

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

13 January, 2015

15/3616

SITE INFORMATION

RECEIVED: 19 August, 2015

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Former Manor School, 3-7 The Avenue, London, NW6 7YG

PROPOSAL: Hybrid planning application for full permission for demolition of all buildings and the development of 74 residential units (Use Class C3) comprising of 33 x 1 beds, 23 x 2 beds and 18 x 3 beds in a part three / part four / part five storey building fronting The Avenue with related basement car park comprising 57 parking spaces; and a 3 storey plus basement building fronting Christchurch Avenue, new vehicular access; footways; landscaping and associated works ("Phase 1"); and Outline permission for a school (Use Class D1), with new vehicular and pedestrian access from Brondesbury Park, with details of "appearance", "scale", "layout" and "landscaping" being reserved ("Phase 2").

APPLICANT: Regal Brondesbury Park Ltd & The Secretary of State for Communities and Local Go

CONTACT: DP9

PLAN NO'S: See condition 4

SITE MAP



Planning Committee Map

Site address: Former Manor School, 3-7 The Avenue, London, NW6 7YG

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This map is indicative only.

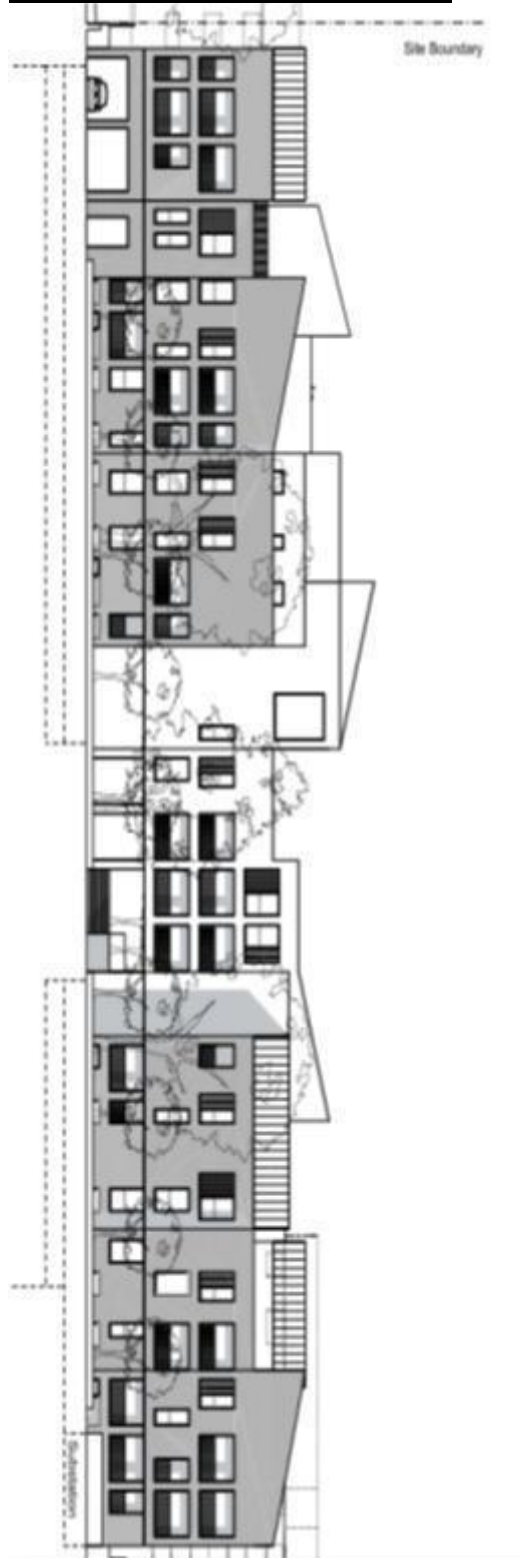
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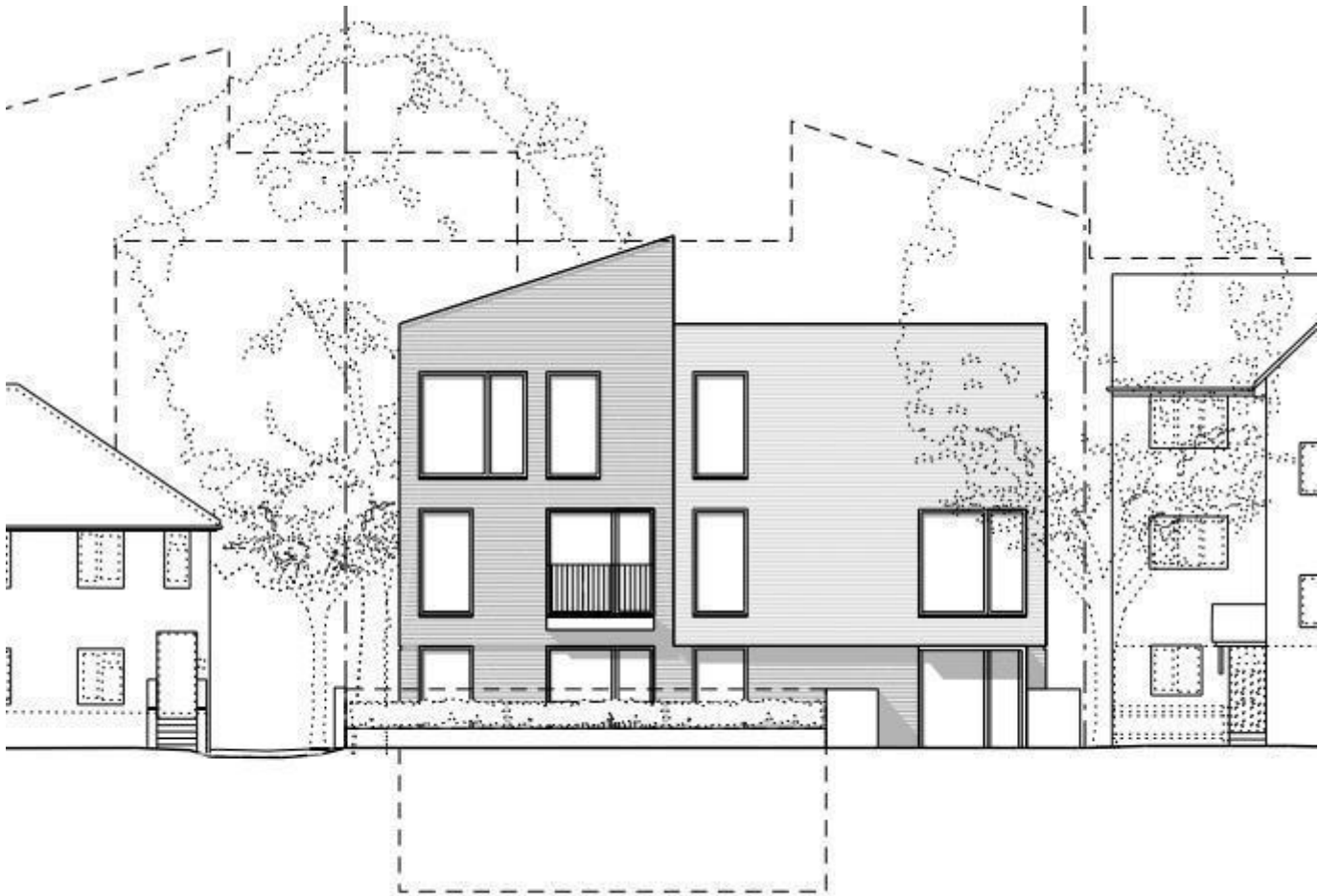
Proposed Site Layout



Front Elevation (The Avenue)



Front Elevation (Christchurch Avenue)



RECOMMENDATIONS

Grant planning permission subject to the conditions set out in the draft decision notice attached to this report and completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement., subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

The application is made in hybrid form with full planning permission sought for 74 residential units, set within blocks between 3-5 storeys in height on two separate sites fronting Christchurch Avenue and The Avenue, and outline permission for a new SEN school fronting Brondesbury Park. There is a significant change in level running north to south across the site which results in some of the southern blocks appearing at a lower level when viewed from the north.

B) EXISTING

The subject site is an irregular shaped piece of land located between the north-western side of The Avenue, NW6, the south-eastern side of Christchurch Avenue and the north-eastern side of Brondesbury Park. The site, which is currently vacant, has previous been used as a school, most recently as a temporary SEN school. The site is currently occupied by three permanent school buildings. The buildings comprise of a two-storey building at 3 The Avenue, a three-storey building at 7 The Avenue and a single-storey building located close to the junction between Brondesbury Park and Christchurch Avenue. All of these buildings would be demolished as part of the development

The character of the surrounding area is predominately residential. Towards the south, between the subject site and the junction between The Avenue and Brondesbury Park, there are three residential blocks which are between two and five storeys in height. Towards the west, fronting Christchurch Avenue, lies Willow Court, a

three-storey residential block which is bound to the rear and both sides by the subject site. Towards the north and east the site adjoins 56 Christchurch Avenue and Avenue House, respectively, both two-storey residential developments. The residential developments surrounding the site comprise of a mixture of traditional and contemporary architectural styles.

The sites to the north area generally set at a higher level than those to the south.

C) AMENDMENTS SINCE SUBMISSION

The application has not been amended since it was submitted.

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows

- i) The partial loss of an existing school site for residential use.
- ii) The viability of the development and contribution towards affordable housing.
- iii) The transport impact of the proposed development
- iv) The impact of the development on the living conditions of neighbouring occupiers.

E) 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)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	3000	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
EXISTING (Bedsits/Studios & Market)										
PROPOSED (Flats û Market)	24	23	18							65
PROPOSED (Bedsits/Studios & Market)	9									9

RELEVANT SITE HISTORY

The site has a history of educational use. Most recently it was occupied on a temporary basis between 2011-2013 by the Swiss Cottage SEN school during the redevelopment of their permanent site. Planning permission (ref. 10/1691) for erection of temporary school buildings on the site during this period was approved in September 2010. These buildings have since been removed from the site which has now remained vacant since 2013.

CONSULTATIONS

Public Consultation

Consultation letters, dated 4th September 2015, were sent to 2215, neighbouring occupiers. As the proposal is a major development the application was also advertised by way of site notices displayed around the site on 5th September 2015 and a press notice published on 10th September 2015. To date 10 letters of objection have been received and 10 letters of support have also been received. The concerns raised by the objectors are summarised below.

Summary of Objections	Response
Transport	
Concerns that the development will increase traffic and congestion within the vicinity of the site. Has the transport assessment look at peak times of the day.	See paras 16 (residential) and 21-22 (school). Peak times have been considered as part of the assessment undertaken.
Concerns that the development will increase on-street parking problems within the vicinity of the site.	See paras 10-11
Concern regarding relationship of proposed vehicular access on the The Avenue to existing access to Dalton Lodge	See para 13
The proposal would result in an over concentration of schools within the area	Although currently vacant the existing site is already a school use. The need for an SEN school in this location has been identified by the EFA and funding secured.
There is a lack of parking enforcement during peak times which affects highway and pedestrian safety	If existing residents do experience issues with illegal or unsafe parking these should be referred to the Council's Transportation Unit who will be able to address the matter
Amenity of Neighbours	
Concerns regarding the impact of construction on the surrounding area in terms of noise/vibration, pollution and traffic. Access during to the site during construction also raised as a concern	See paras 24-27. Planning conditions are recommended to ensure that the submitted Construction Management Plan is adhered to and requiring the submission of a Construction Traffic Management Plan.
Concerns regarding disturbance from residents of the development using balconies and open spaces.	Normal use of the open spaces and balconies is unlikely to give rise to unreasonable disturbance within the urban context of the site. and the residential nature of this development and surrounding properties. If particular issues arise from unreasonable behaviour these can be directed to the Council's Noise and nuisance team.
Concerns regarding the impact of the development on the light of neighbouring occupiers at Dalton Lodge	See para 44
Concerns regarding potential noise created by the operation of car-lifts	A condition is recommended that ensures that any noise created by the operation of the car-lift would be kept within reasonable levels.
Design & Landscape	
Concerns regarding the overall size, scale and height of the proposed development.	See paras 31-33
Concern regarding the details of boundary treatments to the site and particular issue	The existing wall in question is generally identified for retention. Further details of all boundary treatments,

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raised regarding the future of the existing wall and gate that run along Brondesbury Park, between Christchurch Avenue and Marada House,	including any alterations, would be required by condition.
Concerns regarding the removal of existing trees from the site and impact on trees outside of the site.	See para 35
Other	
Concerns that the proposed development would reduce telecommunications bandwidth within the vicinity of the site.	This is a matter for the statutory undertakers. If residents do experience coverage issues this should be reported to their provider.
There are existing structures on the site which do not benefit from planning permission	The temporary structures used by the Swiss Cottage SEN school have been removed. All remaining structures would be demolished as part of the development
There is a lack of infrastructure to support the development	The proposed development would be required to make a contribution of approximately £2.3M towards local infrastructure under the CIL Regulations

Consultees

Transport - There are no objections on transportation grounds to this proposal, subject to:-

- (i) A financial contribution sustainable transport improvements in the vicinity of the site;
- (ii) Undertaking of highway works along the boundaries of the site to include construction of new crossovers to the school and residential blocks and reinstatement of all redundant accesses to the site to footway with full height kerbs, together with associated alterations to parking bays, waiting restrictions, bus stops and street furniture to be carried out at the developers expense;
- (iii) Implementation of the submitted Residential Travel Plan;
- (iv) Submission and approval of a School Travel Plan prior to commencement of works to the school building;
- (v) A minor amendment to the basement car park layout to set all columns 800mm from the front of parking spaces;
- (vi) Submission and approval of further details of electric vehicle charging points;
- (vii) Submission and approval of further details of access, cycle and disabled parking for the school;
- (viii) A condition restricting the type of school to a Special Educational Needs school only;
- (ix) Submission and approval of a Construction Traffic Management Plan.

Tree Protection Officer - No objection subject to conditions requiring the implementation of the submitted tree protection plan.

Heritage Officer The Council's Heritage Officer raises no objection to the proposals. It is noted that the boundary wall, referred to in the representations received on the application, is identified for retention in the submitted D&A statement.

Education Funding Agency (EFA) - The EFA have written in support of the application.

Sustainability Officer - No objection to the proposals (see 'Sustainability comments').

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- Technical Housing Standards 2015

- London Plan 2015
- Mayors Housing SPG 2012
- London Borough of Brent Core Strategy 2010
- London Borough of Brent Unitary Development Plan 2004 ('saved' policies)
- Brent Supplementary Planning Guidance 17:- Design Guide For New Development
- Brent s106 Supplementary Planning Document

DETAILED CONSIDERATIONS

Land Use Principles

1. The existing site has a history of educational use and, as set out in the history section, has most recently been used to accommodate a temporary Special Educational Needs (SEN) school. However, the site has now been vacant since 2013. The current proposal now seeks to divide the site into separate uses, with 0.27Ha retained for the provision of a new SEN school and 0.53Ha released for residential development. As such, the proposed development would result in the net loss of land which has an educational planning use.
2. London Plan policy 3.18 sets out that proposals which result in the net loss of educational facilities should normally be resisted unless it can be demonstrated that there is no on-going or future demand for the facility. The future demand for the use of the site for educational purposes has been given significant consideration by officers, including discussions with colleagues in the Council's own school expansion programme and the Education Funding Agency (EFA). The outcome of this is that the EFA have secured funding to purchase part of the site from Regal Homes in order to deliver a new SEN school on the site which is required to meet local demand for SEN school places.
3. The EFA did not require the whole site to deliver the proposed SEN school and the Council are currently unable to identify any other alternative proposal for the remaining site. Therefore, at present, there are no other viable proposals to provide educational use on the remainder of the site. As such, it is considered that the proposed land-use mix between educational and residential use is an appropriate balance in terms of meeting identified future demand for educational facilities whilst also providing much needed homes.

Affordable Housing

4. Regal Homes initially proposed no affordable housing on the proposed redevelopment of the Former Manor School, 3-7 The Avenue, London NW6 7YG and submitted a Financial Viability Assessment (FVA) undertaken by Gerald Eve (GE) that sought to justify this position. Officers appointed Lambert Smith Hampton (LSH) to undertake an independent review of the FVA. The LSH review concluded that the scheme could not be reasonable and viably support the provision of affordable housing, but recommended a review mechanism be introduced into the s106 agreement. After discussions with LSH and amendments to their report, Officers reached the stage where they were satisfied with most elements of the LSH review. Concerns were however raised with respect to the GE adoption of a Benchmark Land Value (BLV) of £18.25m and the LSH endorsement of that BLV. These concerns were brought to the attention of Regal Homes.
5. Regal Homes have taken the view that they are prepared to adopt a BLV of £15m as representative of the Existing Use Value (EUV) of the site, as well as a profit margin below the normally accepted range of 17%-20% of GDV, and in such circumstances deliver the proposed block of 6 flats on Christchurch Avenue as affordable shared ownership housing. Regal Homes explain that such an approach is deliverable and viable due to:
 - a) The relative marginality of viability and the potential for sensitivity to reduce the required return shortfall;
 - b) The profit element is reasonable in absolute terms
 - c) The holding costs for the land for this development site mean that it is advantageous to proceed to recover lost costs; and
 - d) The ability to take an individual view on landowner return because Regal Homes Ltd is both landowner and developer

- e) Exceptional circumstances relating to the delivery of a school for the DfE within strict timescales
6. Regal Homes have provided a letter setting out this offer and affirming that should planning permission be granted January 2016 they would not seek to challenge this position retrospectively. Whilst this letter provides some comfort this is unlikely to be considered legally binding and can only be given limited weight. Regal Homes have also instructed and provided an updated GE appraisal on the basis of the revised assumptions, and agreed this would form the basis of a full open book financial review of the scheme circa 6 months prior to practical completion of the scheme, which would be secured under the s106 agreement, and allow for additional affordable obligations in the form of a commuted sum to be ringfenced for delivery of affordable housing elsewhere in the borough if financially viable.
7. Officers consider the Regal Homes affordable housing offer to be reasonable in this case only and on the basis of 1) the LSH independent review of the GE FVA 2) the final GE appraisal of the scheme (which adopts a BLV much closer to the EUV of the site and £3.25m lower than the GE/LSH view on BLV), and adopts a profit margin below what is generally considered to be an acceptable developer margin 3) a full open book financial review of the scheme which would secure additional affordable housing obligations if viable 4) the written commitment of Regal Homes to not challenge this proposal retrospectively. As such, your officers give some weight to affordable housing provision in the overall consideration of this planning application."

Housing Mix

8. The proposed development would provide the following housing mix.

Unit type	Unit No.s	Mix (%)
Studio	9	12
1-bed	24	32.5
2-bed	23	31
3-bed	18	24.5
TOTAL	74	

9. Core Strategy policy CP2 sets out that 25% of all new housing should be family-sized (3+bedroom). The proposed development would provide 24.5% 3-bedroom units and therefore it is considered that the proposed mix is generally consistent with the Council's Core Strategy.

Transport

Residential

10. Under the Council's maximum parking standards the 74 proposed flats would be permitted up to 89 car parking spaces and therefore the proposed provision of 57 spaces within a new basement is considered acceptable. However, Policy TRN23 also requires consideration to be given to the impact of any overspill parking on traffic flow and road safety in the area. In this respect, with all of the units proposed for private market housing, it is estimated that parking demand will total about 75% of the maximum standard, giving estimated demand totalling 68 spaces. This would lead to an overspill of about 11 cars from the site.
11. Policy TRN23 does allow on-street parking along site frontages to be counted towards parking standards though, as long as the adjoining street is a local access road that is not heavily parked and has sufficient width to safely accommodate parking along both sides. Both The Avenue and Christchurch Avenue fulfil these criteria and currently offer ten spaces along the two site frontages, with a further four spaces possible due to the removal of all but one vehicular access point. It is thus essential that the existing accesses that are no longer required for the development are reinstated to footway with full-height kerbs at the developer's expense and that the parking bays along the streets are amended accordingly.
12. The proposed basement car park layout meets standards in terms of parking space dimensions, aisle width and headroom, including for disabled high-top conversion vehicles. However, all columns need to be set at least 800mm from the front of parking spaces to aid manoeuvring and visibility and these details can be required by planning condition. Access and egress to the basement car park is proposed using two car lifts, with the lifts being set far enough back from the highway boundary to allow two cars to stand clear of the highway whilst waiting. The control system will also return lifts to ground floor level between calls, in order to minimise waiting time and queuing for cars entering the site.

13. The proposed vehicular access onto The Avenue at the western end of the site meets standards in terms of width, kerb radii and pedestrian and vehicular visibility splays. Eight wide disabled parking spaces have been indicated close to stair/lift cores from the basement, which ensures that over 10% of flats have access to an allocated space if required. At least 22 spaces should also be provided with electric vehicle charging points (eleven active and eleven passive) and the Transport Statement has confirmed that these will be provided. Further details of this are sought as a condition of any approval though. Standard PS16 requires the provision of at least one secure bicycle parking space per flat. A total of 108 spaces are proposed within two storerooms in the basement car park of the main building, whilst an internal storeroom with capacity for at least 8 bicycles is shown for the smaller block of six flats. Two further visitor spaces are shown in front of the main block. As such, standards are more than complied with in secure and sheltered locations that would be attractive for use by residents. Three motorcycle parking spaces are also proposed within the basement car park, which are welcomed.
14. Refuse storage for the large block is proposed within the basement car park and is proposed to be brought up to a ground floor area to the rear of the car lifts with adequate capacity for 16 Eurobins and 8 wheeled bins on refuse collection days by the management company. Refuse vehicles will then reverse into the site entrance area alongside the basement car lifts to load refuse. Refuse bins (7 wheeled bins) for the smaller block are to be stored at the front of the site, allowing easy collection from Christchurch Avenue.
15. The entrances to the two rear parts of the main block are over 45m from The Avenue, thus exceeding fire appliance access distances for the site. To address this, it is proposed to provide a means of access for fire appliances onto the 5m wide pedestrian entrance area to the main block from The Avenue by marking a gap in the parking bays along the site frontage with yellow lines and providing a vehicular crossover for emergency access. The Design & Access Statement confirms that the London Fire & Rescue Service has approved this arrangement in principle and the only concern is therefore to ensure that other unauthorised vehicular access onto this area is controlled through the use of drop-down bollards (or similar).
16. Likely future person trips to and from the proposed flats have been estimated based on comparisons with six similar residential blocks of flats in outer London with similarly moderate access to public transport services. This exercise produces estimated peak hour person trips totalling 6 arrivals/23 departures in the morning peak hour (8-9am) and 22 arrivals/10 departures in the evening peak hour (5-6pm) for these 74 proposed flats. These estimated trips have then been broken down by mode and for vehicular trips, peak hour flows of 2 arrivals/4 departures in the am peak hour and 5 arrivals/4 departures in the pm peak hour are estimated to be by car drivers. This is not considered to be significant in terms of its impact on the local highway network
17. To help to minimise future traffic emissions and congestion in the area, improve travel choice and promote active and healthy travel, a Travel Plan has been submitted for the residential element of the development. This sets out a wide range of measures (promoting public transport (incl. £50 oystercards/cycle vouchers), promotion of Car Clubs (incl. two years free membership), promotion of car sharing, personalised travel planning, broadband connection, parking management etc.) to be implemented and managed by a Travel Plan Co-ordinator. This aims to reduce the proportion of journeys to and from the site by car from 14% (estimated from 2011 Census data) to below 10% over the course of five years (although targets will be subject to review following the undertaking of initial surveys once 75% of units are occupied), with reviews undertaken after three and five years to assess progress towards targets. The Travel Plan has been assessed using TfL's ATTrBuTE programme and has comfortably scored a PASS. Operation of the Travel Plan should thus be secured by planning obligation

School

18. The proposed school would not provide any parking for staff or visitors however the site is located within a controlled parking zone (CPZ) preventing long terms parking by staff within the vicinity of the site, who would instead need to rely upon public transport. Visitors would be able to make use of on-street pay and display bays in the vicinity of the site. As the proposed school would be for SEN the majority of the pupils would arrive and leave by minibus. A basement area measuring 33.5m x 13.5m is thus proposed to accommodate a minimum of eight minibuses. This level of provision is appropriate for a school of up to about 150 pupils, based on data accumulated from the former temporary Swiss Cottage SEN school on the site and from other SEN schools in the Borough.
19. Access to the basement is proposed via a 5.8m wide ramp from Brondesbury Park at the southern end of the plot. This currently emerges at the location of a bus stop, which clearly is not acceptable. An

alternative position for a shortened bus stop further south outside the adjoining Marada House has therefore been identified and agreed with London Buses and Brent's Transportation Unit. This location will displace on-street parking spaces though and these are to be resited in the location of the existing bus stop, which will also allow the number of spaces to be increased from three to four. All associated alterations to the bus stop, shelter, bus stop markings, parking bays, pay and display machines and other street furniture will need to be met by the developer as part of the costs of providing the site access, including the cost of amending Traffic Regulation Orders. Otherwise, the location of the proposed access is fine and adequate vehicular and pedestrian visibility splays will be provided. Tracking has been provided to demonstrate that minibuses are able to pass each other along the length of the access ramp, so there is no need for vehicles to wait in Brondesbury Park to enter the site

20. Further details of disabled parking, cycle parking and pedestrian access would need to be conditioned as reserved matters at this stage, although it is noted that the Transport Assessment confirms that a total of 22 cycle parking spaces are to be provided for the school.
21. Estimated trips to and from the proposed SEN school have been estimated using modal-split survey data provided as part of the former Swiss Cottage SEN school's Travel Plan, which recently operated from this site for a temporary period. This suggests that up to 8 minibuses would take 101 pupils to and from the site each day, whilst 22 further pupils would be dropped off by car. These pupil journeys would add a further 30 vehicular arrivals and 30 departures in the morning peak hour (n.b. as the school would be likely to close before the evening peak hour, associated traffic movements at the end of the day would tend to be between 3-4pm rather than in the evening peak hour). No car-parking is provided for staff who would have to rely upon public transport to get to and from the school as the surrounding area is located within a Controlled Parking Zone
22. These flows have then been compared to existing daily flows on The Avenue, Brondesbury Park, Christchurch Avenue and Willesden Lane, but in all cases, the development would increase existing traffic flows by less than 2%, which is not considered to be significant enough to warrant further analysis. Brent's Transport officers have also considered the likely impact solely during the morning peak hour, but even if staff traffic is not constrained by the absence of parking, the volume of traffic to and from the proposed flats and school along any particular road would amount to less than 5% of the existing flows, which remains small enough not to be of concern. On the basis of these estimated traffic flows into and out of the site, the proposal does not give rise to any concerns regarding traffic impact on nearby road junctions in the area. The estimated volume of trips to and from the site by bus and rail (approx. 150 trips per day) is not great enough to warrant further analysis of capacity, averaging less than one extra trip per service. The school would require a Travel Plan, but as it is an outline application no such document has been submitted at the current time. A s106 obligation is therefore sought requiring the submission and approval of a School Travel Plan prior to occupation on that part of the development.
23. Due to the specific characteristics of a SEN, the transport of pupils can therefore be accommodated satisfactorily. However, other types of school (particularly primary schools) would be of more serious concern, given the presence of the bus stop outside the site and the island preventing right-turning movements into and out of Christchurch Avenue. A condition restricting the use of the building to a Special Educational Needs school only is recommended as part of any permission.

Construction Management

24. A Construction Management Plan for the residential element of the development has been submitted with the application, setting out arrangements for the management of the construction works and associated traffic over the programmed 98 week construction period. This is proposed to be supplemented by a Traffic Management Plan for the works at a later date.
25. Deliveries over the course of the works contract will all be pre-booked through the site manager and co-ordinated (arriving between 8am-4.30pm on weekdays and 8am-1pm on Saturdays) to ensure that no delivery vehicles are queuing to access the site. The access route to the site is confirmed as being via Kilburn High Road, Willesden Lane and The Avenue, with egress via Salusbury Road southwards. This will be communicated to all suppliers and sub-contractors. Delivery vehicles will range up to a 16.7m articulated lorry (for the piling rigs and excavator), but will largely comprise 9.1m rigid tipper lorries to take waste from the site or to deliver concrete and 12m flat bed lorries for delivery of steel frames. The peak traffic period is estimated to be during the demolition phase, when up to 20 lorries per day are expected to remove waste (although a waste management plan is proposed to minimise waste-away). Deliveries are intended to take place from within the site using a crane, with two temporary crossovers proposed onto The Avenue. Delivery vehicles will then enter the site at the eastern access and egress at the

western crossover, with traffic marshals employed to aid safe movement into and out of the site to maintain pedestrian and cyclist safety.

26. Arrangements for the temporary crossovers will need to be made with Brent Council's Safer Streets team and tracking should be provided to ascertain the requisite width for the crossovers. Any parking bays that need to be suspended to achieve access (particularly for larger loads that cannot enter the site) will need to be organised through the Parking Management team and if any temporary footway closures or on-street loading bays are required, these need to be arranged through Brent's Transportation Unit.
27. The site is to be securely sealed with 2.1m high hoardings and gates around the site boundary; none of which are proposed to encroach over the public highway. It is confirmed that wheel washing equipment will be provided, particularly during the demolition and excavation works. Staff accommodation and welfare facilities will be provided within the site throughout the construction programme, but details of the location of such facilities at various stages of the works have not been provided at the present time. No staff parking is proposed to be provided within the site, with staff instead encouraged to use public transport to access the site, which is welcomed. Overall, the proposed Construction Management Plan is fine and is welcomed at this stage, but a future Construction Traffic Management Plan should be submitted to clarify requirements for loading and access from The Avenue.

Urban Design

28. *Layout* - The proposed development would in effect subdivide the site into 3 plots, two residential and one plot for the school. The residential plots would have separate accesses from The Avenue and from Christchurch Avenue. A new access point to the school site would be provided from Brondesbury Park. The technicalities of providing this new access are discussed in further detail in the Transport section of this report, but the principle of providing access to the school from Brondesbury Park is considered acceptable as it will direct activity away from The Avenue and Christchurch Avenue, which are generally quieter side streets, during school drop off and collection times.
29. The proposed residential block on Christchurch Avenue would have a fairly conventional siting and would repair a gap in the existing streetscene. The proposed block to the Avenue would have a more interesting layout, being arranged around 3 separate communal courtyards. The dimensions across these courtyards are in general compliance with the guidance contained in SPG17 and would provide suitable amenity, privacy, outlook and light for future occupiers. The proposed layout seeks to maximise the development potential of the site, which has considerable depth, by placing accommodation not only along the site frontage but also in blocks behind the main frontage. This does cause some potential issues in terms of the relationships with neighbouring sites (which is discussed in more detail in the 'Impact of Neighbouring Occupiers' section of the report) but it provides an efficient use of the space available to maximise the delivery of much needed new homes.
30. Both blocks have significant sets backs from the edge of the public footpath which would allow for extensive soft landscaping, including tree planting, which would complement the character of the surrounding area. It also results in a sensitive relationship with properties located on the opposite sides of The Avenue and Christchurch Avenue.
31. *Scale & Massing* - The surrounding area is characterised by varying forms of development which generally move between 2 and 5 storeys in height and the proposed development is consistent with this. The proposed development seeks to exploit the level difference across the site in order to place taller elements where they will have less visual impact. For example, the Christchurch Avenue block would appear to have three-storeys when viewed from the street as the level difference allows a lower ground level to be formed to the rear. Although at three-storeys this block would be a storey taller than the adjacent two-storey development at 56 Christchurch Avenue but the design responds using a pitched roof in order to provide a suitable transition in scale within the streetscene. A combination of pitched and flat roofs are used throughout the development in order to break up the massing of the proposed block and provide visual interest.
32. Along The Avenue the height of the blocks is generally kept to 3-storeys in height, with a lower ground level beneath, which is consistent with the existing properties along the opposite side of the street. Taller elements are generally directed to the rear of the site where their impact will be felt less. The elevations to the Avenue block have been broken down into a series of more modest elements which will reduced the perceived massing of the overall development.
33. Whilst the exact scale and massing of the proposed school would be reserved for further approval, the

overall, height and scale indicated would be consistent with the adjacent buildings, Marada House and Willow Court.

34. *Elevational Treatment* - Despite being located on separate sites the residential developments would have a consistent architectural language which is complementary to the character of the surrounding area. The elevations are generally simple in design with well proportioned and generous openings, including recessed terraces and deep window reveals. Elevations would predominantly be finished with a light buff brick and therefore the quality of the brick used will be imperative to the overall quality of the design and this will need to be secured by condition. The brick elevations will be complemented by anodised aluminum used for windows, balconies and balustrade and the pitched roofs will have single seamed zinc cladding. Overall, the elevational treatment of the proposed residential development is considered acceptable.

Trees

35. There are a number of TPO trees on the site. The proposed development would result in the loss of 21 trees from the site, most of which are category C trees with a few category B2 trees. The applicant proposed to mitigate the loss of these trees through the planting of new trees as part of a wider landscaping strategy for the site. The landscaping strategy proposes to include 46 new trees on the site which is considered acceptable by the Council's Tree Protection Officer and should be secured by condition. A condition is also recommended to ensure that where trees are to be retained that works are undertaken in accordance with an agreed Tree Protection Plan.

Density

36. The proposed development would have a density of 410 habitable rooms per hectare (hr/ha) or 140 units per hectare. The application site is located within a urban area and has a public transport accessibility level (PTAL) of 3. Under the London Plan density matrix the appropriate density for the site would be between 200-450hr/ha. As such, the proposed development has a density that falls within the appropriate range.

Residential Quality

37. *Internal* - All of the proposed units have been designed to comply with the minimum sizes set out in the Mayors Housing SPG. In fact, due to the unusual layout a number of the proposed units are significantly oversized. The units have also been designed to Lifetime Homes standards, although this is no longer a planning requirement following the introduction of the governments Technical Housing Standards. 10% of the units have been designed to be wheelchair adaptable in compliance with the London Plan.
38. *External* - Both residential sites would exceed the minimum amenity space requirements as set out in SPG17 and the London Plan through the provision of terraces, balconies and communal gardens/courtyards. The applicant has provided a landscaping strategy for the site, which would include the planting of replacement trees. Further details of the landscaping for the site should be secured via condition.

Impact on Neighbouring Residents

39. The complex layout of the site means that it shares a number of boundaries with adjacent residential development. The impacts of these relationships on the living conditions of adjoining residents is set out below.

Christchurch Avenue Block

40. A 3/4 storey block would be situated on Christchurch Avenue, located between Willow Court (WC), a 3-storey block, and 56 Christchurch Avenue (56CA), 2-storey semi-detached properties which have been converted into flats. In general, the proposed building does not have side facing windows and therefore privacy is unlikely to be a particular issue. Where the proposed building is set in at third floor level, there is a single secondary side facing window, however, its siting at high level above a section of flat roof, and its considerable distance from the boundary make it unlikely that there would be any particularly sensitive views of WC.
41. *Willow Court* - In terms of the relationship with WC, the flank walls of WC and the proposed block would have a separation of approximately 1.5m. The distance from the flank wall of the proposed block to the centre of the closest rear facing windows to WC would be approximately 3m. Along the closest edge the proposed block would project 2m beyond the rear of WC before stepping away from WC, increasing the separation by a further 3.3m, whilst projecting a further 3.3m. This creates a stepped relationship with WC which reduces the impact of the proposed building on the outlook from WC, particularly as the

immediate impact of the proposed building would not breach a 45 degree line from the centre of the nearest habitable room window and therefore daylighting is unlikely to be adversely affected.

42. *56 Christchurch Avenue* - The separation between the proposed building and 56CA is more generous due to the presence of a vehicular route between the buildings which provides access to the rear parking area for 56CA. The flank wall separation here would be 5m and the proposed building would only project approximately 1.5m beyond the rear of 56CA. As such, despite the apparent height difference between the buildings the impact on outlook and light to 56CA would be extremely limited and your officers are satisfied that the living conditions of the neighbouring residents would not be unacceptably harmed by the Christchurch Avenue block..

The Avenue Block

43. The proposed blocks accessed from the Avenue would have a number of shared boundaries with existing residential developments. Towards the west the development would share boundaries to the flank of Dalton Lodge (DL) and to the rear of Marada House (MH). To the east it would share the flank boundary with 3 The Avenue (3TA). To the North the site would abut the rear boundaries of 56CA and Redwood Court (RWC). The impact of the proposed block on the living conditions of residents of those properties in terms of privacy, outlook and light are considered below.
44. *Dalton Lodge* - The proposed building will be set approximately 1.3m off the joint flank boundary with DL. The separation between these buildings would be between 4.5m and 6.5m. The flank wall of DL is stepped to form a three-sided bay meaning that the windows to these rooms, a lounge and two bedrooms, face both to the front and rear. Notwithstanding the close proximity of the proposed building, the design of these bays means that sufficient outlook and light will continue to be provided to these rooms. The applicants daylight consultant has confirmed that daylighting to these rooms will comply with BRE standards. There would be no flank wall windows within the proposed building where it lies adjacent to Dalton Lodge and therefore privacy is unlikely to be significantly affected.
45. *Marada House* -The proposed building would be set 7m off the rear boundary with MH and 22m from the rear elevation of MH. As such, any window-to-window distances would comply with the guidance contained in SPG17. The proposed building would be below a line of 30 degrees taken from a height of 2m against the rear elevation of MH and it is considered that reasonable outlook and light would be maintained for the residents of MH. The area to the rear of MH is used for car-parking and therefore, whilst the proposed building would fail to fully comply with the guidance for privacy and scale in terms of the relationship with the boundary of MH, your officers do not consider that this would result in any particularly adverse impact on the living conditions of residents of MH given the less sensitive use of this area.
46. *56CA and Redwood Court* - At the closest point, the proposed building would come within approximately 1.5m of the rear boundaries with 56CA and RWC although, 56CA and RWC themselves would be approximately 42m and 33m away, respectively. The areas within 56CA and RWC immediately adjacent to the site boundary are used for residents car-parking and therefore, as with MH, it is considered that these areas would be less sensitive in terms of privacy, light and outlook. There are some amenity areas to the immediate rear of 56CA and RWC but even these would be over 20m from the proposed building. In terms of privacy, where the proposed building comes closest to the boundary there would be no windows in the wall facing the boundary. Some elements of the building have been set further back from the boundary by approximately 6m and windows have been included in these sections. However, with the amenity areas and neighbouring buildings being located over 20m away it is not considered that these windows would cause any significant harm to privacy. Although the building has been designed so that some section would sit at a lower ground level than 56CA and RWC, the building would breach the 45 degree line along this boundary in two places. However, given the significant distances to amenity areas and the neighbouring buildings, on balance, it is not considered that there would be a significantly detrimental impact on the living conditions of the residents of 56CA and RWC in terms of outlook and light.
47. *3 The Avenue* - This 3-storey residential block is located to the east of the site. The part of the proposed building closest to the neighbouring block would not project rearwards of that block and therefore there is unlikely to be any significant impact on the living conditions of residents of 3TA. However, unlike MH, 56CA and RWC, the area to the rear of 3TA appear to be used wholly for residential amenity rather than car-parking and therefore the impact of the proposed building on this space must be given more careful consideration. The part of the building located closest to this amenity space has been designed to reduce

its impact on residents enjoyment of the space by pulling the building away from the boundary and reducing the height. This has resulted in a relationship where the building is set away from the boundary by 3m and with a relative height of 6m. This does not fully comply with the 45 degree guidance contained in SPG17 but it only breaches the guidance by 1m. Given the part of the building would have a length of 10m against a boundary which is approximately 35m long, its distance from the neighbouring building and the general open character of the remainder of this large space it is considered that, on balance, this relationship is acceptable within the urban context of the site. There would be habitable room windows and terraces that face back towards the rear of 3TA but these would satisfy the 20m guidance contained in SPG17 and therefore it is not considered that there would be any unreasonable harm to the living conditions of residents of 3TA in terms of loss of privacy.

The School

48. The school is only presented in outline form with the matters of scale and appearance reserved. Indicative massing is provided at this stage which suggests that the school would most likely have a direct impact on the rear of WC and the flank of MH. The separation between the flank of the school and MH would be in the order of 10m and it is likely that the indicative massing could deliver an acceptable relationship at a detailed design stage. In terms of the relationship with Willow Court, the proposed school building would be a similar height but would project approximately 5m further rearward where the buildings lie adjacent to one another. This relationship is likely to require some further consideration at the reserved matters stage but it is not so poor that it could not be reasonably be overcome. As such, the proposed massing for the school building is considered to be within the envelope of an acceptable development, subject to a more detailed consideration of the relationship with WC.

Conclusion

49. The proposed development would deliver the following benefits

- 1) The delivery of a new SEN school
- 2) The delivery of 74 much needed homes, including 6 shared ownership units.
- 3) A CIL contribution of approximately £2.2M towards local infrastructure.
- 4) The reuse of a site that has been vacant for 2 years.

As such, although there may be some concerns regarding the level of affordable housing provided and some of the relationships around the site officers consider that on balance the scheme would make a positive contribution and recommend the application for approval subject to the conditions and obligations set out in this report.

SUSTAINABILITY ASSESSMENT

ENERGY

The applicant has supplied an energy statement as part of the submission which indicates measures that will result in a 35.9% reduction in CO2 emissions beyond the requirements of Part L of the 2013 Building Regulations in compliance with policy 5.2 of the London Plan. The energy statement has been reviewed by the Council's Sustainability Officer and is considered robust. However, compliance with this target should be secured in a s106 agreement as part of any permission.

S106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Affordable Housing - 6 Shared Ownership units (2x3-bed and 4x1-bed). A full open book review to be undertaken post implementation.
- Car-Parking Permit Free development (southern part of the residential development only)
- Join and adhere to Considerate Constructors
- Energy a 35% reduction in CO2 emissions beyond the 2013 Building Regulations (residential and school triggers)
- BREEAM 'Excellent' (school only)
- Residential Travel Plan
- School Travel Plan

And, to authorise the Head of Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

CIL DETAILS

This application is liable to pay **£2,598,201.74*** 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): 1210 sq. m.

Total amount of floorspace on completion (G): 10766 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
Dwelling houses	10766		9556	£200.00	£35.15	£2,209,825.00	£388,376.74

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	259	
Total chargeable amount	£2,209,825.00	£388,376.74

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

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Application No: 15/3616

To: Wallace
DP9
100
Pall Mall
London
SW1Y 5NQ

I refer to your application dated 19/08/2015 proposing the following:

Hybrid planning application for full permission for demolition of all buildings and the development of 74 residential units (Use Class C3) comprising of 33 x 1 beds, 23 x 2 beds and 18 x 3 beds in a part three / part four / part five storey building fronting The Avenue with related basement car park comprising 57 parking spaces; and a 3 storey plus basement building fronting Christchurch Avenue, new vehicular access; footways; landscaping and associated works ("Phase 1"); and Outline permission for a school (Use Class D1), with new vehicular and pedestrian access from Brondesbury Park, with details of "appearance", "scale", "layout" and "landscaping" being reserved ("Phase 2").
and accompanied by plans or documents listed here:
See condition 4

at Former Manor School, 3-7 The Avenue, London, NW6 7YG

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:

Signature:

Head of Planning, Planning and Regeneration

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 2012

London Plan 2015

Brent Core Strategy 2010

Brent Unitary Development Plan 2004

Council's Supplementary Planning Guidance 17:- Design Guide For New Deevlopment \$

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment

Environmental Protection: in terms of protecting specific features of the environment and protecting the public

Housing: in terms of protecting residential amenities and guiding new development

Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

Transport: in terms of sustainability, safety and servicing needs

Community Facilities: in terms of meeting the demand for community services

- 1 Details of the reserved matters of appearance, landscaping, layout and scale for the Phase 2 development shall be submitted to be approved in writing by the Local Planning Authority before:-

(i) the expiration of three years from the date of this permission; or

(ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 2 The Phase 1 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved drawings:

BPP 0001 Rev D

BPP 0100 Rev F

BPP 0300 Rev B

BPP 0301 Rev B

BPP 0302 Rev B

BPP 0303 Rev B

BPP 0400 Rev B

BPP 0401 Rev B

BPP 0410 Rev B

BPP 3000 Rev N

BPP 3001 Rev Q

BPP 3002 Rev S

BPP 3003 Rev P

BPP 3004 Rev N

BPP 3005 Rev N
BPP 3006 Rev N
BPP 3007 Rev N
BPP 3500 Rev B
BPP 3510 Rev B
BPP 3511 Rev B
BPP 4000 Rev E
BPP 4001 Rev E
BPP 4100 Rev F
BPP 4101 Rev E
BPP 4102 Rev D
BPP 4103 Rev D
BPP 4104 Rev D
BPP 5110 Rev B
BPP 5111 Rev B
19605_01_P Rev B

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

- 4 The development, hereby approved, shall be carried out in accordance with the Phase II Arboricultural Impact Assessment, dated 09/07/2015, by Arbol EuroConsulting, including the Tree Protection Plan contained therein.

Reason: To ensure adequate protection for trees that are to be retained as part of the development.

- 5 a) Prior to the occupation of the Phase 1 development the following highway works shall be completed in accordance with the details provided within The Transport Assessment by Paul Mew Associates July 2015
- i) all existing vehicular crossovers that will be become redundant as a result of the development on The Avenue and Christchurch Avenue shall be reinstated to footway with full height kerbs
 - ii) where existing vehicular crossovers are reinstated new parking bays are marked out on street
 - ii) the new vehicular crossover to The Avenue as indicated on approved plan BPP-3003 Rev P shall be constructed
- b) Prior to the occupation of the Phase 2 development the following highway works shall be completed in accordance with the details provided within The Transport Assessment by Paul Mew Associates July 2015
- i) the new vehicular crossover to Brondesbury Park as indicated on approved plan BPP-3003 Rev P shall be constructed
 - ii) the existing bus stop, including all structures and road markings on Brondesbury Road shall be relocated
 - iii) new parking bays will be marked out
 - iv) all street furniture, including pay and display machines, shall be suitably relocated

Reason: In the interests of highway and pedestrian safety.

- 6 The refuse and cycle storage areas for the Phase 1 development indicated on the plans, hereby approved, shall be constructed prior to any occupation of the relevant part of the Phase 1 development. The relevant part of the Phase 1 development is the part of the development which the refuse and cycling storage facilities are intended to serve. These facilities shall be retained for the lifetime of the development.

Reason: To ensure that appropriate refuse and cycling storage facilities are provided for future occupiers of the development.

- 7 The Phase 2 development, hereby approved, shall only be used for the purposes of a special educational needs school and for no other educational use without the prior written approval of the Local Planning Authority by separate planning permission..

Reason: To enable the Local Planning Authority the opportunity to consider the potential transport impacts of any other use arising on the site.

- 8 The development, hereby approved, shall be carried out in accordance with Construction & Environmental Management Plan (Doc Ref CMP.BP.001 Rev No.C).

Reason: To ensure that the environmental impacts of the works are suitably mitigated.

- 9 In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings within Phase 1 hereby approved, a communal television system/satellite dish shall be provided. The equipment shall be located so as to have the least impact on the external appearance of the development.

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

- 10 Any external noise from all building services plant, including the proposed car-lifts, shall be at least 10 dB below the background noise level at the nearest noise sensitive premises (or other appropriate criterion under the new BS 4142:2014).

Reason: To ensure that any plant installed does not result in a noise nuisance to neighbouring occupiers.

- 11 Further details of materials for all external work for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before above ground construction works are commenced on that phase. The development 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.

- 12 Notwithstanding any details of landscape works referred to in the approved plans, a scheme for the landscape works and treatment of the surroundings of each phase of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground construction works on that phase. The approved details for each phase shall be completed in accordance with the approved details prior to the any occupation of that phase or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) proposed walls and fences indicating materials and heights;

(c) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(d) existing contours and any proposed alteration to ground levels such as earth mounding;

(e) areas of hard landscape works and proposed materials;

(f) a scheme for tree planting

(g) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of an 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 positions.

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

- 13 Notwithstanding the approved plans, a plan of the basement car-park for Phase 1 of the development, indicating all columns set 800mm from the front of parking spaces, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the Phase 1 basement car-park. The development shall be implemented in accordance with the approved details

Reason: To ensure suitable visibility splays for motorists using the basement car-park.

- 14 Further details of charging points for electric vehicles within Phase 1 of the development, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works on Phase 1 of the development. The approved charging points shall be in operation prior to the occupation of the development.

Reason: To ensure suitable facilities for electric vehicles are provided within the development.

- 15 Further details of disabled parking and cycle storage for the Phase 2 development shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be fully implemented prior to any occupation of the Phase 2 development.

Reason: To ensure appropriate facilities for cyclists and disabled motorists are provided as part of the development.

- 16 Prior to the commencement of any works on the site a Construction Traffic Management Plan, including but not limited to vehicle tracking for site access points, shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Traffic Management Plan shall be implemented in full.

Reason: In order to mitigate the impact of the development on local highway conditions during the works.

- 17 No development shall take place on either Phase 1 or Phase 2 until details of the implementation, maintenance and management of a sustainable drainage scheme for that Phase have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented prior to the occupation of the relevant phase and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To help reduce surface water run-off and the potential for flooding.

- 18 Prior to occupation of the Phase 1 development confirmation from the Building Control body demonstrating that the development has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010 shall be submitted to the Local Planning Authority .

Reason: To ensure that the development is designed reduce water consumption in accordance with London Plan policy 5.15

- 19 Prior to occupation of the Phase 1 development confirmation from the Building Control body

demonstrating that a minimum provision of 10% of the residential units shall meet Building Regulation Requirement M4 (3) Schedule 1 to Building Regulations 2010 'wheelchair user dwellings' and all residential units shall meet Building Regulation requirement M4 (2) Schedule 1 to Building Regulations 2010 'accessible and adaptable dwellings' shall be submitted to the Local Planning Authority.

Reason: To ensure that adequate provision is made for future disabled occupiers of the development.

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

Time	Area	Maximum noise level
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)

Results of tests shall be carried out to show that the required internal noise levels have been met shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the Phase 1 development.

Reason: To obtain required sound insulation and prevent noise nuisance

- 21 An air quality mitigation strategy for the western facade of the Phase 2 development shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in full prior to the occupation of the phase 2 development.

Reason: To limit the ingress of polluted air from this facade where air quality is predicted to exceed the annual mean NO2 objective.

- 22 Prior to the commencement of above ground construction works on phase 1 of the development further details of the Combined Heat and Power (CHP) system for the phase 1 development, including details of predicted emissions, shall be submitted to and approved in writing by the Local Planning Authority. The CHP shall be installed in accordance with the approved details prior to occupation of the development and retained for the lifetime of the development.

Reason: To ensure that the CHP would not have an adverse impact on air quality

- 23 Prior to the commencement of the phase 2 development, further details of any CHP system and/or boilers, including detailed specification of predicted emissions, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the development and retained for the lifetime of the development.

Reason: To ensure that the Phase 2 development would not have an adverse impact on air quality.

Any person wishing to inspect the above papers should contact Ben Martin, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231