet detailing.

32. The visual impact on Alperton Station as a locally listed building (a non-designated heritage asset) has also been considered. The two sites are approx. 100m apart, and separated by the railway tracks which run above ground at this point and provide a significant visual barrier separating the Station from buildings on the other side of the tracks. The impact on the Station is considered to be acceptable in this respect.
33. Overall, the proposal would be similar in form to a perimeter block, with built development on all four sides surrounding the podium garden. However, the variation in height and bulk of the four elements would create a well modulated and harmonious composition. The proposal would respond well to the constraints and opportunities of development in this area of transition between the dense urban fabric around Alperton Station and the more traditional housing to the northwest.

Architectural detailing and materials

34. The residential and commercial elements of the scheme would have a shared architectural language, with the use of repeating window arrangements to create a strong rhythm and vertical emphasis to both elements. The ground floor elevations would be consistent across both commercial and residential elements, helping to ground the development within the street scene and further unify the two parts. Meanwhile, differences in window proportions and detailing would give separate definition and identity to the two elements.
35. The composition of the residential point blocks would be based on a double-storey grid in which alternate floors would be emphasised with vertical banding, and this approach makes the overall bulk of the building appear legible and proportionate in the street scene. The alternation of windows and recessed balconies helps to break up the facades and prevents these from appearing overly bulky and monotonous. The central linking block would have a more horizontal emphasis through the use of wider recessed balconies, and this would further reduce the perception of height on this block.
36. The residential entrances would be set back from the street to align with the location of the point blocks. However, they would be emphasised through design features such as the coloured concrete facades, to provide legibility and a sense of arrival for residents, and would be further enhanced by landscaping and external lighting. They would be accessed along dedicated routes within the shared surface service road. The development would be tenure blind, with the same design quality and detail across both tenures.
37. The materials palette would be common to the residential and commercial elements of the scheme, and this would also help to link the two elements together visually and create a strong identity for the development. Multi-colour brick is proposed as the main material and this, with precast cream panels and banding, and metal window frames and balustrades, aims to provide durability, withstand weathering and sit comfortably within the surrounding street scene.
38. The use of materials is considered to successfully capture the aesthetic of the existing and emerging context and as such responds positively to the character of the surrounding area. Further architectural detailing such as projected brick coursing would add texture and visual interest to the elevations and create a sense of variation in scale. Further details of materials would be required by condition.

Conclusion

39. The height and bulk are considered to be appropriate to the emerging street scene whilst also respecting the traditional suburban character nearby, and the layout and architectural detailing create an effective relationship with the street and high levels of visual interest. Overall, the design is considered to be of high quality and is supported by your officers.

Residential living standards

Policy background

40. 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 there is a shortfall in private amenity space, this can be

supplemented through access to communal external amenity spaces.

41. In addition, London Plan Policy 3.6 requires play and recreation facilities to be provided based on the expected child yield, including doorstep play for younger children and off-site provision where necessary for older children. 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.
42. 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, including sunlight to amenity spaces, are also recommended.

Internal layout

43. All of the units would meet or exceed the minimum internal space standards, with efficient and convenient internal layouts and living rooms designed to face south where possible to take advantage of sunlight. The number of dual aspect units has been maximised through the design process to comprise 76% of the total, and the only single aspect units would be 1beds facing northwest or southeast so as to avoid the drawbacks of solely north- or south-facing units. The cores would be efficiently laid out and floor to ceiling heights are proposed to be at least 2.5m.
44. Thirteen of the units would be very generously sized and are indicated as being wheelchair accessible to M4(3) standards (accounting for over 10% of the proposed homes). These would be split between the two tenures and across different unit sizes, but with disproportionately more in the affordable rent tenure. Further details of compliance with M4(2) and M4(3) standards would be required by condition.
45. A Daylight & Sunlight Report has been submitted in support of the application, and this assesses the daylight and sunlight available to the proposed units. The light levels within the proposed units would be good overall, with only two of the 28 rooms tested unable to meet the BRE's suggested targets. These would be first floor rooms, where the combination of projecting wings and overhanging balconies above would restrict the amount of light these rooms could receive, and they would all be dual aspect units and so would have a good standard of light and outlook overall. The proposed amenity spaces would receive more than the recommended minimum amount of sunlight on 21 March and would also receive plenty of sunlight on 21 June.
46. Separation distances of over 21m would be maintained between directly facing habitable room windows, to ensure that future residents would have adequate privacy and protection from overlooking. A small number of units on the internal corners of the building would face one another at right angles, and windows in these units have been carefully positioned to prevent any overlooking between them. All balconies would be recessed, and this would prevent overlooking between balconies without the need for additional balcony screening, and a planting edge would provide privacy for units with habitable room windows and private terraces adjoining the podium garden.

External amenity space

47. The proposal has been assessed against the standards set out in Policy DMP19 and emerging Brent Policy BH13 and London Plan Policy D6 as follows. There are no family-sized units at ground floor level proposed within the scheme and therefore the policy standard of 20sqm per unit would apply to all units.
48. All units would have recessed balconies providing between 5.1sqm and 9sqm of private balcony space. In terms of compliance with Policy DMP19 and emerging Policy BH13, the individual shortfalls against the 20sqm standard have been calculated and added together to result in a cumulative shortfall of 1,620sqm (608sqm for residents of Block A and 1012sqm for residents of Block B). In terms of compliance with Policy D6, all homes would have access to the specified amount of private amenity space (5sqm for 1- or 2-person homes and 1 additional sqm for each additional person).
49. The proposal also includes a first floor podium garden of 550sqm which would be accessible to residents of both blocks, an eighth floor roof terrace of 205sqm on top of the linking element which would be accessible to Block B, and an eleventh floor roof terrace of 351sqm on top of the eleven-storey point block, which would be accessible to residents of that block, Block A. These spaces would provide communal amenity space of 1,106sqm in total. Assuming the use of the podium garden is shared between the blocks on a pro-rata basis according to the number of units, the resultant shortfall would be 48sqm for residents of Block A (approximately 1sqm per home) and 456sqm for residents of Block B

(approximately 6sqm per home). The total shortfall of 514sqm would be broadly comparable to the shortfalls accepted on other high-density developments in the area, and the amount of communal amenity space would be more heavily weighted towards the London Affordable Rent units in Block A, which also comprises a greater proportion of family-sized homes.

50. The Landscape Strategy submitted describes how the communal amenity spaces would be attractively landscaped as densely planted gardens, each including play spaces to provide a diverse range of play elements and allowing for passive surveillance of play areas. The GLA policy requirement for play space is 699.5sqm in this case. The total provision of 671sqm of on-site play space would be broken down into spaces for different age groups (0-3, 4-10, 11-15 and 16-17), and the small shortfall in the amount required for the last group could be mitigated by the proximity of the development to One Tree Hill Recreation Ground to the north. Further details of landscaping, including play equipment and other external furniture, would be required as part of the landscaping condition.
51. Overall, the amenity space provision would be of high quality and offer a variety of experiences. It is considered that the shortfall against Policy DMP19, emerging Policy BH13 and London Plan Policy 3.6 (and emerging Policy S4) standards could be mitigated by a financial contribution of £35,000 towards improvements to One Tree Hill Recreation Ground. This would help to provide enhanced outdoor recreation facilities to support the increased demand resulting from the development, and would accord with Policy 3.6 and emerging Policy S4, which encourages off-site play facilities for older children.

Conclusion

52. Notwithstanding a small shortfall in the amount of amenity space provided in comparison to policy standards, the proposal would provide a high standard of residential accommodation, in terms of both internal floorspace and external amenity space, and is strongly supported on this basis.

Relationship with neighbouring properties

Policy background

53. Any development will need 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 (although it should be noted in this case that the site does not directly adjoin any existing residential properties). Separation distances of 18m to windows and 9m to boundaries with adjoining properties or development sites should be maintained.
54. 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.
55. To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. The guidance sets a target for windows of 25% of total APSH including 5% in winter months for windows, and for amenity spaces to receive at least two hours sunlight on 21 March and not less than 0.8 times their former value.
56. However, the BRE also recognise that different criteria for daylight and sunlight 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 2019 also supports a flexible approach to applying standards in order to make efficient use of sites.

Separation distances

57. The development would retain a separation distance of approx. 9m from the southeastern boundary. Although this boundary is with an electricity substation that is not expected to be relocated so that the site could come forward for redevelopment in the near future, the 9m separation distance would allow it to do so in a similar manner.
58. On the northwestern side, the commercial building on the road frontage would be approx. 8m from the

boundary with the adjoining site. This is considered acceptable given that privacy standards do not apply to commercial buildings. This boundary is roughly L-shaped, with the rear of the site extending further to the northwest, and on this part of the site the lower of the two point blocks would be approx. 16.5m from the boundary, and thus exceeding the 9m separation distance from the neighbouring boundary as set out in SPD1.

59. In terms of the adjoining site to the northwest, this is also part of the proposed site allocation and is the subject of a current planning application ref 20/1151. However, little weight can be given to this application at present as it does not yet have a resolution to grant consent. One front elevation window on each floor in Block A would partly face onto the angled part of the shared boundary, albeit obliquely, at a distance of only 7m. However, given the oblique relationship between the window and the boundary and the fact that only a small part of the window would face onto the boundary your officers consider there would be very limited scope for any overlooking between the two developments to occur. Side-facing windows in these units would retain a distance of 13m to the boundary, however overlooking from the front-facing sections of their balconies could be of concern, and a condition requiring a suitable form of balcony screening on these sections is recommended. Otherwise, the proposal would maintain in excess of the required 9m separation distance from this boundary to allow the adjoining site to come forward in an acceptable form of development.

Daylight and sunlight assessment

60. A Daylight & Sunlight Report was submitted. A total of 557 neighbouring residential windows were analysed to understand the impact of the proposed development upon them. These included 270 windows and 220 windows respectively at the recently consented schemes (but not yet constructed) at Minavil House (ref 16/2629) and Alperton House (ref 18/4199), in addition to properties on Bridgewater Road.
61. A high proportion of the windows tested (532 of 557, or 96%) would fully comply with BRE targets for VSC, including all windows at the consented Minavil House and Alperton House developments, and at Nos 2, 9, 13, 17 and 19 Bridgewater Road. Further commentary is provided below on properties with windows that would fail to comply with the targets.
62. 1-2 Dowling Parade is a two-storey building within the designated LSIS, of which the ground floor is in use as a vehicle parts retail outlet. Although there is no planning history to confirm this, council tax records and officer site visits suggest that the building includes two residential units on the first floor, and this is borne out by information submitted with the recent planning application for that site (ref 19/3819), although this information does not include the existing residential layouts. This building is located in close proximity to the northwestern boundary of the site.
63. Of the nine windows tested at this address, four would fail to comply with the BRE targets, retaining a VSC of between 0.7 and 0.8 times their former value. These are located on the southeastern elevation and have a direct view over the proposal site. The existing buildings on this and the adjoining site are low-rise and the levels of light currently received at these windows is unusually high for an urban context (between 34% and 38% VSC). Thus, although the VSC values of these windows would fall to between 0.7 times and 0.8 times their former values, the VSC values would still be between 24% and 26%, just below the recommended 27%. The BRE Guidelines advocates the use of alternative targets where unusual baseline conditions exist. It is important to note that these existing units are in a designated industrial site without the benefit of planning permission, that this site is also proposed to be allocated for redevelopment, and that a planning application to redevelop the site is currently under determination. Furthermore, although no internal layouts are available, it is assumed that the two units are both dual aspect as the first floor has a number of windows on all four sides, and consequently that both would retain light from an alternative aspect following the development (the average retained VSC across the nine windows tested would be 31%, which is considered very good for an urban location, and the six rooms tested for NSL would all continue to meet BRE targets).
64. 1-19 Bridgewater Road (odd numbers): these properties are two-storey terraced houses located to the southwest of the site across the road. As such they currently look onto the low-rise buildings of this and the adjoining undeveloped industrial sites and therefore have unusually high levels of existing VSC. Of the 54 windows tested, 33 would continue to meet the VSC targets. Fourteen windows would retain VSC values of between 0.7 times and 0.8 times their former value. Nine would retain VSC values of between 0.6 times and 0.7 times their former value, and two would retain VSC values of less than 0.6 times their former value. However, fifteen of the affected windows would still retain relatively high VSC values of over 20% but under 27%. The windows affected include both ground floor and first floor windows and are

assumed to serve living areas and bedrooms, although some of the smaller first floor windows may serve bathrooms. They include large bays at both ground and first floor which are served by two or three windows, all of which have been tested separately.

65. The NSL test, which assesses the distribution of daylight within the rooms served by these windows, provides a further measure to understand the impact on neighbouring amenity more fully. This test was applied to 365 rooms served by the 557 windows, and all rooms tested fully comply with the recommended values. This suggests that, although some windows would fail to meet the VSC targets, all of the properties affected would generally continue to appear well lit.
66. In terms of overshadowing and loss of sunlight, the impact on 58 existing rooms facing within 90 degrees of due south has been assessed. Two rooms at 15 Bridgewater Road (a living room and bedroom) would fail to meet the recommended target for annual sunlight, although they would meet the target for winter sunlight. However, it is noted that these windows face northeast and would only receive sunlight in the early morning in any case.
67. Overshadowing to neighbouring amenity spaces has also been assessed. The Alperton School playground would receive sunlight throughout the day with some minor shadow effects on 21 March, would notice minimal change on 21 December and would experience minor shadow effects between 3pm and 5pm on 21 June. The adjoining site to the northwest would experience some overshadowing at the rear of the site in the early morning on 21 March and more noticeable morning overshadowing on 21 June, however this site does not currently have a resolution to grant consent and its redevelopment would in turn be likely to create some overshadowing to the application site. These impacts are considered to be acceptable given the high density urban context of the scheme. There are no other amenity spaces that could be affected, due to the position of the site to the north of most other properties in the area.

Conclusion

68. Adequate separation distances would be retained to allow neighbouring development sites to come forward in an appropriate manner. The impacts on daylight and sunlight to neighbouring properties and their amenity spaces would be minimal given the emerging high density character of the area and the scale of the development. It is important to note that the NPPF paragraph 123 encourages a flexible approach to applying guidance on daylight and sunlight where this helps to make efficient use of a site to deliver new housing, whilst the wider benefits of a scheme providing 100% affordable housing are also considered to outweigh any concerns in this respect. The proposal is considered to establish an acceptable relationship with neighbouring properties and development sites.

Sustainability and energy

Policy background

69. 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.
70. 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.
71. 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.

Assessment of proposal

72. The proposal is supported by an Energy Statement, which sets out in detail the measures proposed to

achieve the policy targets. These include a thermally-efficient building envelope reflecting passive design principles, together with high-efficiency, resulting in energy efficiency savings of 15.3% for the residential elements and 16.7% for the commercial. Efficient services and an on-site district heating network based around a communal ground-source heat pump, together with 160sqm of photovoltaics on the roof of Block B, would bring the total on-site carbon reduction for the residential element up to 64.4% and for the commercial element to 41.7%.

73. Based on these details, the proposal would exceed the policy target for both residential and commercial floorspace reductions on-site. A financial contribution to Brent's carbon offsetting fund, estimated at this stage to be £125,416, would be secured through the s106 agreement, together with revised Energy Statements at detailed design and post-completion stages.
74. The GLA have requested further detailed information in relation to the district heating network connection, overheating and ground source heat pumps. These matters are mainly of a technical nature and are being addressed with the GLA prior to the Stage 2 referral.
75. A BREEAM Pre-Assessment has also been submitted. This demonstrates that the commercial floorspace would achieve an Excellent rating based on the measures that can be targeted at this stage, and that further measures that could be applied at the detailed design and construction stages would potentially increase the score further. A Post-Completion Certificate would be secured through the s106 agreement, to ensure that a BREEAM Excellent rating is delivered.
76. A Sustainability Statement has been provided, providing an overview of sustainable design and construction measures in accordance with Policy CP19. These include the use of internal blinds in residential units to reduce overheating, water efficient fixtures to reduce water consumption (residential use targeted at 105 litres per person per day), selection of building materials based on embodied impact and responsible / local suppliers, and use of blue roofs and water butts.

Impacts on microclimate and reception of TV and radio services

77. A wind microclimate study was carried out, to determine if wind comfort and safety conditions would be suitable for pedestrian activities at the site and its surroundings. This study found that the proposed development would result in some increases in wind speeds at the east and west of the proposed development, but that these would still be suitable for pedestrians walking through the area. It also identified that some residential balconies would not have enough sheltering from southerly windows to allow sitting and standing, and a redesign of the proposed perforated metal balustrades was recommended. Small areas of higher wind speeds in the communal amenity spaces and entrance to Block B were identified, which could be mitigated through suitable landscaping measures. These recommendations have been incorporated into the design of the proposal as submitted, ie balcony balustrades have been redesigned in solid materials and tree planting has been incorporated in the affected areas as recommended, and this process ensures that wind conditions in and around the the proposed development would be suitable for the intended use.
78. A survey of predicted impacts from the development on TV and radio reception to neighbouring properties was submitted, including FM radio and digital terrestrial and satellite television. Terrestrial signals within 150m to the northwest of the site could be affected, but this could be mitigated by measures such as repositioning or enhancing aerials. No satellite receivers would be affected and the development is considered unlikely to impact on FM radio broadcasts.

Environmental health considerations

Air quality

79. The site is within an air quality management area and an air quality assessment has been submitted.
80. Environmental health officers have reviewed the assessment, and consider it to be acceptable subject to the use of heat pumps for the heating system and the development remaining car free apart from Blue Badge spaces (parking is discussed under Transport Considerations below). There is no requirement for air quality mitigation measures to be integrated within the development. The proposal therefore complies with London Plan Policy 7.14 and emerging Policy SI1, together with Brent's draft Local Plan Policy BSUI2.

Noise and vibration

81. In accordance with Policy D13 of the draft London Plan, the proposal has been assessed in terms of noise and vibration. This 'Agent of Change' policy seeks to ensure that redevelopment of industrial sites to include residential uses provides acceptable standards of residential accommodation but does not prejudice the continued operation of neighbouring industrial sites.
82. A Noise and Vibration Assessment was submitted with the planning application. The assessment details the noise impact upon the proposed development from the existing noise climate, and the potential noise impact of mechanical plant and equipment within the development site upon existing nearby noise receivers. Furthermore, given the proximity of the Piccadilly Line operated by London Underground, the assessment also details the ground-borne vibration impact of the trains upon the proposed development.
83. The assessment recommends mitigation measures to achieve comfortable internal and external acoustic environments in the proposed buildings, and suitable noise limits for new fixed mechanical plant and equipment. It recommends that bedrooms throughout the development should be mechanically ventilated as external noise would exceed levels recommended for sleep, although some living spaces and the workspaces could be naturally ventilated and still achieve recommended noise levels. Openable windows would be provided to allow for purge ventilation for short periods of time or to allow individual residents to choose natural ventilation.
84. Environmental Health have been consulted and confirm that the assessment complies with relevant standards and is acceptable, subject to the recommended mitigation measures being implemented. No further conditions are required.

Contaminated land

85. Environmental Health officers have reviewed the site investigation report submitted and agree with its recommendations for further sampling and testing after demolition of the existing buildings. This would be secured by conditions, together with any necessary remediation measures.

Construction process

86. A condition is recommended, to secure the submission of a Construction Method Statement prior to commencement, to control dust, noise and other nuisance impacts of the construction process.

Flood risk and drainage

87. The site is within a Flood Zone 1 for river flooding, but is susceptible to groundwater flooding and is within a flood zone 3a for surface water flooding, with a high risk of flooding during significant rainfall on the public highway due to low points and sewer capacity. London Plan Policy 5.13 and Brent Policy DMP9b require sustainable drainage measures on major development sites, and this requirement is carried forward in the emerging London Plan Policy SI13 and Local Plan Policy BSUI4.
88. A Flood Risk Assessment and Drainage Strategy has been submitted to address these issues, and the applicants have been in discussion with the Local Lead Flood Authority (LLFA) to provide further information on the measures proposed. These measures include blue-roof systems to hold rainwater temporarily at roof level and water butts used to irrigate soft landscaped areas including the first floor podium.
89. The LLFA considers the drainage strategy to be acceptable and appropriate for the proposed development. The GLA also consider that it complies with London Plan policies.

Trees, landscaping and biodiversity

90. 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, an Arboricultural Survey has been submitted which identifies four Category C trees and one Category C tree group that could be affected by the development (these include three trees along the road frontage, one tree outside the southeastern boundary and a tree group along the northeastern boundary with the railway embankment). The Survey recommends retaining all but the one tree on the southeastern boundary (this is a young self-set tree growing predominantly in hardstanding on land belonging to the electricity substation) if possible.

91. An Arboricultural Impact Assessment and Method Statement has also been submitted, and sets out measures for protective fencing during construction. These measures are considered to be adequate and appropriate given the low arboricultural value of the trees concerned, however a condition is recommended to require the replacement of any street trees that may need to be removed as a result of construction works.
92. The adjacent railway line embankments are also part of a designated wildlife corridor protected by Brent's Policy DMP8 and emerging policy BG11. To assess potential biodiversity impacts, the application has been supported by an Ecological Report providing the results from a desk study, extended phase 1 habitat survey and surveys for bats and reptiles.
93. The Report concludes that there are no statutory designated sites near the proposal site, and that the nearest Site of Importance for Nature Conservation (SINC) would not be directly affected as it is approximately 30m north of the site at One Tree Hill. No areas of ancient woodland were identified near the site, and no Habitats of Principal Importance within close proximity such that they would be affected by the development. The buildings surveyed on site were found to have low or negligible potential for bat roosting, and no bats or evidence of bats were recorded. A reptile survey was conducted within areas of suitable habitat on site, but no reptiles were recorded. No protected species were found, however breeding birds and hedgehogs could be present within the site owing to the suitable habitats present, and precautionary mitigation measures are recommended in the Report to minimise any impacts on these.
94. Ecological enhancements are proposed, including planting of native species and providing bird nesting and invertebrate habitat features, and further details of these would be secured through the landscaping condition.
95. Subject to compliance with the recommendations of the submitted reports, the proposal is considered to be acceptable in terms of its impact on trees and biodiversity and in compliance with Policy DMP8 and emerging Policies BG11 and BG12.

Urban greening

96. London Plan Policy 5.10, draft London Plan Policies G1 and G5, and Brent's emerging Policy BG11, encourage development proposals to embed urban greening as a fundamental element of site and building design, and draft policies require detailed information on the development's urban greening factor to be submitted as part of major planning applications.
97. The Urban Greening Factor for the proposal has been calculated in accordance with draft Policy G5, which recommends a target score of 0.4 for predominantly residential developments. The proposal would achieve a score of 0.35 and, whilst this falls short of the draft policy target, the proposal would provide a significant uplift in greening and would utilise greening measures including trees, high quality landscaping and intensive gardens at roof level. Therefore, on balance, it is considered that the proposal maximises urban greening provision and the level of green cover is acceptable in this instance.

Transport considerations

98. Bridgewater Road is a London distributor road and a bus route with two lanes in each direction. There is a roundabout junction with Manor Farm Road on the site frontage. On-street parking on Bridgewater Road is prohibited from 8am to 6.30pm on Mondays to Saturdays and loading is prohibited during weekday peak hours. The nearby Burnside Road is classified as being heavily parked at night.

Access

99. The proposal includes a one-way service road running along the sides of the building and through an undercroft at the rear which also provides access to undercroft parking. The service road would have a minimum width of 5m and a headroom of 5m beneath the gated undercroft to provide suitable clearance for delivery and refuse vehicles. Tracking diagrams have been provided to show that 10m refuse vehicles and 8m box vans could negotiate the entire route around the site, including the tight right-angle bends. The same applies to fire appliances, giving them full access to the building perimeter.
100. The surfacing of the service road, the undercroft parking and the footway along the front of the building are proposed to comprise block pavers, thereby providing a shared surface for the service road. A number of raised planters with trees and integral seating are proposed alongside the service road to

improve its appearance and provide resting areas for pedestrians, as well as to help define partially segregated pedestrian routes to the residential block entrances with the help of bollards. Each of the residential entrances would also provide an exit at the rear into the undercroft parking area. Pedestrian access to the workspace block would be taken directly from the Bridgewater Road frontage.

101. The one-way arrangement of the service road has been supported by your transport officers, in particular because it removes any need to accommodate right-turning movements into and out of Bridgewater Road. By bringing all vehicular traffic onto the site to the east of the Bridgewater Road/Manor Farm Road roundabout and out of the site to the west of the roundabout, traffic would be able to turn left-only into and out of the site and use the roundabout to perform any necessary U-turns. Transport for London have welcomed the left-only arrangement as being consistent with Vision Zero objectives and the Healthy Streets approach.
102. Highway works would be needed to amend the existing site access to reduce its width from 16.5m to 6.7m and, to complement this arrangement, the existing gap in the central island in front of the site entrance would need to be closed up as part of the highway works.
103. The plans also propose to provide a newly resurfaced 2.4m wide footway along the Bridgewater Road frontage, pushed back partly into the site to allow the existing grass verge along the frontage to be extended along the whole length of the site. This has been supported by transport officers, and also supports Transport for London's Vision Zero and Healthy Streets approach. Land from the site would need to be dedicated as highway through a Section 38 Agreement to ensure the adoption of the whole width of the new footway. The precise route of the footway in the southeastern corner of the site adjoining the site access would also need to be more clearly defined to ensure it links seamlessly with the existing footway on Bridgewater Road to the east. These matters would be secured by condition.
104. A lighting report has been provided for the proposed service road. This calculates that the eleven proposed LED lanterns on 5m high columns around the site perimeter and seven tree uplighters would produce an average horizontal illuminance of 17-20 lux along the eastern and western lengths of the road, with uniformity ratios in the range 0.14-0.19. This would provide enhanced lighting in accordance with lighting classes CE3/CE4 to reflect the shared use of the route by vehicles and pedestrians, which is appropriate.

Parking provision

105. The PTAL rating for the site is 4 (good) and so the lower residential car parking allowances set out in Table 6 at Appendix 1 of the adopted Development Management Policies 2016 apply. The location of the site to the north of the Dudding Hill railway line also means that the higher allowance of one space per 200sqm for employment use set out in Table 3 applies. The emerging policy context strongly supports a move towards more sustainable travel choices, in particular draft London Plan Policy T6 expects car free development (in which only designated Blue Badge parking is provided) to be the starting point in accessible locations such as this, and draft Local Plan Policy BT2 also encourages car free development where a Controlled Parking Zone is in operation or can be achieved.
106. Up to 102 residential and nine commercial car parking spaces would therefore be allowed and the proposed provision of just nine off-street disabled parking spaces would accord with maximum standards. However, Policy DMP12 also requires that any overspill parking that is generated could be safely accommodated on-street in the area. In this respect, it is generally assumed that private housing would generate parking at 75% of the maximum allowance and affordable housing at 50% of the maximum allowance. With the proposed mix of units, this would translate to an estimated demand for up to 66 spaces (although data for flats held on the 2011 Census suggests a much higher car ownership level in this area).
107. With only nine off-street spaces proposed, an overspill of about 57 cars could be expected. This level of on-street parking demand exceeds the on-street parking capacity along the site frontage or in the wider area (which is already heavily parked), so would be a concern unless suitable mitigation is applied. To this end, given the site location within a Housing Zone and Growth Area, where other nearby developments have recently been approved with limited levels of off-street parking, there is likely to be increasing demand for a Controlled Parking Zone in the area to address parking problems (as proposed in the Alperton Housing Zone Transport Assessment).
108. A CPZ would allow the right of future residents to park within the CPZ to be restricted by the Council, retaining on-street parking within the area for existing residents. This would mitigate parking concerns

arising from the proposal. These parking permit restrictions would be secured through the s106 agreement, in addition to a financial contribution of £60,000 towards the costs of implementing a CPZ in the area. In general, by minimising new vehicle traffic and creating an expectation that new residents would use other modes of travel, a car free development would contribute towards the Council's wider aims of encouraging sustainable travel choices, as set out in draft Policy BT1.

109. Car Clubs are operating from nearby Atlip Road and 243 Ealing Road. To help to promote these, the applicant has confirmed in their Travel Plan that they would be willing to fund membership of a Car Club to incoming residents for three years, and this would also be secured through the s106 agreement.

110. The London Plan requires disabled parking to be provided at the outset for 3% of residential units, which would give a requirement for four spaces. Nine spaces would be provided, comprising eight in an undercroft car park and one along the proposed service road, which would provide surplus spaces should demand require it. Of the proposed spaces, it is confirmed that 20% (two spaces) would be provided with electric vehicle charging points at the outset, with the remainder having passive provision. Transport for London have requested a Parking Design and Management Plan, including further information as to how 10% disabled parking could be provided on site in future if required, to be secured by condition.

Cycle parking

111. Draft new London Plan Policy T5 requires the provision of 1.5 cycle parking spaces per 1bed flat and two spaces for every 2bed or 3bed flat, giving a total requirement for 230 secure residential spaces. A further three short-stay visitor spaces are also required. For the workspace, eight long-term spaces are required, and two short-stay spaces.

112. Three cycle storage rooms for residents are proposed at ground and first floor levels, with a total capacity for 232 cycles on a mixture of two-tier racks and 'Sheffield' stands. The size of the lift and width of the corridor access to the first floor store is suitable for transporting cycles, so this would be an acceptable location for the store. A further storeroom for 14 cycles along with showering facilities for the workspace is shown on the ground floor to meet its long-stay requirement. For visitors, the proposed provision of seven external 'Sheffield' stands along the service road around the perimeter of the building exceeds the required standards.

113. Transport for London have requested further details of the cycle parking provision by condition, to ensure that this fully complies with the London Cycling Design Standards and includes wider spaces for non-standard cycles.

Servicing

114. Three bin stores for the commercial and residential units are proposed around the edge of the building, fronting the proposed service road to allow easy access for collection. The capacity shown for the residential stores (28 Eurobins and 13 wheeled bins) is sufficient to meet residential storage standards.

115. Under the standards set out in Appendix 2 of the adopted Development Management Policies 2016, the workspace would need servicing by 8m rigid vehicles. A loading bay (3m x 8m) has been indicated on the proposed service road at the southeastern end of the building to satisfy this standard.

116. A Delivery & Servicing Plan has also been submitted and although this does not propose any practical measures to manage delivery movements to the site, transport officers consider that this is not a major concern due to the scale of the proposal and the availability of off-street servicing space. Transport for London have drawn attention to the lack of any dedicated servicing facility near the northern residential block, however it is considered that delivery vehicles serving this block could wait in the service road for short periods of time given the low levels of traffic expected on site.

Transport Assessment

117. A Transport Assessment has been submitted with the application, to consider likely future trips to and from the site. For the residential units, the number of trips has been based upon surveys of six other similar residential developments in outer London, whilst for the employment space, the number of trips has been estimated based upon average staff occupancy of 20 staff per sqm (i.e. 95 staff), with 50% of staff estimated to arrive and depart during peak hours. The modal share outputs have then been adjusted to reflect the fact that very limited parking would be provided on the site, although to be robust this would rely upon a Controlled Parking Zone being introduced in the area in the future to prevent

on-street parking.

118. As a result of the assessment, the development is estimated to generate 56 arrivals and 84 departures in the am peak hour (8-9am), and 49 arrivals and 63 departures in the evening peak hour (5-6pm) by all modes of transport. In terms of vehicle trips, just one car movement is expected in each peak hour, due to the very low parking provision. Deliveries to the residential units and workspace are estimated at 16 per day, with up to three deliveries in any given hour. These estimated flows are too small to have any noticeable impact on the local highway network.
119. For public transport trips, 26 to 32 bus trips are estimated in each peak hour, with 41-54 trips estimated by rail and Underground. These are fairly evenly split between arrivals and departures, as the mix of residential use and workspace on the site would generate flows in different directions in each peak hour.
120. Journey to work data from the 2011 census have then been used to establish likely key origins and destinations for journeys and using this data, journeys have been assigned to particular bus and rail routes. This assessment shows that less than one additional passenger would be generated on any particular bus, whilst the maximum impact on rail services would be an additional 1.3 passengers per train on the Piccadilly line into and out of Central London. The impacts are therefore considered to be negligible.
121. Transport for London have queried some points in the Transport Assessment and are in further discussion with the applicants on this. Further updates will be reported via the Supplementary Agenda, however these are considered to be minor technical points that do not fundamentally alter the highways impacts of the proposal.
122. The Transport Assessment has also considered the road accident history in the vicinity of the site by looking at killed or seriously injured (KSI) accidents over the last three years (2016-2018). This identified three KSI accidents at the Bridgewater Road/Manor Farm Road mini-roundabout junction, of which two involved cyclists. This rate is considered to be high.
123. However, as the proposal would provide highway widening along the site frontage (allowing scope to potentially provide an off-road cycle route along the frontage to bypass the roundabout) and would reduce the number of vehicle turning movements into and out of Bridgewater Road, it would generally offer minor improvements to road safety in the area, rather than any disbenefits. It would also provide CIL funding that could be directed towards any identified improvements to cycling facilities along Bridgewater Road in future.

Travel Plan

124. To help to manage travel demand to and from the development, a Framework Travel Plan has been submitted, covering both the residential accommodation and the workspace. Separate Travel Plan Co-ordinators would look after each aspect of the Travel Plan, under the guidance of a site-wide Sustainable Transport Manager.
125. The Framework Travel Plan sets out a number of measures to be implemented by the Travel Plan Co-ordinators to support the 'car-free' development. These include the provision of Travel Information packs, display of information on noticeboards, personal journey planning advice, promotion of local Car Clubs through three years' free membership for residents, provision of interest-free season ticket loans for workplace staff and participation in the Department for Transport Cycle to Work scheme.
126. The target is to keep travel by non-car modes above 90% of total trips, and this would be monitored one, three and five years after opening through the undertaking of pedestrian and cyclist counts, monitoring of use of cycle storage and monitoring of deliveries. Although this is acceptable in principle, the standard practice is to ensure travel surveys are carried out in accordance with TRICS or i-TRACE survey standards. Therefore, in securing the Travel Plan through the s106 Agreement, a clause requiring the monitoring surveys to be to appropriate standards would be sought.

Construction Logistics Plan

127. A draft Construction Logistics Plan is included in the Transport Assessment, and considers transport arrangements during the anticipated 28-month construction period. Average deliveries are expected to total about eight vehicles per day during the majority of the works, peaking at about 15 vehicles (30 movements) in week 25 (with the superstructure works finishing and cladding and fit-out underway). As

the site fronts a major London distributor road, these volumes are acceptable in principle.

128. Deliveries would be pre-scheduled using a booking system to ensure adequate unloading space and holding space within the site at all times, with deliveries to be scheduled outside of peak hours. A just-in-time system would be used to minimise on-site storage requirements, whilst goods would also be smartly procured to ensure full loads where possible.
129. Delivery vehicles would be expected to travel to the site via the A40 Western Avenue or A406 North Circular Road, leaving at the Hanger Lane junction and travelling along Ealing Road to reach the site from the south. Existing accesses would be used to enter and leave the site as per the permanent access arrangements, with vehicles restricted to left turns only with the aid of banksmen. Wheel washing facilities would be provided at the site egress. All vehicles would be FORS and CLOCS registered to maintain safety standards.
130. The site would be enclosed by hoardings and it is not anticipated that these would need to extend out over the footway of Bridgewater Road, so there should be no need for any footway closures. Only limited staff parking would be available on site, so a Travel Plan is proposed to encourage travel by alternative modes than the car.
131. The outline CLP provided in the Transport Assessment is acceptable as the basis for a final CLP which would be required by condition when the principal contractor has been appointed and prior to commencement.

Conclusion

132. There are no objections in relation to transport, subject to conditions and s106 obligations as discussed above.

Equalities

133. 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).

Environmental Impact Assessment

134. On 4 April 2019 the applicants submitted a request for an Environmental Impact Assessment Screening Opinion. On 10 April 2019, the local planning authority published its Screening Opinion, which concluded that an Environmental Impact Assessment was not required for this development. The design of the scheme was subsequently changed and on 28 October 2019 the local planning authority published a revised Screening Opinion, again concluding that an Environmental Impact Assessment was not required.

Conclusion

135. 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 and completion of Section 106 Agreement.
136. Whilst the provision of industrial workspace on site falls below the level that would be expected of Brent to continue to meet identified industrial needs and no affordable workspace is proposed, a balance has to be struck between different planning objectives, and the provision of 100% affordable housing is a significant planning benefit that carries significant weight. Whilst the scheme does fall short on external amenity space standards set out in Policy DMP19 and draft Policy BH13, the quality of accommodation is considered to be good and this would be mitigated through a financial contribution, and the wider benefits of the scheme including 100% affordable housing and improved public realm are also considered to outweigh the limited harm. As such, the conflict with emerging policy on industrial capacity is limited and would be outweighed by the wider benefits of redeveloping the site for affordable housing.

CIL DETAILS

This application is liable to pay **£4,413,581.15** * 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): 640 sq. m.

Total amount of floorspace on completion (G): 14434.8 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) Businesses and light industry	1878.7	0	1795.4	£0.00	£0.00	£0.00	£0.00
(Brent) Dwelling houses	12556.1	0	11999.4	£200.00	£0.00	£3,578,391.45	£0.00
(Mayoral) Businesses and light industry	1878.7	0	1795.4	£0.00	£60.00	£0.00	£108,700.56
(Mayoral) Dwelling houses	12556.1	0	11999.4	£0.00	£60.00	£0.00	£726,489.14

BCIS figure for year in which the charging schedule took effect (Ic)	224	331
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£3,578,391.45	£835,189.70

*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: 19/4541

To: Mrs Ladden Timbers
Barton Willmore
7 Soho Square
London
W1D 3QB

I refer to your application dated **24/12/2019** proposing the following:

Demolition of the existing buildings and structures, the erection of a 'co-location' scheme ranging in height from 4 to 19 storeys, incorporating industrial floorspace with residential units, together with associated landscaping, vehicular access arrangements, car and cycle parking, servicing and refuse and recycling facilities.

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

at **2A, Part of Former Westend Saab and Boyriven Textile, Bridgewater Road, Wembley, HA0 1AJ**

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: 15/06/2020

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

- 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):

A-E10-000
A-E10-001 PL0
A-P11-000 PL1
A-P11-001 PL1
A-P11-002 PL1
A-P11-003 PL1
A-P11-004 PL1
A-P11-005 PL1
A-P11-006 PL1
A-P11-007 PL1
A-P11-008 PL1
A-P11-009 PL1
A-P11-010 PL1
A-P11-011 PL1
A-P11-012 PL1
A-P11-013 PL1
A-P11-014 PL1
A-P11-015 PL1
A-P11-016 PL1
A-P11-017 PL1
A-P11-018 PL1
A-P11-019 PL0
A-P12-001 PL1
A-P13-001 PL1
A-P13-002 PL1
A-P13-003 PL1
A-P13-004 PL1
A-P13-005 PL1
A-P13-006 PL1
A-P13-007 PL1
A-P13-008 PL1
A-P13-030 PL0
A-P13-031 PL1
A-P13-032 PL0
A-P13-033 PL1
A-P13-034 PL0
A-P13-035 PL1
A-P13-036 PL1

Air Quality Assessment (Buro Happold Engineering, Ref 042962 Rev 01, 19 November 2019)
Alpertor Masterplan (Patel Taylor, December 2019)
Arboricultural Impact Assessment and Arboricultural Method Statement (Thomson Environmental Consultants, Ref VBHE108/002, November 2019)
Arboricultural Survey (Thomson Ecology, Ref VBHE108/001, March 2019)
BREEAM Pre-Assessment Report (Frankham Consultancy Group, Ref 227150-FCG-ZZ-XX-RP-Y-0206-S2-P01, November 2019)
Daylight, Sunlight & Overshadowing Report (Point 2 Surveyors Ltd, Ref P2288 V1, December 2019)
Ecological Appraisal Summary and Report (Buro Happold Engineering, Ref 042962, 19 November 2019)
Energy Assessment (Frankham Consultancy Group, Ref 000000-FCG-ZZ-XX-RP-Z-0204-S2-P03, December 2019)
External Lighting Assessment (Frankham Consultancy Group, Ref 227150-FCG-ZZ-XX-RP-E-0203-S2-P02, November 2019)
Fire Strategy (BB7, Ref MSF 031 REV 4, 6 December 2019)
Framework Travel Plan (Velocity Transport Planning Ltd, Ref 2490/1100 Version 1.0, December 2019)
FRA and Drainage Strategy (Tulley De'Ath, Ref 12255, 22 November 2019)
Landscape Strategy (Turkington Martin, November 2019)
Main Investigation Report (Soils Limited, Ref 16883/MIR, June 2018)
Outline Construction Logistics Management Plan (Martin Arnold, Ref PBDY: 3174, 4 April 2018)
Overheating Assessment (Frankham Consultancy Group, Ref 227150-FCG-ZZ-XX-RP-M-0202-S2-P02, November 2019)
Planning and Affordable Housing Statement (Barton Willmore, December 2019)
Pre-application report - Noise and Vibration (Buro Happold Engineering, Ref 0042962, 20 November 2019)
Preliminary Investigation Report (Soils Limited, Ref 16883/PIR, May 2018)
Sustainability Report (Frankham Consultancy Group, Ref 227150-FCG-ZZ-XX-RP-Y-0207-S2-P02, December 2019)
Television and Radio Reception Impact Assessment (GTech Surveys Limited, 18 December 2019)
Townscape and Visual Impact Appraisal (ARC, Ref A242 RE01 v1, December 2019)
Transport Assessment (Velocity Transport Planning Ltd, Ref 2490/1100 D002, December 2019)
Wind Microclimate (Buro Happold Engineering, Ref 0032543, 17 December 2019)

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 only be used for Class B1(b) uses related to industrial products or processes or B1(c) uses and 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 industrial floorspace on the site.

- 5 The scheme hereby approved shall contain 124 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 6 The southwest-facing openings of balconies to units A01.02, A02.02, A03.02, A04.02, A05.02, A06.02, A07.02, A08.02, A09.02, A10.02. shall be obscured to a height of 1.8m above finished floor level, unless otherwise approved in writing by the local planning authority.

Reason: To ensure adequate standards of privacy are retained for neighbouring residents.

- 7 The residential car parking spaces, commercial loading bay, residential and commercial cycle storage and residential and commercial refuse stores shall be provided in full prior to first occupation of the development, shall be used for the parking of vehicles, servicing, 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.

Reason: In the interest of highway flow and safety.

- 8 The development shall be carried out in full accordance with the approved reports Air Quality Assessment (Buro Happold Engineering, Ref 042962 Rev 01, 19 November 2019) and Pre-application report - Noise and Vibration (Buro Happold Engineering, Ref 0042962, 20 November 2019).

Reason: To ensure adequate mitigation of air quality and noise impacts.

- 9 The development shall be carried out in full accordance with the approved Arboricultural Impact Assessment and Arboricultural Method Statement (Thomson Environmental Consultants, Ref VBHE108/002, November 2019) and Ecological Appraisal Summary and Report (Buro Happold Engineering, Ref 042962, 19 November 2019).

Reason: To ensure adequate protection for retained trees, and species and habitats of value.

- 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 DMP1 and London Plan policies 5.3 and 7.14

- 11 Prior to the commencement of the development a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority, outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works.

All agreed actions shall be carried out in full.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance

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

- 12 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.

- 13 Prior to commencement of development, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

consultation with London Underground and their agreement to detailed design and method statements for each stage of the development including demolition, all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent). The design and method statements shall:

- provide details on all structures
- provide details on the use of tall plant/scaffolding
- demonstrate that the development will accommodate the location of the existing London Underground structures
- demonstrate that access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering London Underground land
- demonstrate that there will at no time be any potential security risk to London Underground's railway, property or structures
- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

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.

- 14 Following the demolition of the buildings and 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 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance.
- a report shall be submitted to the Local Planning Authority, 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.
- the written report shall be approved in writing by the Local Planning Authority.

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

- 15 Prior to any construction work involving piling, a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling shall be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) shall be submitted to and approved

in writing by the local planning authority in consultation with Thames Water.

Further guidance on discharging this condition is available at <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

Any piling shall 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 significantly impact / cause failure of local underground sewerage utility infrastructure.

- 16 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 depth of window reveals and 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.

- 17 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), further details of how the development will be constructed so that 90% of the residential units will comply with Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% will comply with M4(3) 'wheelchair accessible homes' standards, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the provision of accessible homes, in accordance with the Mayor's Housing SPG 2015.

- 18 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, any external furniture and play equipment, and 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 for trees planted within the site
- (c) details of bird roosting features and other ecological enhancements to be installed throughout the development as recommended in the approved Ecological Summary and Report;
- (d) details of green roofs to be installed throughout the development;
- (e) details of any external CCTV;
- (f) details of proposed external lighting design to ensure that all external areas are adequately lit in hours of darkness, including a light spillage plan;
- (g) arrangements for maintenance of trees and other planted species.

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.

- 19 Within six months of commencement of work on site, detailed drawings showing the photovoltaic panel arrays on the roof of the proposed building 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.

- 20 Prior to first occupation or use of the development:

- Any soil contamination remediation measures required by the Local Planning Authority under Condition 14 above shall be carried out in full.
- A verification report shall be provided to 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 Local Planning Authority has previously confirmed that no remediation measures are required).
- The verification report shall be approved in writing by the Local Planning Authority.

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

- 21 Prior to first occupation or use of the development, further details of electric vehicle charging points and a Parking Design and Management Plan shall be submitted to and approved in writing by the local planning authority, demonstrating how the parking provision complies with the requirements of draft new London Plan Policy T6.

Parking shall be provided thereafter in full accordance with the approved details.

Reason: To ensure on-site parking provision is of an acceptable standard of design and in compliance with the requirements of draft new London Plan Policy T6.

- 22 Prior to first occupation or use of the development, a Site Management and Maintenance Plan in accordance with emerging London Plan Policy D4 and incorporating a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority and the approved plan shall thereafter be implemented from first occupation of the development. The Delivery and Servicing Plan shall have regard to TfL guidance regarding Delivery and Servicing Plans.

Reason: To ensure the on-going sustainability of the development, in accordance with emerging London Plan Policy D4. In the interest of the free and safe flow of traffic on the highway network.

- 23 Prior to first occupation or use of the development, further details of cycle parking provision shall be submitted to and approved in writing by the local planning authority in consultation with Transport for London. The details shall demonstrate that all cycle parking provided is in compliance with guidance set out in the London Cycling Design Standards, and shall include details of wider spaces for non-standard cycles.

Reason: To ensure cycle parking is provided to an adequate standard, to comply with draft new London Plan Policy T5.

- 24 Prior to first occupation or use of the development, confirmation from Thames Water that the following has been carried out shall be submitted to and approved in writing by the local planning authority:

either completion of all surface water network upgrades required to accommodate the additional flows from the development;
or a housing and infrastructure plan agreed with Thames Water.

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.

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 As required by Building Regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken 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 wwqriskmanagement@thameswater.co.uk.
- 3 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant: scaffolding; security; boundary treatment; safety barriers; landscaping and lighting.
- 4 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
- 5 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 6 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.
- 7 London Underground have advised against locating openable windows and balconies in close proximity to the boundary with the railway embankment, as this could compromise the operational safety of the railway. London Underground require the developer to demonstrate that the development will pose no risk to the railway, and advises that the developer would be liable should such an incident occur.

- 8 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.
- 9 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 10 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.

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

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Agenda Item 03

Supplementary Information Planning Committee on 24 June, 2020

Case No.

19/4541

Location	2A, Part of Former Westend Saab and Boyriven Textile, Bridgewater Road, Wembley, HA0 1AJ
Description	Demolition of the existing buildings and structures, the erection of a 'co-location' scheme ranging in height from 4 to 19 storeys, incorporating industrial floorspace with residential units, together with associated landscaping, vehicular access arrangements, car and cycle parking, servicing and refuse and recycling facilities.

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Further comments from Transport for London

Transport for London have been provided with further details on the proposed cycle parking provision, and have confirmed that they have no objection to this aspect of the scheme.

A financial contribution of £208,000 towards public transport and bus service improvements is requested, and this would be secured through the s106 agreement. The applicants have agreed to a contribution in principle, and the exact amount is under discussion with TfL.

Recommendation: Remains to Grant planning permission subject to Stage 2 referral to Mayor of London, s106 agreement, conditions and informatives as set out in the report.

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

24 June, 2020
04
19/2408

SITE INFORMATION

RECEIVED	5 July, 2019
WARD	Queens Park
PLANNING AREA	
LOCATION	111-115 Salusbury Road, London, NW6 6RG
PROPOSAL	Erection of a fourth and fifth storey over existing three-storey office building to create 8 self-contained flats (comprising 6 No. 2-bedroom and 2 No. 3-bedroom flats) with associated new street level entrance to the front and secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear
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_146019</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 "19/2408" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to **grant** planning permission subject to conditions.

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

1. Standard 3-year time limit
2. Approved Drawings/Documents
3. Landscape details
4. Car Free Condition
5. Details of Privacy Screens
6. Details of Communal Satellite Dish
7. Removal of C4 Home of Multiple Occupancy Permitted Development Rights
8. Materials to be Supplied
9. Cycle/Bin Storage


Plant Noise Detail, Assessment and Compliance

Informatives:

1. CIL Liable Approval
2. Party Wall
3. London Living Wage
4. Fire Safety

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, 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.

SITE MAP

	Planning Committee Map Site address: 111-115 Salusbury Road, London, NW6 6RG © Crown copyright and database rights 2011 Ordnance Survey 100025260
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This map is indicative only.



PROPOSAL IN DETAIL

Erection of a fourth and fifth storey over existing three-storey office building to create 8 self-contained flats (comprising 6 No. 2-bedroom flats and 2 No. 3-bedroom). New street level entrance to the front and secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear.

EXISTING

The subject site comprises a 3-storey office (B1) building. To the rear of the site is a car park, accessed via shared gated service road. The site is located within the Queen's Park Town Centre and the ground floor is located within Secondary Shopping Frontage.

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:** 12 objections have been received and considered. It is considered that the proposal accords with planning policy, having regard to material considerations, and it is recommended that planning permission is granted.
2. **Design, layout and height:** The proposal makes effective use of the existing site. It utilises good architecture and maximises the site's potential whilst regulating its form to respect surrounding development in the areas context.
3. **Quality of the resulting residential accommodation:** The residential accommodation proposed exceed policy size requirements and the proposed units are considered to provide a high quality living environment for future residents. The flats would have good outlook and light.
4. **Neighbouring amenity:** There would be acceptable impacts to neighbouring residential occupiers which would be comparable to a recent permission. The overall impact of the development is considered acceptable, given the mitigation measures used, the urban context.
5. **Highways and transportation:** The scheme is to provide suitable provision of cycle parking secured via a condition and will encourage sustainable travel patterns and mitigate the potential for parking due to the new units, a 'permit-free' development, with the exception of blue badge parking spaces.

RELEVANT SITE HISTORY

16/3731- Granted

Erection of a fourth and fifth storey over existing three-storey office building to create 8 self-contained flats (comprising 6 No. 2-bedroom flats and 2 No. 3-bedroom) with associated new street level entrance to the front and secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear.

This consent has recently expired.

CONSULTATIONS

A total of 66 nearby properties, as well as the Kilburn Neighbourhood Forums and Queen's Park Residents Association were consulted on the application on 9th July 2019.

A total of 12 objections were received, including one from the Queen's Park Resident Association. The table below summarises the concerns and provides some officer comment.

Objection Comments Summarised	Officer Comment
<u>Notification of Development</u>	
<p>No notification of application. Brent Council shows gross negligence as it has failed to follow an open process.</p> <p>States that further consultation is needed.</p>	<p>Nearby occupiers were notified by letter of the proposal in line with Brent's Statement of Community Involvement and the statutory requirements to advertise the application.</p>
<p>Objector states that 105-109 was under construction at time of application for which this is a renewal and as a buyer they were not informed. Further states, that duty not met by council and this invalidates 16/3731 decision.</p> <p>When purchasing adjacent flats owners were not advised of this development and would have impacted their decision to buy. Asks council to take account of hard working tax paying residents who bought in good faith.</p>	<p>As the flats were not complete (at the time of the previous application), naturally no notification letters could be sent by the Council as addresses did not exist.</p> <p>Consultation for the previous application was undertaken in line with statutory and local requirements and the full details of the application were available on the Council's website so were viewed for any prospective purchasers.</p> <p>All comments that are received are considered irrespective of whether or not those who make the comments pay council tax or income tax. Planning decisions must be based on planning policy and guidance.</p> <p>To reiterate properties at 105-109 were consulted as part of this application.</p>
<u>Impact to residential amenity</u>	
<p>Would negatively impact flats in 105-109 in terms of noise, light and outlook, no longer be able to see the sunset. Reduction in light, outlook and open view, would result in shadow and darkness. Including proposed building being set forward of adjacent building. Concerns raised it would result in a loss of privacy, asserts flats would look directly into opposing kitchen.</p>	<p>The impact of light, outlook and privacy is discussed in the detailed consideration section of the report.</p> <p>Residential use is not considered to be an inappropriately noisy use situated next to another residential use. If used reasonably the proposal would not have an unduly adverse impact on the neighbouring occupiers in terms of noise and disturbance.</p>
<p>Increase in traffic, parking, disruption and pollution.</p>	<p>The development would be subject to a car free condition. Notwithstanding this the development of 8 flats would not result in significant and harmful increases in traffic, disruption and pollution.</p>
<p><u>Concerns relating to building issues /developer</u> Notes developer and agent is same as a nearby development and states there are ongoing building issues. Refers to leaks, issues with pigeons and snagging.</p>	<p>The building issues at a different site and developer/agents are not considered to form a material planning consideration and this application must be judged on its own merits.</p>
<p>Freeholders not met council's standards of covered rubbish areas for commercial tenants and this attracts rodents.</p>	<p>The proposed dedicated refuse area to the rear provides sufficient space for waste capacity and appropriate management would minimise these risks. A separate area for commercial waste is shown and this is not impacted/related to this residential development.</p>

<p>States that shops nearby attract rodents and have noisy deliveries outside acceptable hours, as well as an increase in crime and beggars.</p>	<p>These rubbish/vermin matters, crime and beggar issues associated with nearby shops are not a material planning considerations that can be given any significant weight in the assessment of this application. There is no evidence that this proposal would significantly affect these concerns. The application proposes adequate waste facilities for the proposed development.</p> <p>Again the noise from deliveries is not relevant to this application.</p>
<p>No ventilation in south facing lobbies which, high temperatures can lead to lifts not being in use. Request Council inspect from a health and safety point of view. Asserting that being in a glass elevator if its breaks down could be fatal.</p>	<p>Issues with the building ventilation/operation of the existing lobby and lifts are not material planning considerations. The operation of the lifts and mechanics of the working in not a martial planning condition. The proposal would have to comply with Building Regulations which would assess the performance of the building to ensure it sufficiently meets the relevant standards.</p>
<p>No provision for disability access within the building.</p>	<p>The application is not a major application, whilst disabled units are encouraged, they are not mandatory.</p>
<p><u>Impact to character and appearance</u> Proposal disregards previous efforts to maintain the architecture on the street and low rise village atmosphere. Would be ugly blot of real estate.</p> <p>Outer edges crudely jammed to accommodate central atrium. They are minimally staggered to maximise profits, greedy by developer.</p> <p>Floors hardly staggered, style is not sensitive to historic charm or Victorian houses.</p> <p>Object to scale of development, it would be overdevelopment Solid plain façade with no decoration, different to local area.</p> <p>Zinc cladding would contrast and would deteriorate and look unsightly.</p> <p>Dominant building in context of adjacent studios.</p> <p>Taller than adjacent property and would impact on view from cemetery.</p>	<p>The impact to the character and appearance is discussed in the detailed considerations section of this report.</p> <p>The stagger is considered acceptable in both residential amenity and character and appearance terms, as discussed in the main report.</p> <p>Relationship and impact to the adjacent cemetery is discussed in the detailed considerations section of this report.</p>
<p><u>Other</u> States that these flats are not needed because there is unsold development nearby.</p>	<p>There is an acute need to provide housing in Brent. A vacant development nearby does not negate this.</p>
<p>Leaseholder has a long term tenancy and they are not able to build, asserts that the business occupying building and would not like to see them pressured to leave.</p>	<p>The leasehold scenario is not considered a material consideration in this circumstance. The addition of flats is not considered to hinder the running of the business below.</p>
<p>Suggests developer should instead apply to</p>	<p>It is not for us to suggest other forms of</p>

change the use of the lower floors after honouring existing tenants. Or should incorporate flats within the existing building.	development in this case. We must assess the acceptability of the proposal put forward.
Suggests better social housing offer should be sought. Concerns that prices of flats would not be affordable for the majority let alone the possibility of social housing.	The application site does not trigger the 10-unit threshold where we can consider requesting affordable housing.
Impact view to cemetery.	This is not a protected view from the adjacent apartments to the cemetery. Outlook is discussed in the main report.
Elevations not shown for adjacent properties.	Some drawings do plot the adjacent building for example the section drawing and some floorplans.
States adjacent building was originally an office but later changed to a shop. States this application would result in more retail units	This application was assessed against its merits. If a new retail unit is proposed it would have to seek planning permission.
Loss of value.	Value of neighbouring properties is not a material planning consideration.
Glazing results in overheating.	The proposal does not represent a specific overheating risk given the level of glazing and orientation. The performance of the materials of a development of this scale is managed through building regulations.
Noise and disruption during the build programme, noting that other works have overrun.	The impacts of construction, such as the hours of construction and noise impact are covered under separate legislation.
States that the proposal does little to address the need for more housing or retain or enhance the area, refers to siting across the roof from the Conservation Area and states one storey may be more appropriate.	The impact and merits of the proposal are discussed in the main body the report.

On account of the adjacent Paddington Cemetery being a Listed Park & Garden, Brent's Heritage Officer and the Gardens Trust were consulted. Their response stated that they did not wish to comment on the application.

POLICY CONSIDERATIONS

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 Document and the 2016 London Plan (Consolidated with Alterations since 2011).

Key relevant policies include:

Regional Level

The London Plan (2016)

Policy 2.15 – Town centres

Policy 3.3 – Increasing housing supply

Policy 3.4 – Optimising housing potential

Policy 3.5 – Quality and design of housing developments

Policy 6.9 - Cycling
Policy 7.4 - Local Character
Policy 7.6 Architecture
Policy 7.8-Heritage assets and archaeology
Policy 7.15 - Reducing and Managing Noise

Local Level

Brent's Core Strategy 2010

CP1: Spatial Development Strategy
CP 2 Population and housing growth
CP 5 Placemaking
CP 6 Design & Density in Place Making
CP 16 Town Centres and the Sequential Approach to Development
CP 21 A Balanced Housing Stock

Brent's Local Plan Development Management Policies 2016

DMP1: Development Management General Policy
DMP 2: Supporting Strong Centres
DMP12: Parking
DMP18: Dwelling size and Residential Outbuildings
DMP19: Residential Amenity Space

In addition, 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 some policies contained within the draft Brent Local Plan.

Key draft Local Plan policies include:

BH1: Increasing Housing Supply in Brent
BHC1: Brent Heritage Assets
BH5: Affordable Housing
BH6: Housing Size Mix
BSUI2: Air Quality
BSUI4: On Site Water Management and Surface Water Attenuation
BT1: Sustainable Travel Choice
BT2: Parking and Car Free Development

Other Relevant Material Considerations include:

Supplementary Planning Guidance

Brent SPD1 - "Design Guide for New Development"
Waste planning guide
National Planning Practice Guidance
National Design Guide

Planning (Listed Buildings and Conservation Areas) Act 1990.

National Level

National Planning Policy Framework 2019
Technical Housing Standards - nationally described space standards

DETAILED CONSIDERATIONS

Background & Principle of Development

1. This application is the re-submission of planning consent under 16/3731. This consent expired on 15th December 2019 and can no longer be implemented. Some Planning Policy and guidance has changed since this approval and the application is now assessed with regard to updated policy and guidance set

out in the Policy Consideration section of this report.

2. Policy CP21 of the Core Strategy supports the principle of new residential accommodation where it is located in areas of appropriate character. Emerging policies BH1 and BH2 include updated targets for housing delivery and identify town centres (and other locations) as priority areas for the provision of new housing.
3. The existing building is in B1 Office Use. The site is located in an accessible location within Queen's Park Town Centre, which provides local shops and amenities. The principle of additional flats is considered to be in accordance with policy, subject to the other planning policies and considerations, which will be assessed in more detail below.

Standard of Accommodation

4. London Plan policy 3.5 also reflected in policy DMP18 of the Development Management Policies Plan (2016) outlines the minimum space standards required for new residential units. All units comply with the minimum space standards, it is also noted that many units far exceed the minimum requirement. Each unit is dual aspect with a good level of light and outlook. Within the draft London Plan, residential quality criteria are set out within policy D6 "Housing quality and standards".
5. Policy DMP19 and emerging policy BH13 relate to residential amenity space and prescribes that external private amenity space should be of a size and type to suit the needs of proposed residents. It states that 20sqm should be provided for each flat (of the proposed size, given that all units are above ground floor level). All units exceed this minimum standard with the provision of terraces accessed directly from each unit. It is noted that some of the amenity space provision is provided by more than one terrace, for example Units 1, 2, 3 and 4 all include 2 separate terraces, for each unit one terrace is located off the bedrooms and one access from the kitchen /diner. Although the overall amenity space for these units is split into two terraces, all of these spaces are considered practical and usable by reason of their size and shape. Furthermore, all terraces comply with the minimum depth of 1.5m prescribed in the Mayors' Housing SPG and emerging policy D6.
6. The proposed residential units are considered high quality with appropriate levels of floorspace, external amenity space, aspect and light and outlook.

Impact on Character and Appearance

7. The subject site is in a relatively sensitive location, being adjacent to the Paddington Cemetery (Grade II Listed Park), Grade II Listed Chapels within the Cemetery and opposite the Queens Park Conservation Area. Brent Policy DMP1 and London Plan policies 7.4 and 7.6 promote a high standard of architecture and design that responds well to its context. Brent policy DMP 7 *Brent's Heritage Assets*, London Plan policy 7.8 *Heritage Assets and archaeology* and emerging policy BHC1 and HC1 are relevant due to the proximity to and relationship with the heritage assets.
8. The proposal seeks two additional storeys on top of the existing three storey property. The increase in height is 6.2m (3.1 on each floor) and the proposal is staggered. Officers have considered the height, massing and siting of the schemes adjacent, their design approaches and the relative heights/setbacks in comparison to the proposal and the objections received in this respect.
9. The set in from the frontage of the third floor is over 3m and the fourth floor is set back by over 7m. Officers consider this to be an appropriate design response to a sensitive area and due to this set back and gaps between the buildings is unlikely to create a 'wind tunnelling' effect. The set in from the rear of the 2nd storey is over 5m for the third floor and over 7, for the top floor. Officers consider that the size and massing of the proposal is appropriate, given the local context and development adjacent to the subject site.
10. The roof addition is proposed to be clad in a zinc standing seam cladding with ppc aluminium frames to match the existing. This material approach is broadly acceptable however further details of this will be required as a condition.
11. Salusbury Road is a relatively wide road with a commercial character with the facilities of a town centre, where both sides of the road the buildings are three storeys in height, to the south and decreasing in density to the north as the buildings on the west side of the road reduce to two storeys. The scale of the

existing block and the one immediately to the south are at odds with the western side of the street in terms of numbers of storeys, floor to ceiling heights and width. In this context, providing additional storeys with a substantial set back is not considered harmful to the character of the existing building. The proposed extensions and alterations would be visible from the Conservation Area and within views to buildings within the Conservation Area. However, given the siting and scale of the proposed extensions and alterations, it is not considered to appear prominent or out of place and would not result in harm to the Conservation Area and its setting. Furthermore, the proposed development is of a similar scale to the completed additional two residential storeys at adjacent number 105-109 Salusbury Road. In summary, the proposed development is not considered to be harmful to the character and appearance of the area.

12. The applicant has submitted a Design & Access Statement to explain the significance of the proposal in relation to the designated and non-designated heritage assets. It is considered that the proposal would preserve the Character and Appearance of the Queen's Park Conservation Area. Brent's Heritage Officer was consulted and raised no objection to the proposal. The Gardens Trust were consulted and advised that Paddington Cemetery is a historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II. They advised that they do not wish to comment on the application.
13. The previous consent for the same development considered that the proposal would have less than substantial harm to Paddington Cemetery, a heritage asset. Since this assessment a similar development in terms of its scale has been constructed above 105-109 Salusbury Road and therefore the context of the Cemetery has changed adjacent to the proposal. As a result the proposal would not have the same level of prominence and would be in keeping with the existing development that frames the Cemetery, therefore resulting in a reduced impact. Officers have made an assessment in line with the NPPF (2019) Paragraphs 193-196 set out the policy on addressing substantial and less than substantial harm to a Heritage Asset.
14. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
15. Paragraph 196, asserts that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised.
16. The proposal would be visible from areas within Paddington Cemetery. Paddington Cemetery is a Grade II Statutory Listed Park and Garden. The setting is generally residential, with Queen's Park close by to the south-west. The approximately 10ha level rectangular site lies east of Salusbury Road. Housing, partly combined with gardens, marks the boundary of the cemetery to the north on Willesden Lane and Kimberley Road, to the east on Tennyson Road, to the south on Lonsdale Road, and to the west on Salusbury Road. The Salusbury County School lies at the south-west corner of the site.
17. The site contains two grade II Listed chapels towards the centre of the site and provide the centrepiece of the cemetery layout. The central belfry between the two arches is now (2000) used as a lodge. These are located some 150m north east of the nearest boundary with the site. Furthermore the listing states that the main internal views of the cemetery focus on the chapels while minor views following the straight paths south-east of the chapels terminate either at a stone cross or in the cemetery's landscape. Paddington Cemetery is designed in a near-symmetrical grid-pattern about a north-west/south-east axis. The north-west/south-east axis, which starts at two old tombs on the north boundary, terminates at a stone cross memorial on the south-east boundary. A war memorial lies c 20m west of the western entrance lodge.
18. Due to the surrounding buildings and context, the proposal would result in a subtle change to the development that surrounds the Cemetery and would not appear overly prominent or significantly out of character. When considering the adjacent development which has been constructed and the similar proportions of the proposal, it would be in keeping with the existing setting and would not appear out of place. The proposed development is therefore considered to not result in harm to the Heritage Assets (Paddington Cemetery Listed Park and Garden and Listed Chapels). Special attention should be paid to

the desirability of preserving a designated Heritage Asset. Furthermore, the proposal would result in some public benefit by providing good quality new homes in a sustainable location.

19. In summary, the proposals meet the NPPF's core principles; particularly that planning should be seeking to secure high quality design and a good standard of amenity whilst making efficient use of land. The proposal is considered to not harm or affect the significance of the adjacent Heritage Assets (Paddington Cemetery Listed Park and Garden and Listed Chapels) and is considered to accord with the NPPF together with adopted and emerging Development Plan policy and guidance.

Neighbouring Residential Amenity

20. DMP1 and SPD1, seek to protect the amenity of neighbouring occupants to acceptable standards whilst recognising the right of land-owners to develop their property. On new developments such as this the main impact on amenity arises from (i) overbearing impact of the size and scale of the building(s); (ii) loss of outlook, which is related to overbearing impact; (iii) loss of privacy; and (iv) loss of sunlight. The Council has published supplementary planning guidance (SPD 1) which establishes generally acceptable standards relating to these matters, although site specific characteristics will mean these standards could be tightened or relaxed accordingly. Overbearing impact arising from the height of blocks is controlled via 30 degrees and 45 degree planes from neighbouring habitable rooms and relevant boundaries; privacy is quoted as distances between directly facing habitable windows and from boundaries. Neither outlook nor light have specific values, although light is generally controlled to BRE standards.

Outlook, Daylight/Sunlight and Overshadowing

21. There are recently constructed flats at third and fourth floor level within the adjacent building, Nos. 105-109, which have roof terraces near to and windows facing the subject site. The proposed development does not breach the SPD1 45 degree guidance with reference to the amenity spaces at third floor of 105-109 Salusbury Road. There are two single aspect flats at third floor level which have windows directly facing the proposed development, and the proposal does not breach the 30 degree guidance in relation to these windows. The fourth floor of 105-109 Salusbury Road over-sails the roof terraces, limiting the light and outlook from these rooms. However, these are existing features of the same building. There are two flats on the third floor of 105-109 which have secondary windows which face the subject site and the development would breach the 30 degree guidance from these windows. However, these are small secondary windows to the associated rooms, with the primary windows facing the street to the front or the cemetery to the rear. The proposed development complies with the 30 degree and 45 degree rule in reference to the adjacent fourth floor residential properties and their terraces at 105-109 Salusbury Road.
22. Objections have been received in regard to impact to the flats on 105-109 Salusbury Road in terms of outlook, light, shadowing and daylight/sunlight.
23. A Daylight/Sunlight Report was submitted to support the assessment of the previous application which examined the impact of the proposed development.
24. The original daylight/sunlight report undertook the following tests in regard to daylight and sunlight impact:
- Vertical Sky Component (VSC)
 - No Sky Contour (NSC)
 - Average Daylight Factor (ADF)
 - Annual Probable Sunlight Hours (APSH)
25. The following surrounding properties were assessed:
- 117-121 Salusbury Road (as proposed under planning ref:14/4719)
 - 105-109 Salusbury Road (as proposed under planning ref: 07/0863)
 - St Eugene Court, 82 Salusbury Road
26. Further information was requested because the initially submitted report assessed impact to

daylight/sunlight of the adjacent residential properties at number 105-109 Salusbury Road based upon the original consent. However in 2014 the layout of the approved scheme was varied under reference 14/0958, as such an assessment of the revised layout was requested.

27. Reasonable assumptions have been made that other surrounding properties previously tested remain unchanged, therefore the applicant was asked to undertake further analysis in regard to units at third floor of 105-109 Salusbury Road. As the layouts of fourth floor units as 105-109 Salusbury Road have not changed, the impact would be similar and these have not been re-modelled.

Impact to 117-121 Salusbury Road

28. The previous assessment referred to planning permissions for number 117-121 which included residential uses. However these were not implemented and the site is therefore in commercial use. Although there would be some loss of daylight and sunlight, the commercial uses are less sensitive to daylight/sunlight impacts and impact to residential uses is given more weight, impact to 117-121 is therefore considered acceptable.

Impact to St Eugene Court, 82 Salusbury Road

29. This is a two storey building beyond Salusbury Road. This is believed to be in use as an independent living residential home.

VSC Results

30. A total of four windows failed in the original report however these now appear to affect doorways which now have no windows. Therefore there is no impact to living conditions beyond this.

NSC Results

31. Only one window in the original assessment failed to meet BRE targets, this is listed as a doorway and therefore not applicable, with no windows therefore no impact.

APSH Results

32. Only one window (First Floor, Room 3 did not meet BRE targets, it is likely this is a single aspect bedroom.

Existing		Proposed		Total Retained	Winter Retained
Total	Winter	Total	Winter		
31	4	25	3	0.8	0.8

33. The level of impact is considered to be appropriate given the context of the site and benefits of the scheme.

Impact to numbers 105-109

34. Number 105-109 is a 5 storey mixed use building located adjacent and to the south of the site. The third and fourth floor residential properties are the only sensitive uses located in close proximity to the site that could be feasibly affected by the development in terms of daylight/sunlight impact.

Fourth Floor

35. All windows tested meet BRE Targets for VSC, NSC, and APSH. However two living kitchen diners at fourth floor do not meet the ADF targets. However, this is considered acceptable given that the rooms are dual aspect, with good better outlook to the front and rear.

36. A letter dated 06/01/2020 was submitted with additional assessments to assess the levels of daylight amenity to the adjacent flats within 105-109 Salusbury Road. The letter states that the summary provided should be read in conjunction with the July 2016 Report.

Third Floor

37. In line with BRE guidance, an assessment is made with and without balconies to capture the self-hampering effects of the balconies that are in situ on the adjacent building.

VSC Results

38. Eight windows were assessed, six fail to achieve the 0.8 times the former value as guided by BRE. Two of these windows (W02 & W07) are smaller secondary windows that serve Living Kitchen/Diners which benefit from larger windows facing the front and rear of the site. As such although these windows do not meet BRE Guidance for VSC measures the impact to the living conditions is considered to remain acceptable.

39. Four other windows at third floor (W03-W06) do not meet VSC BRE Guidance as outlined below:

Window/ Serving		Existing VSC		Proposed VSC		VSC Times Former Value	
		With over-sail element	Without over-sail element	With over-sail element	Without over-sail element	With over-sail element	Without over-sail element
W03	Bedroom	9.1	27.7	0.7	19.3	0.1	0.7
W04	Living Kitchen/Diner	12.8	37.6	0.1	25.6	0.1	0.7
W05	Living Kitchen/Diner	12.9	37.7	0.9	25.5	0.1	0.7
W06	Bedroom	9.0	27.7	0.5	19	0.1	0.7

40. It is important to recognise the differences in layout between the 2011 permission and the later amended 2014 consent. At third floor the worst affected north facing windows in the previous consent largely affected 'Flat 2' which included a Kitchen/Diner and two bedrooms. The proposed windows on the northern side of the development (W03-W06) serve two bedrooms and two living rooms in two flats (labelled flats 3 and 4).

41. The above table illustrates that the oversailing element of the adjacent properties result in self-hampering effects and shows that in the 'without over-sail' scenario that the windows would only see a marginal exceedance at 0.7 as opposed to the 0.8 BRE Guidance target. When comparing the with balconies scenario at 105-109 Salusbury Road to the previous consent the affected windows listed above now retain 0.1 times their former value compared to 0 on the previous scheme. While the loss of light will be significant, the BRE guidance takes into account features of the building that limit the light received by the associated rooms and windows, and the application of this principle suggests that the level of reduction is acceptable.

No Sky Line Results

42. No-sky line (NSL) is a measure of the distribution of diffuse daylight within a room. When comparing the NSL for existing buildings against that proposed following development, BRE guidelines have a target to retain 0.8 times their former value.

Window /Serving		NSL Times Former Value	
		With over-sail element	Without over-sail element
W03	Bedroom	0.2	0.9
W04	Living Kitchen/Diner	0.2	0.7
W05	Living Kitchen/Diner	0.2	0.7

W06	Bedroom	0.2	0.9
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43. The other rooms not listed in the table above retain at least 0.8 times their former value. The impact to the two single aspect flats which includes a bedroom and living room window for each would experience a noticeable reductions in the distribution of light within these rooms.

Average Daylight Factor Results

44. The table below outlines that the windows shown fail the ADF targets. The other rooms not listed in the table above retain at least 0.8 times their former value. The previous Daylight/Sunlight Assessment indicated that windows W02-U and W04-U did not meet the ADF target for former values. However, the dual aspect nature of both of these rooms affected means the impact to the living conditions of these units is not considered to be adverse.

Window /Serving		ADF Times Former Value		
		Pass Rate	With over-sail element	Without over-sail element
W03	Bedroom	1.0	0.2	1.8
W04	Living Kitchen/Diner	2.0	0.2	2.5
W05	Living Kitchen/Diner	2.0	0.2	2.5
W06	Bedroom	1.0	0.1	1.8

45. The impact to the two single aspect flats which includes a bedroom and living room window for each would experience noticeable reductions in the distribution of light within these rooms. The kitchen /diners and one bedroom would experience reductions of 80%, with the bedroom experiencing 90% reductions. When the ADF is tested in the 'without balconies scenario' all windows meet BRE targets and retain at least 0.8 times their former values.

Summary

46. In summary the proposed development would have a noticeable impact to sunlight of one single aspect bedroom at first floor within St Eugene Court. Two living/kitchen diners do not meet ADF targets serving two flats at fourth floor in 105-109 Salusbury Road. Impact to daylight to these two units is considered to be acceptable given that these rooms pass the BRE targets for VSC, NSC and APSH and that both rooms are dual aspect. The impact to these units remain the same as the previous approval and the key policy context remains the same despite new draft and adopted policies as set out in the policy considerations section.

47. Two one bed single aspect properties located at third floor (105-109 Salusbury Road) would experience reductions in daylight and sunlight as outlined above. The impacts of daylight/sunlight are very similar to that under the previous approval for the site. However, although the proposed scheme is exactly the same as previously approved, as a result of changes in layout to number 105-109 Salusbury Road, the scheme would now,not meet BRE Targets, in relation to two single aspect units at adjacent third floor compared to one unit under the scheme previously approved. Similarly there would be a reduction on daylight and sunlight of the adjacent private amenity terraces. The loss of light and level of overshadowing to the adjacent private amenity spaces would be the same but would affect the private amenity of two single aspect units as opposed to one unit as previously assessed. To conclude the proposed development would have a noticeable impact on two flats in terms of loss of daylight and sunlight. The impact is similar to the previously approved scheme and consideration has been given to the application of the BRE approach to also test adjoining buildings with over-sailing elements removed. Therefore, the impact to living conditions to surrounding properties is considered acceptable.

Privacy

48. SPD 1 (2018) asserts that directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies. Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy.

49. The proposed development would not comply with the 18m and 9m distances as prescribed in SPD 1

(2018). The proposed third floor would have a staggered building line in relation to its southern boundary with distances from 105-109 Salisbury Road varying between 6.5m, with parts having a smaller distance of 4.1m. The proposed fourth floor would have a staggered building line in relation to its southern boundary with distances from 105-109 Salisbury Road. The separation distances vary owing to set back between 4.1 to 6.5m. Roof terraces are also proposed that are less than 9 m from the windows of the adjoining building and close to their roof terraces. However, the potential impact is mitigated through the inclusion of 1.8m high obscure glazed screens on the edge of the roof terraces on the third floor and directional oriel windows on the fourth. The screening and oriel windows would adequately protect privacy and from the adjacent units and is considered to be a reasonable solution given the location and setting of the site. It would reduce the outlook from the associated bedrooms within the proposed development, but the flats would benefit from living spaces with good outlook and daylight to the front and rear.

50. Although these prescribed distances have not been achieved officers have assessed the proposal to ensure there would not be an undue loss of privacy or any unjustified overlooking from the proposed development. The tight relationships which objectors raise concern about, are evident with the proposal, given the adjacent properties with planning permission, however with appropriate design responses (obscure glazing, directional oriel windows, internal balconies) the proposals have overcome this to a point that your officers find these relationships acceptable.
51. In conclusion, there would be impacts on the amenity of these neighbours, however they are not considered to be unacceptable, given the nature of the urban area, the existing relationships and the design responses to the proposal to reduce impacts.

Transportation

52. The previous application included a condition for details of secure storage for 10 bikes, the London Plan now advocates 2 bike per apartment and as such this condition is amended to request details for 16 bikes. It is noted that the applicant may need to explore double height bike racks.
53. Car parking allowances for the existing and proposed uses of the building are set out in standards within DMP 12 *Parking* and Appendix 1. As the site has good access to public transport services and is located within a CPZ, a reduced residential allowance applies to the proposed flats. The existing offices are therefore permitted up to 21 off-street car parking spaces and the existing provision of 16 spaces accords with standards, with the disabled parking provision (25% of the total) more than satisfying LBB standards.
54. The proposed addition of eight flats on two new floors above the building would increase the parking allowance by 6.6 spaces to 27 spaces. However, no new spaces are proposed to be allocated to the eight new flats. This is acceptable in principle in this location, subject to a car-free condition to remove the right of future residents to on-street parking permits and the applicant has offered this. There are no concerns if the owner wishes to make some of the existing office spaces on site available for use by residents at night and weekends, but they will need to manage this themselves.
55. Two existing spaces are proposed to be removed from the rear car park, including a disabled space. With a weekday CPZ in operation in the area to effectively prevent overspill parking by staff on local streets, this is fine in principle, helping to encourage travel by non-car modes. The reduction in disabled parking to three spaces is also fine, with only one space required as a minimum.
56. The London Plan requires two spaces for each 2bed proposed in this scenario. A secure storeroom is indicated at ground floor to the rear of the site for ten residents' bicycles to supplement the ten existing spaces for the offices, this does not meet the minimum requirement, as such a condition requiring this information and the provision of 16 bikes is recommended.
57. Space for four Eurobins has also been added to the rear of the site and it is assumed that refuse vehicles will continue to access the rear of the site via 105-109 to service the site, which is acceptable.
58. In summary, there are no objections on transportation grounds to this proposal subject to a 'car-free' condition to withdraw the right of future occupiers of these flats to on-street parking permits in the area and a cycle storage condition.

Noise Considerations

59. The proposed roofplan illustrates that the plant would be re-located from lower floors given that the proposal is now for more sensitive residential use and no further details have been provided. A pre-occupation condition requiring the application to provide further details; including a noise assessment to be carried out in regards to the noise from the plant and plans to be submitted illustrating the visual appearance and bulk is required.

60. Public Sector Equality Duty

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.

Summary

61. Since the previous approval, although Brent's Development Management Policies Plan (2016) and Core Strategy (2010) was adopted and remains unchanged, a revised NPPF (2019) and Brent Design Guide for New Development (2016) has been adopted, and weight is now applied to Brent's Draft Local Plan and the emergent London Plan, the scheme has been assessed in regard to the updated policies.

62. The proposal contains eight new dwellings of a good standard, in a sustainable location making efficient use of land. Significant weight to these points. The proposal would be acceptable in terms of design and heritage, resulting in no harm to neighbouring Heritage Assets (Paddington Cemetery) and no harm to the adjacent conservation area, and the surrounding streetscene. The proposal would affect the daylight and outlook of some adjoining properties, particularly the recently constructed single aspect flats within 105-109 Salusbury Road. However, the over-sailing elements of that building result in a level of impact is much higher than it would be if those elements were not present, and in line with BRE guidance, consideration has been given to the level of impact that would occur if those elements were not there. On balance, the level of impact is considered to be acceptable, with the benefits of the scheme being considered sufficient to outweigh the harm. The proposal contains eight new dwellings of a good standard, in a sustainable location making efficient use of land. Significant weight to these points. Given the very limited less than substantial harm to Heritage Asset (Paddington Cemetery) and no harm to the adjacent conservation area. When considering the impact to character and appearance of the area, level of impact to surrounding neighbours and standard of accommodation, the benefits of the scheme would clearly outweigh any harm and this application is therefore recommended for approval.

63. The proposals are considered to materially accord with the development plan, having regard to material planning, considerations and it is recommended the application be approved.

CIL DETAILS

This application is liable to pay **£467,095.87** * 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): 1301.98 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	1301.98	0	1301.98	£200.00	£0.00	£388,269.04	£0.00
(Mayoral) Dwelling houses	1301.98	0	1301.98	£0.00	£60.00	£0.00	£78,826.83

BCIS figure for year in which the charging schedule took effect (Ic)	224	331
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£388,269.04	£78,826.83

*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: 19/2408

To: Mr Kumar
Five Development Consultancy LLP
43 Athenaeum Road
Whetstone
London
N20 9AL

I refer to your application dated **05/07/2019** proposing the following:

Erection of a fourth and fifth storey over existing three-storey office building to create 8 self-contained flats (comprising 6 No. 2-bedroom and 2 No. 3-bedroom flats) with associated new street level entrance to the front and secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear

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

at **111-115 Salusbury Road, London, NW6 6RG**

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: 15/06/2020

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
Development Management Policies 2016
Brent SPD1 - "Design Guide for New Development"

- 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 drawings:

Design and Access Statement prepared by ROH Architects dated January 2016

15017 E-100 REVA

15017 E-101 REVA

17 E-102 REVA

15017 E-103 REVA

15017 E-201 REVA

15017 E-301 REVA

15017 E-302 REVA

15017 LOC-01

15017 P-100 REVL

15017 P-101 REVA

15017 P-102 REVC

15017 P-103 REVP

15017 P-104 REVS

15017 P-105 REVF

15017 P-201 REVK

15017 P-301 REVJ

15017 P-302 REVK

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

- 3 Further details of the landscape works and planting, including the brown roof, shown on the

approved plans shall be submitted to and approved in writing prior to the occupation of the Development. Any planting shall take place within the first available planting season post occupation.

Any planting 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 and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the area.

- 4 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 Controlled Parking Zone (CPZ) operating 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 written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. 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 order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 5 Prior to the occupation of the Development, further details of all privacy screens, oriel windows, opaque glazing and terrace balustrades shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as per the approved details prior to the occupation of the units and retained for the lifetime of the development.

Reason: To ensure that neighbouring residents are not unduly impacted by the proposal.

- 6 Further details of a communal television system/satellite dish provision shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any satellite dish. The approved details shall be fully implemented and retained for the lifetime of the development.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the buildings hereby approved, in the interests of the visual appearance of the development, in particular, and the locality in general given the site's relationship with established heritage assets.

- 7 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.

- 8 Details of materials for all external work, including samples and/or manufacturer's literature as appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any external work is commenced. 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.

- 9 Notwithstanding the plans hereby approved, the development shall not be occupied until further details of secure and covered refuse storage and further details of 16 x secure and covered cycle spaces are submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved plans and such facilities shall be retained for the lifetime of the development.

Reason;- To ensure an adequate amounts of refuse and cycle facilities are available for future occupants

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

Reason: To protect existing & future occupants.

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 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.
- 5 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 Sarah Dilley, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2500

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

24 June, 2020
05
19/4351

SITE INFORMATION

RECEIVED	11 December, 2019
WARD	Barnhill
PLANNING AREA	
LOCATION	62 Dunster Drive, London, NW9 8EL
PROPOSAL	Retrospective planning application for a two storey building and proposed conversion into a residential development comprising 2 self-contained flats, including the creation of a side entrance, rear amenity space, cycle storage, 2 car parking spaces and associated soft landscaping; removal of boundary fence
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_148147</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 "19/4351" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Recommendation

A. That the Committee resolve to GRANT planning permission.

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. 3 Year time period

1. Approved plans / drawings

2. Removal of permitted development rights relating to change of use to C4

3. Requirement for details of cycle parking to be submitted

Informatives:

1. CIL approval

1. Building near a boundary

2. Party Wall etc Act

3. Damage to the highway during works

4. Any other informative(s) considered necessary by the Head of Planning

1. 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.

2. 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

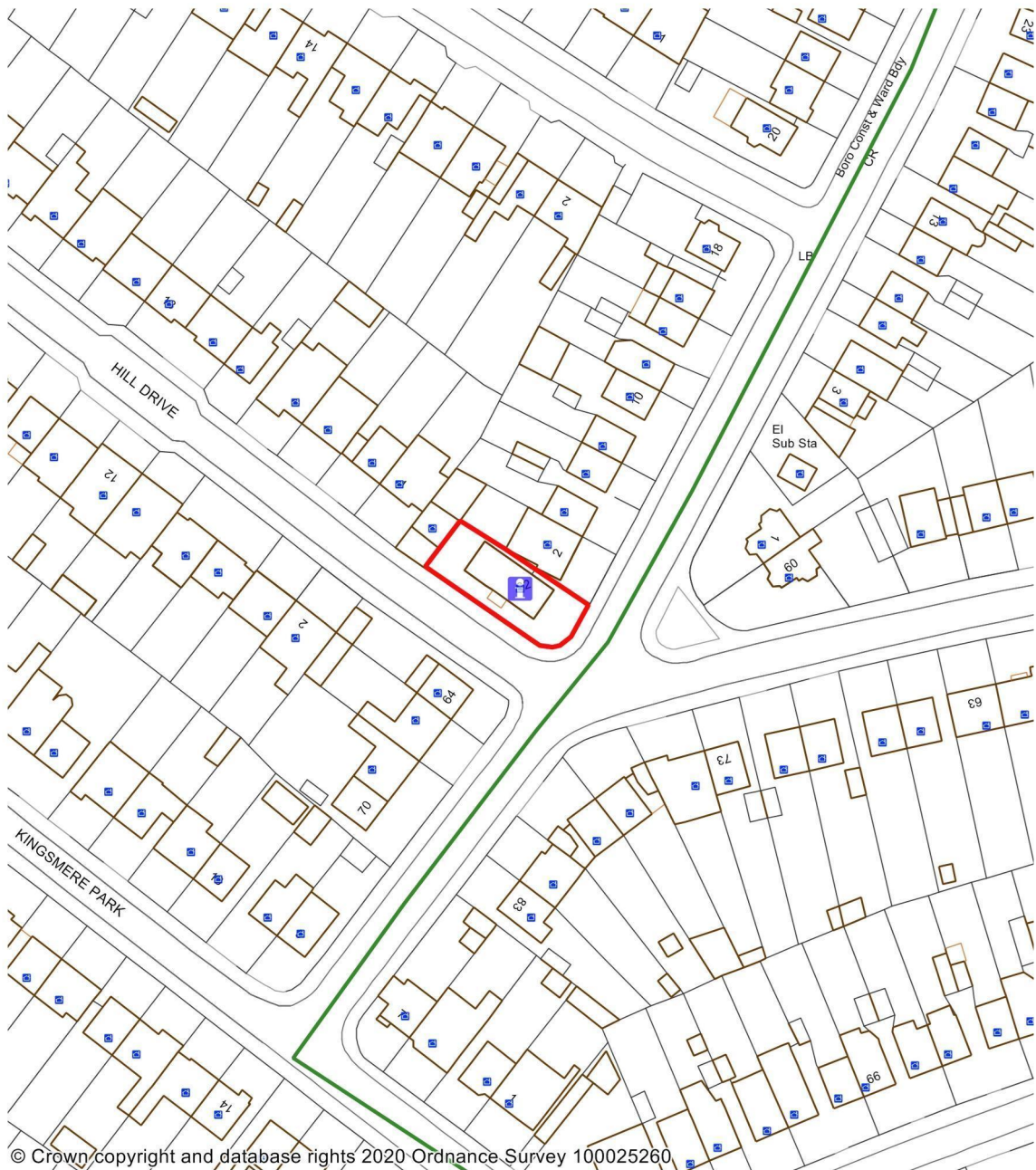


Brent

Planning Committee Map

Site address: 62 Dunster Drive, London, NW9 8EL

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This map is indicative only.

PROPOSAL IN DETAIL

The application seeks retrospective planning application for the retention of a two storey building and proposed conversion into a residential development comprising 2 self-contained flats, including the creation of a side entrance, rear amenity space, cycle storage, 2 car parking spaces and associated soft landscaping.

EXISTING

The application site is a two storey detached property on the corner of Dunster Drive and Hill Drive. It is not located within a conservation area nor are there any listed buildings within the curtilage of the application site or in proximity to the application site. The site lies within an Air Quality Management Area.

The property was originally built as a single family dwellinghouse. Recent works have been undertaken to enlarge the house and convert it into three flats outside of the scope of permissions set out below. The unauthorised works are subject to an active enforcement notice which is discussed in further detail below within the "history" and "remarks" section of this report.

AMENDMENTS SINCE SUBMISSION

During the course of the application, the following amendments were received:

- Alterations to layout to change from 2 x 3 bedroom flats to 1x 4 bedroom unit and 1 x Studio unit
- Addition of cycle parking provision
- Alteration of description to indicate removal of unauthorised fence

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below within the context of the statutory duty contained in section 38(6) of the Planning and Compulsory Purchase Act 2004.

Representations received: A number of local representations (6 objections) have been made to this application for a variety of reasons. Officers consider that the proposal is acceptable for the reasons set out in this report.

Principle of Development: The proposal would not result in any net loss of family housing as a four bedroom flat is proposed over the ground and first floors. In addition a studio flat is proposed adding to the borough's housing stock. It is supported in principle.

Design and Appearance: The design is the same as considered by the Planning Inspector in the recent enforcement appeal. The design and appearance of the property is considered to be acceptable in terms of the impact upon the character and appearance of the locality.

Residential Amenity: There would be no undue impact on the amenity of neighbouring occupiers and it would be acceptable in this regard.

Quality of Accommodation: The layout of the 4 bed unit is considered to be in accordance with policy and is acceptable. The studio unit would not meet the minimum requirements in terms of floor-to ceiling height or amenity space. However, it would be over-sized and open planned. Furthermore it would be of a low occupancy. On balance this has been considered to be acceptable.

Transport impacts: The scheme proposes two off street parking spaces which is considered acceptable level of provision for this scheme, and is not considered to result in a significant detrimental impact upon the local highway network.

RELEVANT SITE HISTORY

The following planning history is relevant background to the consideration of this current planning application:

E/17/0654 - Enforcement Notice

Contravention: Without planning permission, the alteration and partial demolition of a dwellinghouse, amounting to the erection of a building containing self-contained flats.

Enforcement notice served on 23/09/2018 with compliance due by 27/09/2020.

The enforcement notice was appealed under reference APP/T5150/C/18/3214275. The enforcement appeal was dismissed and the enforcement notice was upheld with variation to the steps to comply with the enforcement notice. The appeal was dismissed on 27 September, 2019 with 12 month period for compliance i.e. by 27 September 2020.

16/2057: Planning Application

Demolition of chimney breast and extensions and alterations to existing bungalow to create a two storey dwelling with habitable loft space, including front porch, two storey side extension, single storey front extension, side dormer window, two rooflights, side door and associated alterations to windows on the front and side elevations - Granted, 15/12/2016.

Whilst this planning permission has not been implemented and the 3 year time period for implementation has now passed, it is referred to within the appeal decision above as one of the steps for compliance, and therefore is still a material consideration.

CONSULTATIONS

Public Consultation

Initial consultation letters were sent to 5 nearby properties and the application property on 17th December 2019.

Additional consultation letters were sent out on to properties on the opposite side of Dunster Road and on the corner of Hill Drive on 13th January 2020. In total 21 neighbouring properties plus the application address were consulted.

Subsequent consultation letters were sent to all 22 properties referred to above on 18th February 2020 to notify them of amendments made to the scheme. Details of the changes set out within the plans is discussed within "amendments" section below.

6 objections have been received from individual properties. The objections are summarised below:

An email was received from Dawn Butler MP in response to a complaint from a resident. The email requested the Council look into the matters raised in the complaints. A direct response was issued however, the contents of the original complaint are the same as those raised in the objections received to the current application. These issues have been summarised below and are addressed in the main body of the report. DG DO YOU HAVE ANY FURTHER COMPLAINT LETTERS/MEMBERS/MP ONES THAT YOU WANT TO COVER. I ONLY INCLUDED THOSE ON IDOX.

Objection	Response
There is a loss of a family unit Objection to allowing flats in this area	Addressed in paragraphs 12-14
The proposal is too tall and out of character It does not match the character of the local area.	Addressed in paragraphs 15-18

<p>Disagree with Inspectors view that the building did not present a dominating presence or complement the neighbourhood.</p>	
<p>Potential impact in terms of noise and nuisance</p> <p>Potential for anti-social behaviour</p>	<p>Addressed in paragraphs 19-24</p> <p>There is no evidence to suggest that the conversion of a property into two flats would result in anti-social behaviour. Adequate provision has been provided for bin storage for both flats.</p>
<p>Concern over existing parking impact on the local road network, especially on Wembley Stadium Event Days. This was not considered by the Inspector.</p> <p>Application site located on a junction which is an accident black spot. Any enlarged building compared to original would make this worse.</p>	<p>Addressed in paragraphs 37-45</p>
<p>The original permission should be adhered to</p> <p>The property is in breach of planning and the enforcement notice should be complied with</p> <p>The application is the same as that enforced against</p>	<p>The Enforcement notice which has been served remains valid and the requirements of this notice still need to be complied with unless new permission is granted.</p> <p>Notwithstanding that, the current application differs from the scheme which was enforced against in that it has a different layout and unit mix</p>
<p>Objection to allowing retrospective application</p> <p>Proposal will set an unwanted precedent</p> <p>This sets a precedent that residents can build what they want and apply retrospectively</p> <p>Council is inconsistent with applying planning policies i.e. strict on residential extensions but allow developments of this form.</p>	<p>Section 73A of the Town and Country Planning Act allows for planning permission to be applied for even if development has been carried out before the date of the application. This is known as retrospective planning permission.</p> <p>Whilst acknowledging the frustration of residents observing unauthorised works, the applicant has sought to engage constructively with the Council in tackling issues identified in the enforcement notice and appeal decision.</p>
<p>Disagree with allowing amended plans, should have been a new application</p>	<p>The NPPF requires that Local Planning Authorities work positively with applicants in order to achieve favourable outcomes.</p>

<p>The Council is working with the developers/ is biased in favour of the developers</p>	<p>One method of doing this is to request amended plans in order to bring a scheme in line with planning policy.</p> <p>Neighbouring properties were consulted when amendments were received to ensure that they were able to make comments on the amended scheme.</p>
<p>Disagree with inspector's findings</p>	<p>This is noted. However, the Appeal Decision is a material consideration and must be taken into account in the assessment of any subsequent scheme.</p>
<p>The property is being rented out, the owner does not live there</p> <p>Will be rented out as a HMO</p> <p>Has the potential for 16 residents if used as a HMO., based on potential for 8 bedrooms</p>	<p>The tenancy of the proposed development is not a material planning consideration.</p> <p>A condition has been applied preventing the use of the flats as use class C4 Houses in multiple occupation (3-6 people) without planning permission. A larger HMOs would in this case need express planning permission as a material change of use.</p>

Internal Consultations

Environmental Health – Application is retrospective therefore there are no requirements for a construction management plan or relating to land contamination. No objections are raised

POLICY CONSIDERATIONS

As indicated above, 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 National Planning Policy Framework 2019, Technical housing standards - nationally described space standard and the Council's Supplementary Planning Guidance 2 "Residential Extensions and Alterations" 2018.

Key policies include:

London Plan (2016)

3.5: Quality and Design of Housing Developments

Core Strategy (2010)

CP2: Population and Housing Growth

CP17: Protecting and Enhancing the Suburban Character of Brent

CP21: A Balanced Housing Stock

Development Management Policy (2016)

1: General Policy

12: Parking

17: Conversion of Family Sized Dwellings

18: Dwelling Size and Residential Outbuildings

19: Residential Amenity Space

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. It was formally submitted to the Secretary of State in March 2020. 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 draft London Plan has recently been subject to an Examination in Public, and is at the intend to publish stage.

These documents collectively carry increasing weight in the assessment of planning applications as they progress through the statutory plan-making processes.

Key policies include:

Draft Local Plan

DMP1 - Development Management General Policy

BD1 - Leading the way in good design

BH1 - Increasing Housing Supply

BH11 - Conversion of Family Sized Dwellings

BH13 - Residential Amenity Space

BT2 - Parking and Car Free Development

Draft London Plan

Policy D6 Housing quality and standards

Policy T5 Cycling

Policy T6 Car parking

Policy T6.1 Residential parking

DETAILED CONSIDERATIONS

Background

1. The pre-existing property was a chalet style detached dwellinghouse with accommodation the roof. It is located on the junction of Dunster Drive, Hill Drive and Glenwood Drive. Its front entrance faced onto Hill Drive. This elevation also contained a prominent bay feature. On the Dunster Drive elevation was a prominent chimney feature and a small bay window. There was an existing rear dormer window. The building was constructed in brick work on the Hill Drive elevation with a white render over the bay window feature. The other elevations were predominantly in rough cast render with a plain clay tiled roof.
2. The surrounding properties in the vicinity of the application site are predominantly two storey semi-detached houses. They typically have prominent bay window features on the front elevation with a gabled roof over the bay projection. In terms of materials they are generally constructed with brick work at

ground floor and rough cast render (a number painted white) on the first floor and side/rear elevations. There are level changes with the levels rising up Hill Drive and up Glenwood Drive.

3. Planning permission was granted in 2016 under application reference: 16/2057 for a number of extensions and alterations to the property. These included:
 - Ground floor rear extension with bay window fronting Hill Drive
 - New porch on Hill Drive
 - New bay window and front door on Dunster Drive
 - First floor added over original footprint of house with pitched roof.
 - Side dormer next to No. 2 Glenwood Drive and roof lights facing Hill Drive
4. Works were carried out to the property that were not in accordance with these approved plans for 2016 permission, and furthermore it was noted during the enforcement investigation that an unauthorised conversion into self-contained flats had taken place. The resulting building is almost entirely new with very little of the original structure remaining. The materials did not match those of the original property, the new building was constructed higher than shown in the approved plans, the size and design of the first floor windows, bay windows and dormer were all different, amongst other changes.
5. An enforcement notice was issued in relation to the unauthorised development under reference E/17/0654. It was then subject to an appeal to the Planning Inspectorate. Following the issuing of the enforcement notice and the Inspector's site visit, further work was undertaken to the property which included fenestration alterations, different colour rendering, bricks being dyed a darker and less uniform colour, and the porch demolished.
6. The Planning Inspector agreed that the works as carried out during the time of issuing the enforcement notice was harmful to the character and appearance of the area. In particular the Inspector agreed that the porch, fenestration and use of materials resulted in a poor quality building that had a cluttered and disjointed appearance. He also raised concerns with the colour of materials making the building appear particularly conspicuous which did not complement the locality. He also agreed that the loss of the existing family sized unit with no suitable re-provision would be harmful to local housing stock by not maintaining a balanced housing stock, and that the first and second floor flats would be unsatisfactory in terms of their living conditions as a result of failing to provide private outdoor space for these flats.
7. However, the Inspector had regard to the subsequent works carried out since issuing the enforcement notice and as viewed on their site visit. He formed the view that the alterations made to the fenestration and the appearance of the materials used, resulted in the building no longer being conspicuous or harmful to the character and appearance of the area. He recognised that they were restricted to consider the breach that existed at the time of the enforcement notice being served, and that the alterations do not form part of the development alleged.
8. The Planning Inspector therefore dismissed the appeal and upheld the enforcement notice (with a variation to the steps required for compliance) based on the unauthorised development as it existing at the time of issuing the enforcement notice, and not the subsequent alterations carried out.
9. The steps for compliance are as follows:

STEP 1 Demolish the unauthorised development, remove all associated debris, items and materials arising from that demolition and all materials associated with the unauthorised development from the premises.

STEP 2 Reconstruct the dwellinghouse using identical materials and finishes to exactly replicate the dwellinghouse as shown in plans (DRG. No. 001, 002, 003 and 004) and photographs attached to this notice.

OR

STEP 1a Make alterations to the building, including any necessary demolition, so that internally and externally it strictly accords with the submitted plans and details granted planning permission on 15 December 2016 under Council reference 16/2057.

STEP 2a Remove all materials and debris resulting from carrying out step 1a of this Notice from the land affected.

10. The period for compliance with the requirements is 12 months from the date of the appeal decision (i.e.

from 12 August 2019). The appeal decision is a material planning consideration that carries significant weight and has been taken into account during the assessment of this planning application as discussed below.

11. Having regard to the above matters it is considered that the following matters are the key issues in determining this matter:

- Suitability of Conversion of a family dwelling
- Quality of proposed accommodation
- Character and Appearance

Conversion of a family sized dwelling

12. Policy BH1 of the Draft Local Plan states that the Council will maximise the opportunities to provide additional homes.

13. Policy DMP 17 of the local plan and Policy BH11 of the Draft Policies, require that the conversion of family houses is resisted unless the conditions as follows are met: that the existing home is at least 130m², and that the conversion results in at a least one 3-bedroom dwelling, preferably with access to a garden or amenity space.

14. The development as assessed by the Inspector contained 3 flats sized as 2 x 2 bed and 1 x 1 bed respectively. As such it resulted in the loss of a family sized unit and this was a reason noted in the dismissed appeal by the Inspector. The proposed scheme would provide a 3-bed unit with direct access to private amenity space. The floorspace of the property is over 130sqm required by the above policy (the ground and first floors alone are over 150sqm). As such there would be no net loss in family-sized units and the principle of the development is considered to be acceptable and this reason for refusal has been successfully overcome.

Character and Appearance

15. Policy DMP1 and Draft Policy BD1 seek to ensure that developments respect and complement historic character of their contexts.

16. As noted above, during the appeal related to the Enforcement Notice the inspector assessed the character and appearance of the structure as it exists currently. As part of this submitted application, no further extensions or alterations are proposed to the build form. In making their decision, the Inspector noted:

19. I appreciate the building is more imposing than the original bungalow, given its height, but in light of its individual location on a corner plot, and overall mass, the building is not bulky and does not result in it having a dominating presence. It therefore does not appear out of scale with the proportions and pattern of neighbouring buildings. In my view it does not readily read as a three-storey building given its overall proportions and roof line.

20. The dormer window is sited on an inconspicuous roof slope. This reduces the perception of its size and proximity to the main roof ridge. It therefore does not add unnecessary volume at roof level that is harmful when viewed from the street. I also observed during my site visit a number of box style dormer windows on properties in the immediate area. Whilst they may have been permitted development, they were nevertheless visible within the street-scene. The building therefore does not relate poorly to the surrounding streetscape, despite its reasonably prominent location.

17. The inspector noted that the materials used in the development as enforced against were not in keeping with the local area. However, he noted that:

.....the appellant has gone to considerable efforts to alter the fenestration of the building and the appearance of the materials that have been used. I am satisfied that these changes can reasonably be regarded as forming part of the development and thus can be considered under the deemed planning application.

24. The fenestration and wider design detailing are therefore no longer awkward or of a poor quality in terms of size, ratio or positioning and the porch has been demolished. Accordingly, the building now complements and respects the local context and streetscape. The painted render and muted brickwork also reflect that of buildings within the immediate vicinity. On the basis of what I observed during my site visit, the building is no longer conspicuous or harmful to the character and appearance of the area. It consequently

now accords with the aforementioned policies, supplementary planning documents and the good design objectives of the Framework.

18. These comments are a material consideration in the assessment of the current proposal. The current policy context as described above does not introduce factors which point to a different conclusion to that reached when this appeal decision was made. As such, the proposal is considered to be acceptable in terms of character and appearance and therefore complies with Policies 7.4 and 7.6 of the London Plan 2016, CP17 of the Core Strategy 2010 DMP1 of the Development Management Policies 2016 and the guidance contained in SPD1 2018. Additionally, it would comply with Policies DMP1 and BD1 of the draft local plan.

Residential Amenity

19. Policy DMP1 as well as Draft Policies DMP1 of the Draft Local plan and D4 of the Draft London Plan all emphasise that new development should not result in unacceptable harm to the residential amenities of neighbouring properties. SPD1 and SPD2 provide further guidance on the layout of new development to avoid such impacts.
20. The building as constructed broadly occupies the same footprint approved under 16/2057. At first floor level, the building does not project further forward or rearward of the neighbouring property than this approved scheme. This impact was considered to be acceptable in that application and there have been no material changes to policy or guidance which would alter the outcome of this assessment. Furthermore, the impact on neighbouring amenity was not included in the reasons for issuing the enforcement notice.
21. At ground level the subject property would extend approximately 3.2m beyond the rear elevation of the immediate neighbour no. 2 Glenwood Grove. This would be in accordance with SPD2 which allows for 4m rear extensions at ground floor level on detached properties. Furthermore this part of the proposal is set away from the shared boundary and has an eaves height of 2.8m with a sloped roof. As such, this element would not result in any harm to neighbouring amenity in terms of loss of light, outlook or overshadowing.
22. It is acknowledged that the dormer on the side elevation is larger than approved and located closer to the side of the neighbouring property. However, this looks across onto the roofslope of that neighbouring property and does not result in excessive levels of overlooking or loss of privacy. Similarly, due to the location of the dormer it would not result in any loss of light or outlook to neighbouring properties. The Inspector did not also raise any concerns with the impact of the side dormer upon neighbouring properties.
23. Similarly, it is acknowledged that the structure is taller than as approved by approximately 2m. However, given the distance of the subject property to neighbouring houses, and the lack of significant forward or rearward projection in comparison to the immediate neighbour, it is not considered that this additional height results in material harm to neighbouring amenity.
24. Overall, the impact of the proposal on neighbouring residential amenity is considered to be acceptable, and is in accordance with policy DMP1 of Brent's Development Management Policies 2016

Quality of Accommodation

25. Policies 3.5 of the London Plan and DMP 18 of the Local plan as well as policy D6 of the Draft London Plan set out the minimum space required for adequate quality of accommodation.
26. The 4 bedroom unit would have a Gross Internal Area (GIA) of 167sqm and the studio unit would have a GIA of 45sqm . Both flats would therefore exceed the minimum space standards as required by the London Plan in terms of GIA and would contain purpose built storage space. All of the rooms would meet the minimum room sizes required by the National Described Space Standards.
27. It is noted that the studio flat would fall short of the minimum floor-to-ceiling height required by the National Described Space Standards. However, approx. 28sqm would meet 2.3m headroom height, which accounts for 75% of a studio flat that meets minimum space standards (33sqm). It is considered that on balance, the open-plan nature in conjunction with the over-sized flat would mitigate the low ceiling height and would result in an acceptable layout.
28. All of the primary habitable rooms would have an external window and would receive sufficient daylight

and outlook.

29. The layout of the proposed flats are therefore considered to be acceptable, and in material accordance with policies 3.5 of the London Plan and DMP 18 of the Local plan as well as policy D6 of the Draft London Plan .

Amenity Space

30. 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)."

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 20qm 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".

31. The wording of the policy means that there is more than one means by which the policy requirement for sufficiency may be met and this includes, where necessary and appropriate, the use of communal amenity space. Furthermore, the reference to "normally" within the policy, allows for a departure from the target of 20sqm and 50sqm respectively, without giving rise to a policy conflict.
32. 60sqm of private amenity space would be provided for the ground floor flat which is in accordance with the above policy.
33. It is noted that in the previous appeal decision the inspector considered the amenity space provided for the upper flats was insufficient:

Policy DMP19 of the LBBP makes it clear that all new dwellings, including flats, will be required to have external private amenity space of a sufficient size and type to satisfy resident's needs. This is normally expected to be 20sqm per flat. Whilst the ground floor unit has access to a private garden area, which is adequate in terms of its size and relationship with neighbouring properties, the other units do not have any access to private outside space.

I have little evidence to indicate how or where the needs of occupiers of these flats, including future occupiers, would be met in this regard, such as to persuade me that private outside space for these two units is not required to be provided.

34. It is noted that no private amenity space has been provided for the upper flat. However, it is acknowledged that due to the layout of the scheme and amount of amenity space available, it would be difficult to subdivide the existing garden any further.
35. Additionally, the upper flat has an occupancy of 1 person where as the appeal scheme consisted of 3 flats, of which 2 flats did not have access to amenity space and were of a higher occupancy level having the potential for 4 and 2 people respectively. When balancing the proposed amenity space it is considered that provision for the family sized unit is a priority over the smaller flat.
36. Given the site circumstances, low occupancy of the upper flat and close proximity to the Fyrent Country Park (5mins walk) it is considered that on balance, the lack of amenity space for the upper flat can be acceptable in this instance.

Highways and Parking, Refuse, Cycle Parking

37. Policy DMP12 of the Local Plan and Policy BT2 require that development is designed not to have a detrimental impact on the traffic and highways network of the surrounding area.
38. The parking allowance for residential use is given in appendix 1 of the Development Management Policies. The pre-existing 4-bedroom dwelling is permitted a maximum of 2 spaces and the site can

currently accommodate up to two parking spaces within the front garden, which does satisfy parking standards.

39. The two proposed self-contained flats will have a maximum parking allowance of three spaces. Emerging policy BT2 (and Appendix 4) seeks to further reduce parking allowance to be consistent with the emerging London Plan and provide a maximum of 0.75 spaces per unit. This would result in a maximum of 1.5 spaces.
40. The two proposed retained existing spaces would be sufficient to meet likely demand (and indeed would exceed emerging parking standards). However, census data indicates that the average car parking ownership for flats does not normally exceed 1:1. The proposal is therefore unlikely to result in overspill to nearby streets. However, it is considered that the surrounding area would have capacity to take overspill if it occurred.
41. The enlarged building will not have an impact on sight lines for either pedestrians or vehicles, only if changes to the front boundary are being proposed, which they are not. No changes to the existing vehicle access are being proposed and so the proposals will have no detrimental impact on the operation of the junction.
42. The impact of overspill parking onto the local road network was considered by the Planning Inspector. This was on the basis of the property containing 2 x two bedroom flats and 1 x one bedroom flat with the maximum parking allowance for the three flats also being three spaces. Extract from the appeal decision is set out below:

25. I could see during my site visit that some immediate roads in the area have demarcated parking areas with only limited parking restrictions. I have been provided with little in the way of evidence concerning parking saturation within the immediate area, or indication of other planning harms, to persuade me that the increase in demand for on-street parking arising from the development would be unsatisfactory, or that existing demand cannot be met. Some on-site parking provision has also been retained.

26. I conclude that the development is not harmful to the provision of on-street parking and so accords with Policies DMP1 and DMP12 of the LBBP. These policies, amongst things, require development to be satisfactory in terms of parking and to not add to on-street parking demand where on-street parking spaces cannot meet existing parking demand. For the same reasons it would accord with the parking objectives of the Framework.

It is not therefore considered that the development would be likely to create any significant parking problems on-street in the vicinity of the site.

43. The front forecourt is proposed with 50% soft landscaping in line with policy DMP1 and DMP12. Further details of the front garden landscaping would be secured as a condition.

Cycle parking

44. A minimum of 3 cycle parking spaces are required, 2 for the 4 bed unit and 1 for the studio flat. The plans show a cycle shelter with space for 2 cycles in the rear garden and this is acceptable. 1 space is provided for the studio flat in the front driveway. The location for this is acceptable in principle. However it needs to be in a covered, secure shelter. It is recommended that such details are covered under a front garden landscape plan condition to any forthcoming consent.

Equalities

45. 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). Moreover, all planning policy documents produced by the Council are subject to equalities impact assessments to ensure compliance with these requirements.

Conclusion

46. 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. Whilst the studio flat does not benefit from any private or communal external amenity space as specified within Policy DMP19 or emerging London Plan

policy D6, given the low occupancy of this flat and the proximity to nearby public open space (Fryent Park), the quality of accommodation for future residents is considered to be satisfactory. Intentional unauthorised development is a material consideration that should be weighed in the determination of planning applications and appeals. However, in this case, the Inspector held the view that the building was acceptable in design terms, with their concerns expressed over the loss of a family sized unit and poor quality accommodation for the upper floor flats through lack of external amenity space. The planning application must be determined based on the performance of the submitted scheme against the policies identified and relevant material considerations. On balance it is considered that the amended proposals do bring about a satisfactory scheme and accordingly approval is recommended.

CIL DETAILS

This application is liable to pay **£11,733.59** * 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): 194.43 sq. m.

Total amount of floorspace on completion (G): 227 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	227		32.57	£200.00	£0.00	£9,712.84	£0.00
(Mayoral) Dwelling houses	227		32.57	£0.00	£60.00	£0.00	£2,020.75

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£9,712.84	£2,020.75

*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: 19/4351

To: Mr Stewart
Stewart M&PS Ltd
The Windmill Studio Centre
106 Pembroke Road
Ruislip
HA4 8NW

I refer to your application dated **11/12/2019** proposing the following:

Retrospective planning application for a two storey building and proposed conversion into a residential development comprising 2 self-contained flats, including the creation of a side entrance, rear amenity space, cycle storage, 2 car parking spaces and associated soft landscaping; removal of boundary fence

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

at **62 Dunster Drive, London, NW9 8EL**

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: 15/06/2020

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 Development Management Policies (2016)
Council's adopted Supplementary Planning Document 2 - Residential Extensions Design Guide (2018)

- 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):

A1.0 Rev A, 001, 002, 003, 004, A1.2 Rev A

Design and Access Statement

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 in writing 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 in the front garden to accommodate additional bin or cycle storage.

- 4 Prior to first occupation of the two flats hereby approved, further details of the front garden layout shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

(i) Details of the front garden layout shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), Such details shall include:

(i) A planting plan for of the front garden area, including the provision of shrubs and/or trees

(ii) any hedges and shrubs to be retained

(iii) any front garden wall, fences or other form of boundary treatment to be provided or retained together with the removal of the close boarded timber fencing on top of the boundary wall facing Hill Drive;

(iv) any car parking spaces, including the size and siting of the parking area, defined points of access and the surfacing materials to be used [which shall include the provision of parking for 2

cars;

(v) any waste and recycling storage facilities;

(vi) secure undercover lockable cycle store compound for studio flat with minimum ground floor dimensions of 750mm x 2,000mm

The hard and soft landscape works shall be carried out in full accordance with the approved details prior to the use of the building as two flats 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 .

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

INFORMATIVES

- 1 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.
- 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 is reminded that the requirements of Enforcement Notice E/17/0654 remain in effect. The applicant is advised that the enforcement notice should be complied with by 27th September, 2020 or that this planning permission should be implemented and complied with in full by 27th September, 2020, unless agreed otherwise by the local planning authority in writing.

Any person wishing to inspect the above papers should contact Liam McFadden, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3299

Agenda Item 05

Supplementary Information Planning Committee on 24 June, 2020

Case No.

19/4351

Location	62 Dunster Drive, London, NW9 8EL
Description	Retrospective planning application for a two storey building and proposed conversion into a residential development comprising 2 self-contained flats, including the creation of a side entrance, rear amenity space, cycle storage, 2 car parking spaces and associated soft landscaping; removal of boundary fence

Agenda page no: 109 - 126

Within the Consultation Section of the report there is an internal reminder note to check that all consultation comments had been included which was intended to be removed prior to publication. The consultation comments were checked but the internal reminder note was not removed.

Recommendation: Remains to Grant planning permission subject to conditions and informatives as set out in the report.

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