

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 February, 2017
09
16/4174

SITE INFORMATION

RECEIVED: 21 September, 2016

WARD: Kilburn

PLANNING AREA: Brent Connects Kilburn

LOCATION: Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road & Peel Site Garages, London, NW6

PROPOSAL: Hybrid Application for the proposed redevelopment of the Peel site comprising Peel Precinct, 97-112 Carlton House, 8-14 Neville Close, 2 Canterbury Road & Peel site garages:

- **Full** planning application for the demolition of 2A Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of four buildings (A, B, C and E) ranging between four to 16 storeys, plus part basement comprising of 38 replacement affordable homes for existing South Kilburn secure tenants, 64 private sale units (38 x 1-bed, 47 x 2-bed, 13 x 3-bed and 4 x 4-bed units) new health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2), 3no A-class retail units at ground floor, associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision.

- **Outline** planning application with reserved matters (around Appearance, Landscaping, and Scale) for the demolition of 97-112 Carlton House, 34-57 Peel Precinct and Peel site garages, and erection of three buildings (D, F and G) ranging in height between up to 4 and up to 8 storeys provide up to 124 residential units comprising of 4 Affordable Housing units, and up to 120 private units, with associated landscaping, private open space, and cycle parking.

APPLICANT: London Borough of Brent

CONTACT: Mr Brooker

PLAN NO'S: See Condition 4

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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Please click on the link below to view **ALL** document associated to case

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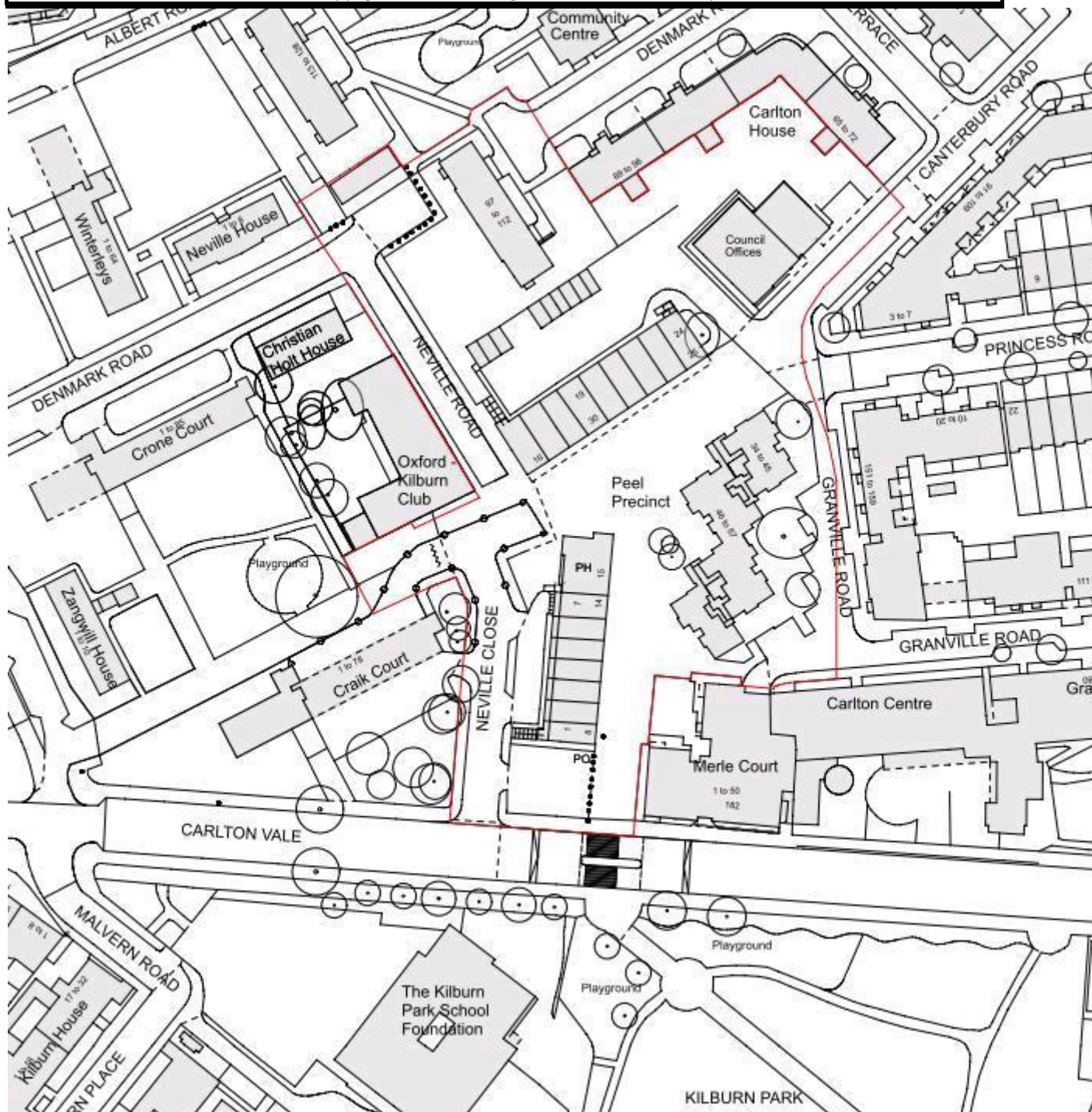
SITE MAP



Planning Committee Map

Site address: Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road & Peel Site Garages, London, NW6

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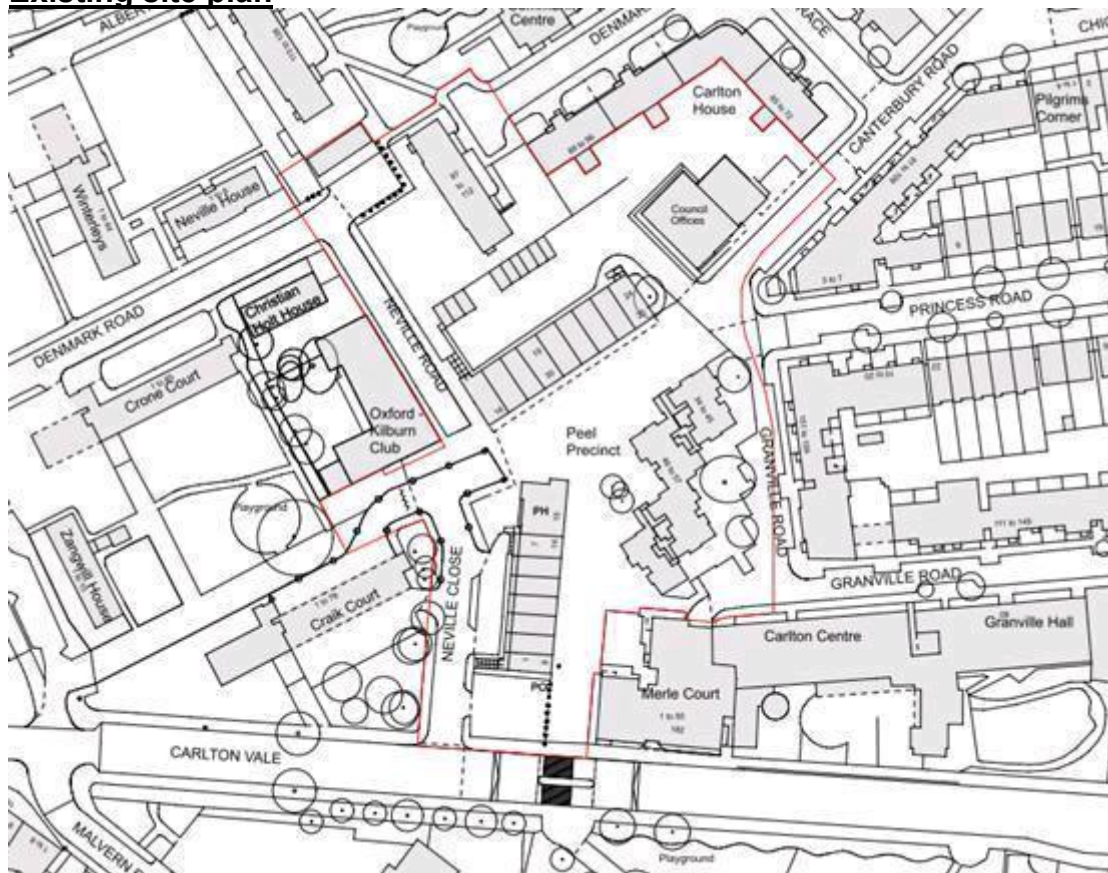


This map is indicative only.

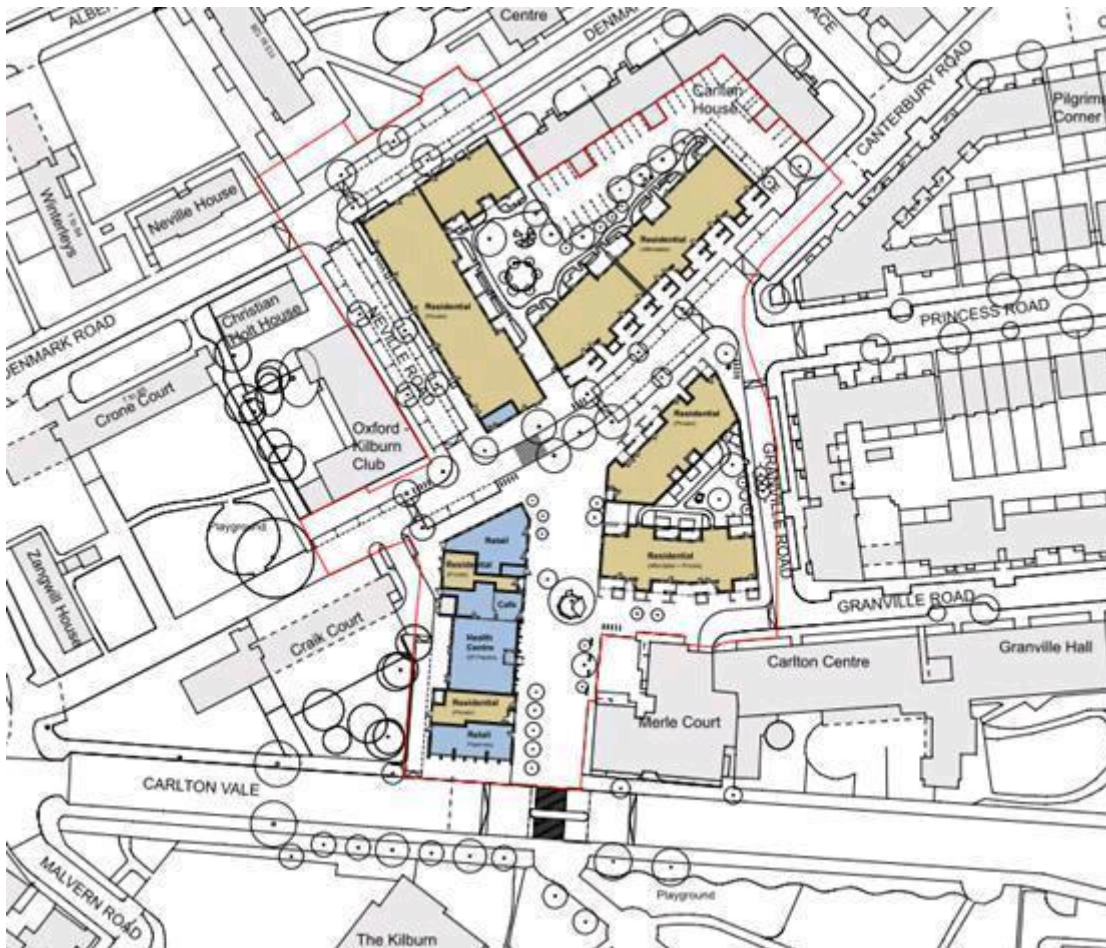
SELECTED SITE PLANS

SELECTED SITE PLANS

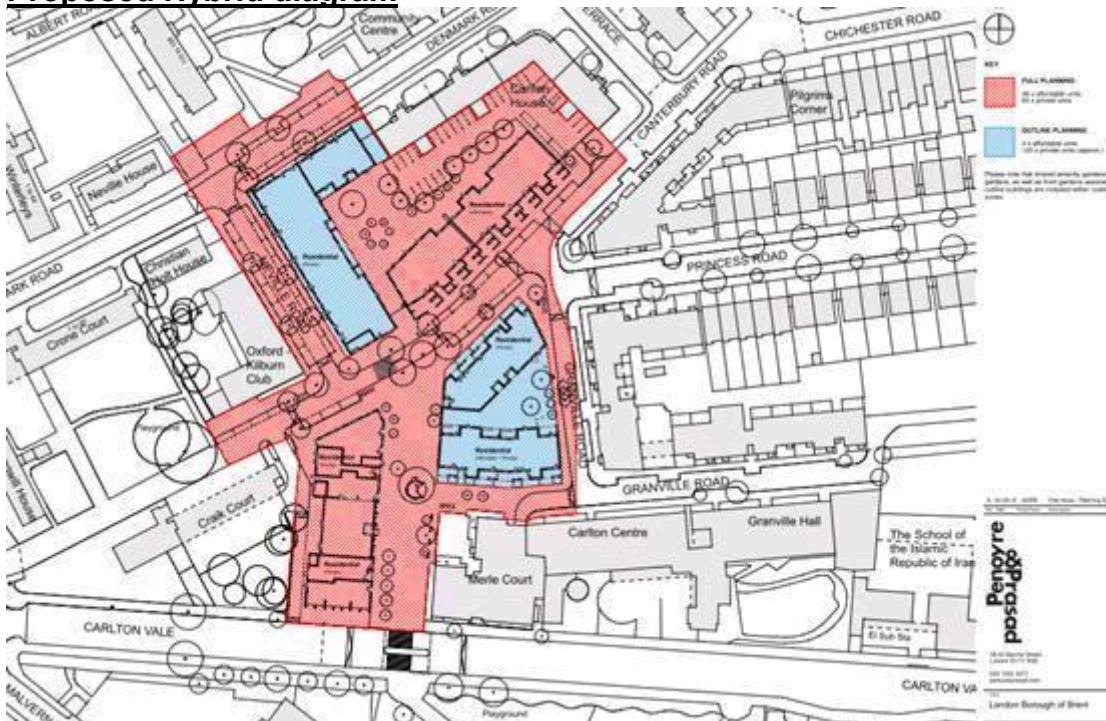
Existing site plan



Proposed site plan



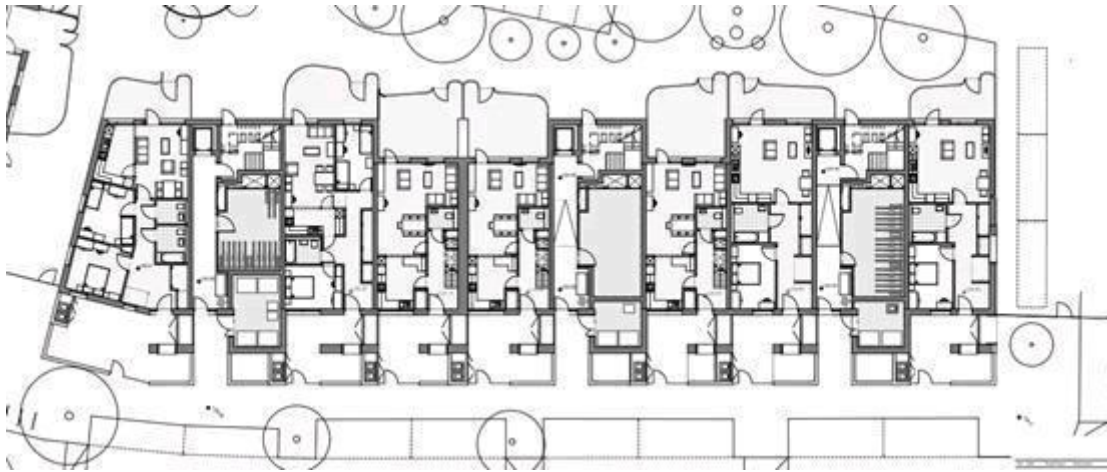
Proposed Hybrid diagram



(n.b. areas marked red part of Full application and those showblue in Outline)

Proposed ground floor layout, buildings A, B and C





Proposed massing, layout and context



Proposed massing, layout and context



View from Kilburn Park looking north west



View along Carlton Vale



Looking towards new public space and health centre building from Carlton Vale



Health centre entrance demonstrating stone fins detail



View along Canterbury Road of building E



View of shared amenity/parking space for buildings D, E & Carlton House



View along Neville Road with building D on the left and health centre building beyond



View from Peel public space looking north east along Canterbury Road towards building E



RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- a) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
- b) Notice of commencement within 28 days of a material operation.
- c) Implementation of the approved Energy Strategy Report to achieve the CO2 reduction of at least 35% below 2013 Part L Building Regulations Target Emission Rate, unless an alternative Energy Strategy is otherwise submitted to and approved in writing by the Local Planning Authority. Not later than two months after completion of the development to submit to the Council for its approval an Energy Assessment Review, to demonstrate the measures set out in the Energy Strategy Report have been achieved. If the evidence of the above shows that any of these sustainability measures have not been implemented, then the following will be required (a) the submission and approval of measures to remedy the omission: or, if this is not feasible (b) the submission and approval in writing of acceptable compensatory measures on site, or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure carbon offset measures on other sites in the Borough.
- d) Submission and approval in writing of a design stage BRE interim certificate of compliance is required to demonstrate the non-residential parts of the development will be constructed to such

specification to achieve a rating of 'Excellent' and post completion review with Certification and mitigation measures if not met.

- e) Submission and approval in writing of a revised overarching Framework Travel Plan and separate Health Centre and Residential Travel Plans of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme including clear modal shift targets and financial support towards future residents' membership of local Car Clubs and provision of interest-free season ticket loans for health centre staff
- f) A minimum 18.6% affordable housing (42 social rented units at target rent levels), comprising the following mix:
11 x 1-bed, 12 x 2-bed, 15 x 3-bed and 4 x 4-bed
- g) An appropriate post-implementation s106 financial review mechanism, such that the scheme financial viability shall be fully reassessed based on the agreed Benchmark Land Value within 6 months of practical completion.
- h) Enter into a 'permit-free' agreement, so that future residents of buildings A, C, D and F would not be eligible for permits to park in adjoining streets during CPZ hours. The properties shall not be occupied until this agreement has been entered into.
- i) Highway works, subject to a Safety Audits, to construct and adopt as publicly maintainable highway through an agreement under S38/278 of the Highways Act 1980 the following:
 - (i) extension of the eastern cul-de-sac of Denmark Road westwards to its junction with Neville Road;
 - (ii) opening of Canterbury Road to vehicular traffic westwards from its junction with Granville Road to its junction with Neville Close;
 - (iii) widening of Neville Road along its eastern side to provide on-street parking bays on either side of a 4.8m carriageway, with 2m minimum width footways behind;
 - (iv) widening of Granville Road along its western side to provide a 5.5m carriageway width and a 2m footway along its western side;
 - (v) realignment of Neville Close to a carriageway width of 4.8m with 2m footways for its northern 25m length, with a 4.8m shared surface for its southern 35m with access restrictions allowing vehicular access for goods vehicle loading only;
 - (vi) resurfacing of Peel Precinct and the northern footway of Carlton Vale fronting the site; together with installation of traffic calming features to include raised junction tables at all new road junctions, kerb build-outs/pinch points, a zebra crossing on Canterbury Road adjacent to Peel Precinct, provision of on-street parking bays within the Controlled Parking Zone, lining, signing, street lighting, street furniture, planting drainage, all associated Traffic Regulation Orders and any ancillary and accommodation works including any necessary alterations to statutory undertakers' equipment, in general accordance with the proposals shown on drawing 643-PL-104A;
- j) Prior to a material start (excluding demolition and piling) 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
- k) Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

CONDITIONS

1. Approval of Reserved Matters required
2. Standard 3 year permission for FULL elements
3. Timeframe for submission of Reserved Matters applications
4. List of approved plans/documents
5. Accessible housing
6. D1 Use Class restriction
7. Provision of parking
8. Health centre doors
9. Phasing

10. Construction & Environmental Management Plan
11. Construction Logistics Plan
12. Approval of materials
13. Details of non-residential frontages
14. Public realm delivery plan
15. Landscaping
16. Children's play equipment
17. Lighting
18. Block A elevations
19. Drainage strategy and SUDS
20. Mechanical plant details
21. Crossover width
22. Contamination - site investigation and remediation
23. Remediation verification
24. Air quality mitigation measures
25. Hours of operation non-residential uses
26. Delivery and servicing plan
27. Water usage
28. CHP
29. Internal noise standards
30. Piling method statement
31. Tree Protection measures

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 15 May 2017 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.

INFORMATIVES

1. Party Wall Act
2. Thames Water - building over sewer agreement
3. CIL
4. Survey condition of existing road network
5. Advertisement consent required
6. Asbestos
7. Thames Water - waste comment
8. Thames Water - water comment

A) PROPOSAL

The proposed development is submitted as a hybrid application and seeks full and outline permission for the demolition of all existing buildings on site and its redevelopment comprising of:

FULL planning is sought for the following elements;

- Erection of four buildings (Blocks A, B, C and E) ranging between four to 16 storeys, plus part basement comprising of 38 replacement affordable homes for existing South Kilburn secure tenants, 64 private sale units (38 x 1-bed, 47 x 2-bed, 13 x 3-bed and 4 x 4-bed units)
- New health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2) – building B
- 3no A-class retail units at ground floor (397sqm)
- Associated landscaping, highways and public realm improvements, including new public space, private open space, associated car parking, cycle parking and servicing provision.
- Highway improvement works will include re-opening of Canterbury Road to vehicles westwards from

its junction with Granville Road to its junction with Neville Close, and the extension of Denmark Road westwards to its junction with Neville Road so that these once again become connected thoroughfares for vehicles.

OUTLINE planning is sought for the following elements;

- Erection of three buildings (Blocks D, F and G) ranging in height between up to 4 and up to 8 storeys to provide up to 124 residential units comprising of 4 Affordable Housing units, and up to 120 private sale units, with associated landscaping, private open space and cycle parking.
- Detailed approval is sought in relation to Access and Layout with the following matters reserved;
 - Appearance,
 - Landscaping and
 - Scale (height/width/length of buildings are set by the parameters set out on drawing number 643-PL-107 Development Framework, and these maximum parameters would be secured by condition)

The 42 affordable homes proposed would replace the current 36 Council properties occupied by secure tenants.

The following housing mix is proposed:

Building	A	C	D	E	F	G	%	Total
1-bedroom	12	15	41	11	6	5	39.8%	90
2-bedroom	25	10	13	12	13	6	34.9%	79
3-bedroom	2		30	11	3	7	23.4%	53
4-bedroom				4			1.7%	4
Total	39	25	84	38	22	18		226

(Table 1.1)

42 affordable units are proposed:

- 11 x 1-bedroom
- 12 x 2-bedroom
- 15 x 3-bedroom
- 4 x 4-bedroom

184 private sale units are proposed:

- 79 x 1-bedroom
- 67 x 2-bedroom
- 38 x 3-bedroom

B) EXISTING

The site is located in within the South Kilburn Estate, on the northern side of Carlton Vale. It covers an area of approximately 1.44 hectares and includes parts of Canterbury Road, Neville Road, Neville Close, Denmark Road and Granville Road. The site and wider area are both covered by the South Kilburn Masterplan and regeneration programme.

The site comprises buildings of between 1 and 4 storeys housing both residential and commercial uses at:

- Peel Precinct,
- 97-112 Carlton House,
- 8-14 Neville Close,
- 2 Canterbury Road; and
- Peel site garages.

The site currently has 56 residential units, which house a mixture of local authority secure tenants and owner occupiers / leaseholders, and a range of retail/commercial uses; these include the West Kilburn branch of the Royal British Legion, located in a building formerly known as the Sir Robert Peel public house. This is no longer a public house for planning purposes (current planning use is Sui Generis, see more detail below), and the temporary South Kilburn Studios at 2 Canterbury Road. Peel Precinct and part of the site is pedestrianised at present.

The site is surrounded by residential development on all sides. Craik Court, which is immediately west of the site and fronts onto Carlton Vale, is a twelve storey residential block and is one of the historical South Kilburn estate buildings. Merle Court, immediately to the east, is a more recent part 6 and 8 storeys building.

Within the immediate vicinity of the site other buildings that are being retained are typically 3 to 4 storeys high.

South Kilburn open space is directly opposite the site, on the southern side of Carlton Vale.

The site has a Public Transport Accessibility Level (PTAL) of 5, with Queens Park Station 430m away.

C) AMENDMENTS SINCE SUBMISSION

Since the application was submitted it is worth noting that the following amendments have been made:

- It is proposed to revise the treatment of the flank and north elevations of building A.

D) SUMMARY OF KEY ISSUES

- Principle of development: loss of existing uses, and proposed health centre offer
- Affording housing provision
- Place-making
- Quality of residential accommodation
- Impact of the proposal on the amenity of existing surrounding properties
- Access, road connections, parking and traffic impacts
- Environmental considerations; including sustainability, wind and microclimate, air quality and flooding/drainage

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)
Businesses / research and development	435		435		
Non-residential institutions	120		120	2169	2169
Shops	963		963	384	384

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Houses)	1	19								
EXISTING (Houses û Social rented)	8	28								
PROPOSED (Houses)	79	67	38							
PROPOSED (Houses û Social rented)	11	12	15	4						

RELEVANT SITE HISTORY

Relevant history is limited to planning permission (LPA ref 11/3228) that was granted in 2011 for a the change of use of the Sir Robert Peel public house (Use Class A4) to a British Legion club (private members, sui generis) with some minor physical alterations. This has been implemented

CONSULTATIONS

Consultation letters were sent on 29 September 2016, to a total of 1195 addresses.

Multiple site notice(s) were displayed on 27/10/2016
Press notice advertised on 13/10/2016

To date four objections and one representation in support have been received, these are summarised in the table below:

Grounds of objection	Response
Proposed 16 storey building would result in overlooking of properties in Malvern Road.	The property in question would be approximately 135m away from the development. Kilburn Park open space will also separate the respective buildings. With this level of separation it is not considered overlooking would unduly harm existing amenity.
Increase in population and lack of social infrastructure for children would lead to anti-social behaviour and disturbance.	New social infrastructure in the area to support population growth can be funded through the amount of CIL that this scheme will be liable for. There is no evidence to show that an increase in population will result in increased anti-social behaviour.
Not enough doctors or dentists surgeries locally to cater for the growing population.	The proposal would deliver a new multi-use health centre, with space for 3 GP's to practice, as well as other related services. This would represent a significant increase in provision to the area.
Scale and massing of the 16 storey building would be harmful to outlook.	See paragraphs 73-83
Scale and massing of the 16 storey is out of keeping with the area.	See paragraphs 40-49
The loss of existing shops has not been adequately replaced, and there is nowhere for local people to meet and congregate.	New retail space is proposed, which would adequately replace the existing units that would be lost, and this provision would serve the local community.
Not enough affordable housing is being proposed.	As discussed in paragraph's 21-28 the level proposed is considered to represent the maximum reasonable proportion that the scheme can viably support. Also, a review mechanism will be secured through the s106 agreement to capture any uplift in viability.
Construction traffic would cause noise issues for residents and St Mary's Primary School.	A Construction Management and Logistics Plan will be required, prior to commencement of any works, to ensure the impact of constructions works on the highway network are minimised (see paragraph 116).
Would result in a loss of light to properties in Canterbury House.	Flats within this building face either north-west or south-east, and due to the orientation of the building to the proposed development it is not considered that there would be any undue loss of light.
The scheme is excessively dense	See paragraph 32 - the proposed density falls comfortably within the London Plan density matrix range.
Minimal open space is being proposed	The proposal would deliver an enhanced public square at the heart of South Kilburn. This would be a welcoming space for people to congregate and enjoy. Aside from this the proposal would deliver a sufficient quantum of private and communal amenity space for prospective residents.
Why won't existing residents elsewhere within the SK masterplan area be re-housed in the new Peel homes?	The scheme proposes affordable homes in excess of those required for the secure tenants currently residing on the Peel site. These excess

Document Imaged

	units will be made available to existing secure tenants residing in the wider South Kilburn masterplan area.
Concern that the new social rent properties will not be affordable for future tenants.	The Peel site will deliver affordable rented housing at social rents (not affordable rents at 80% market rent), let at target rents in line with the national rent regime, in order that existing estate tenants can be re-housed.
A 16 storey building is not in accordance with the South Kilburn SPD.	See paragraphs 40-53
The Daylight/Sunlight analysis has not considered properties in Canterbury House, Canterbury Road	Due to the properties distance from the site its inclusion in the analysis was not necessary.
Grounds of Support	
The proposed multi-use health centre is welcomed, and would be an important addition at the heart of South Kilburn	

CONSULTEES

Ward Councillors for Kilburn ward

No response received to date.

Transportation:

No objection raised, subject to obligations as set out below in the Remarks sections and conditions in relation to:

- the need for a Construction & Logistics Management Plan (CLP)
- disabled parking provision
- Electronic Vehicle Charging Point (EVCP) provision
- widening of vehicle access to Carlton House car park

See paragraphs 111-127 for detailed discussion.

Local Lead Flood Authority:

No objection, subject to condition to secure:

- SuDS.

The site is served by the combined sewer system and surface water discharges to the existing foul sewer network. There are no known flooding problems in the area and existing sewers are considered to be adequate in size. The proposed discharge from the development would have controlled discharge and it would be reduced from existing discharge, so flood risk in the area would be reduced. The proposed storage tanks and SuDS features would also be beneficial and would improve the water quality.

Environmental Health:

No objection, subject to conditions in relation to:

- noise limits for plant,
- internal noise levels for residential and health centre,
- the need for a Construction Method Statement (CMS),
- air quality mitigation,
- remedial works for contaminated land and verification of this.
- odour control/extraction equipment in the event that an A3 use is operated on site.

Landscape Design:

No objection, subject to conditions in relation to:

- Further details of hard and soft landscaping including tree planting
- Tree protection

Comments are discussed in the Remarks section, see paragraph's 60-69.

Thames Water (Development Control):

No objection raised, subject to conditions relating to drainage:

Met Police, Secure by Design:

No response received to date.

Greater London Authority (GLA), Stage 1 report and Transport for London:

The Mayor's Stage 1 report (dated 16 November 2016) advises that the GLA considers the scheme to be broadly acceptable in strategic planning terms. A summary of this and some areas of London Plan non-compliance identified is provided below;

Principle -

- The redevelopment of the site to provide higher density housing is supported in accordance with London Plan policy 3.3.
- The proposed health centre would provide both social infrastructure and health care facilities that meet the needs of the local community, and this is supported by London Plan policies 3.16 and 3.17.
- The loss of the West Kilburn branch of the Royal British Legion (RBL), who operates as a private members club (Sui Generis), and who occupy the former Sir Robert Peel public house should be clarified further ahead of any Stage 2 referral, noting London Plan policy 3.1.
- The closure of the South Kilburn Studio's is noted, so too is the fact the Granville Centre in South Kilburn has been identified for the Studio occupiers.

Housing -

- London Plan policy 3.3 confirms the pressing need for more homes. The proposed scheme would equate to 14% of the Boroughs annual monitoring target.
- It is noted that there would be no loss of affordable housing. The existing 36 social rented units would be replaced by 42 social rented units. This accords with London Plan policy 3.14.
- London Plan policy 3.8 requires new developments to offer a range of housing choices. It is considered the scheme would provide a balanced mix of residential units.
- London Plan policies 3.11 and 3.12 seek to maximise the delivery of affordable housing. It is noted that the Councils regeneration programme for South Kilburn seeks to deliver 2,400 new homes, of which 1,200 would be delivered as affordable for existing tenants. Affordable housing delivery is being secured on a phase by phase basis to deliver a minimum of 50% across the entire programme. To date 1,368 homes have either been completed, are under construction or have detailed planning consent, and 51% are affordable. This demonstrates the regeneration programme is on track to deliver a policy compliant level of affordable homes. The proposal would deliver 42 social rented homes (18.6%). The estate regeneration does allow for some phases to provide a higher proportion of private sale, to generate cross subsidy for the development of affordable units and community uses to deliver a target of 50% across the entire programme. It is noted that this phase is delivering a new enlarged health centre and enhance public realm. In this context the wider regeneration is considered to satisfy policies 3.11 and 3.12.
- The housing unit mix is considered to provide a good mix of units from one to four bedrooms, with 25% of units three bedrooms or more.

Children's play space -

- The proposed development provides a wide variety of public and private amenity space, including doorstep play and play elements within communal gardens for younger age ranges. Provision for over 11's would be met through a combination of on-site provision and existing play provision in the adjacent Kilburn Park.

Density -

- Based on the characteristics the site can be regarded as having an 'urban' setting with a PTAL of 5. The density matrix in the London Plan suggests an indicative range of 200-700 habitable rooms per hectare (hr/ha). The proposed scheme is 545 hr/ha, which complies with London Plan policy 3.4.

Urban Design -

- The proposals demonstrate a well thought out street-based layout that responds successfully to existing context, enhancing the public realm.
- The hierarchy of routes and proposed blocks respect the existing urban grain. The western frontage of the health centre building should however look to respond to Neville Close, and the building should not turn its back on Craik Court. Further details of the pedestrian routes/access to the western side of the building should be provided.
- Residential blocks form strong and active street-based frontages with individual front door entrances.
- Residential layouts are broadly supported, with efficient core to unit ratios and a good balance of through units and duplex which results in no north facing single aspect units. A variety of private amenity spaces are provided, each designed to be accessible with good levels of daylight/sunlight penetration.
- The form and massing of buildings is supported. Taller elements would create a 'spine' of

development running north to south through the site. Daylight/sunlight analysis undertaken confirms the location and form of the tallest 16-storey element would not have significant overshadowing effects.

- The architectural response, housing typologies and palette of materials are all supported.

Inclusive Design -

- The quantity of wheelchair units proposed meets the requirements set out in London Plan policy 3.8. However, only 2 wheelchair units are proposed as affordable, and this should be increased.
- Routes through and around the site have been designed to be accessible and easy to navigate.

Climate change mitigation -

- Based on the submitted energy assessment the development can be expected to achieve an overall carbon reduction saving of 35%. Verification should be provided in relation to cooling demand, district heating, the use of CHP, and the use of air source heat pumps.

Flood risk and sustainable drainage -

- The proposal is acceptable in terms of flood risk and drainage.

Transport -

- With regards to vehicle access it is requested that a Stage 1 Road Safety Audit be undertaken.
- TfL raises no highway capacity concerns, and notes spare capacity on local bus services. The impact is considered to be negligible.
- The quantum of parking (24 on-street and 30 private spaces) is accepted by TfL. A permit-free legal agreement would need to be secured for units not eligible for on-street permits.
- The provision is 18 blue badge and 5 adaptable spaces is welcomed. Provision of 20% electric vehicle charging points should be ensured (this would be secured by condition).
- Increased provision of 33 long-stay cycle spaces should be provided to ensure compliance with London Plan cycle parking minimum standards.
- A final version Travel Plan should be secured by s106 agreement.
- A delivery and Servicing Plan and Construction Logistics Plan should be secured by condition.

Member pre-submission engagement:

The proposed development was presented as a pre-application development presentation item to Planning Committee on 5 July 2016. Clarification was sought from Members in relation to the amount of affordable housing, parking, the health centre offer, potential for overshadowing from the tower element and the closure of the Royal British Legion, and South Kilburn Studios.

Community involvement:

A Statement of Community Involvement (SCI) supports the application, and sets out in detail the lengthy process of community consultation that has been undertaken.

In accordance with the NPPF, the developer has consulted Ward Councillors and the local community as part of the community consultation process.

- Engagement meetings have been held with local residents and stakeholders, as well as existing secure tenants who the Council anticipates would move into the new homes.
- Three public consultations during the design evolution
- 1 public exhibition prior to submission of planning application
- A series of Residents' Design Group meetings have been held.
- Regular updates provided at South Kilburn Tenant Steering Group.
- Updates provided at Brent Connects event.
- Proposals displayed on Brent Councils website

Formal pre-application consultation was held with Brent Council officers and the GLA.

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).

The following are also relevant material considerations:

- The National Planning Policy Framework (2012)
- Mayor's Housing SPG (2016)
- Mayor's Sustainability Design SPG (2014)
- Brent's South Kilburn Supplementary Planning Document (2005)
- Brent's Supplementary Planning Guidance No. 17 (Design Guide for New Development) (2001)
- Brent's Supplementary Planning Document S106 Planning Obligations (2013)

DETAILED CONSIDERATIONS

PRINCIPLE OF LAND USES:

South Kilburn regeneration context:

1. The proposed development is allocated as part of phase 3a of the Council's South Kilburn Masterplan and regeneration programme; this is supported by an adopted Supplementary Planning Document (SPD) from 2005. The SPD refers to the area to the north of Carlton Vale as the Urban Quarter, and the Peel site sits on the eastern end of this area.
2. The principle of redevelopment is acceptable and complies with Council objectives and national policy as outlined in the Brent Core Strategy and the NPPF respectively. The development site is located on previously developed brownfield land, currently supports residential use and is in a sustainable location (PTAL 5). Officers give significant weight to the planning merit of providing new homes (including provision of affordable homes), new community facilities, to an enhanced public realm and to making efficient use of the land by providing these homes at a reasonably high density.
3. Paragraph 17 of the NPPF sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value". These principles also include to "proactively drive and support sustainable economic development to deliver homes ...". The NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.
4. The adopted South Kilburn SPD (2005) supports the regeneration of South Kilburn, and the increase in the mix and proportion of tenures to create a balanced community, provided that there is no loss of existing affordable housing. The need for new health care facilities is identified, with Peel Precinct noted as being an appropriate location for this. In order to help achieve the wider objectives for the redevelopment of the area it would be considered acceptable to reduce the number of town centre uses in Peel Precinct.

Loss of existing uses:

5. London Plan policy 3.1 says that development proposal should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposals involving the loss of these facilities without adequate justification or provision for replacement should be resisted.
6. To enable development to come forward all existing residential and non-residential buildings on site require demolition. This includes:
 - the former Sir Robert Peel public house currently occupied by the West Kilburn Branch of the Royal British Legion (RBL); and
 - South Kilburn Studios (SKS).

Former Sir Robert Peel public house:

7. In planning terms the current occupation and use of the former public house by the RBL as a social club is considered to have a Sui Generis use class, also agreed by the GLA in the Mayor's Stage 1 response. The planning use of this building was formally changed from a Public House (Use Class A4) to Sui Generis in 2012 under planning permission ref: 11/3228, granted on 27/01/2012. The RBL relocated here from previous premises on Albert Road, South Kilburn when that site came forward for regeneration. The RBL received payment at that time from the Council for their former site. The re-location to Peel Precinct was on the basis this would be a temporary home until such time that the Peel Precinct site came forward for redevelopment, as part of a later phase of the South Kilburn regeneration programme.
8. The RBL provides a members-only service which by definition is not accessible to the wider public, or

local community in the same way as a public house or community use. There is no policy basis that would resist the loss of a private members club, as such it is not considered the loss of this use without re-provision or suitable re-location would conflict with current planning policy that affords protection to community facilities.

Loss of South Kilburn Studios:

9. South Kilburn Studios occupy 2 Canterbury Road, and this use was approved as a temporary meanwhile use in order to ensure continued occupancy and active use of these former Council offices. By its very nature this meanwhile use was only ever intended to be temporary. It is not afforded policy protection, and this or any other form of meanwhile use should not become a barrier to regeneration. Given its temporary nature there is no policy requirement for SKS to be accommodated within the proposed development. It should be noted however that the Council does provide part funding for the Studios and an alternative site within the wider South Kilburn regeneration area (the Granville Centre) has been identified for the Studios to move to and occupy. There are plans to refurbish the Granville Centre during 2017 to become an Enterprise Hub. When these works are complete there would be an opportunity for the Studios use to be re-accommodated within the existing area; nevertheless, this application is not contingent on the Enterprise Hub plans.

New social and amenity infrastructure:

10. In the context of the above uses ceasing it is important to weigh up the wider planning merits of the proposal. An alternative and enhanced form of community use is proposed: a large, multi-use health centre is proposed for the heart of South Kilburn, and adjacent to this an enhanced public square. The health centre provision meets one of the key objectives of the South Kilburn SPG, and Core Strategy policy CP6, as well as conforming to London Plan policy 3.17.
11. Core Strategy policy CP9 relates to the South Kilburn growth area and it is anticipated that a range of new infrastructure will be delivered in support of this growth, including the need for multi purpose community centres. The adopted South Kilburn Masterplan SPD identifies the Peel Precinct as a possible suitable location for new large scale community facilities including an indoor sports facility and healthy living centre. This scheme proposes a new large scale health centre however does not propose the indoor sports facilities as these have already been provided elsewhere with the St Augustine's sports centre and the redevelopment of the Moberly Sports Centre, rebuilding Moberley sports centre. This is considered to be sufficient to meet local needs.
12. Currently there are 18 commercial properties within the Peel site. This comprises a range of A1-A3 uses, GP surgeries and the aforementioned uses in the former public house and South Kilburn Studios.
13. The GPs would have the opportunity to relocate to the new health centre (see below), and an existing retailer has already secured new premises on Rupert Road, delivered as part of an earlier phase of regeneration.

The Health Centre:

14. This would be a GP led health centre arranged over five floors in the heart of the new precinct (within Block B). It would provide the opportunity accommodate the GP currently located within Peel Precinct plus an additional two practices to help meet projected population growth and space for other associated health services. With a gross internal area (GIA) of 1,997sqm it represents a significant increase in health provision for this part of the borough. Each floor would be laid out with a series of clinical rooms around a central waiting area and has been designed to be capable of future adaptation and flexibility to meet patient needs.
15. Funding for this facility would come from the revenue generated by the new homes for market sale.
16. At first floor level, flexible 'wings' spaces are proposed either side of the core health centre. The applicant seeks greater flexibility of the use of these spaces, to help increase the likelihood of finding future occupants. Flexible A Class uses, D1 and D2 uses are sought for these spaces. Access to these would be through the main health centre entrance and reception.

Commercial amenities:

17. To complement the health centre a new pharmacy is proposed at ground floor, with a frontage onto

Carlton Vale. A new café is proposed, and this would be connected to the main waiting area of the health centre, whilst also having its own entrance direct from the public square. A retail unit is proposed to the north of the core health centre, with a frontage onto Canterbury Road bringing further activity. The aforementioned flexible 'wings' could also accommodate commercial uses.

18. An aspiration for the site is a future market for the public square, however this is not proposed as part of this application. The option to have a market would be supported by the provision of a market store/office within Block D, and through providing the necessary utilities infrastructure.
19. Consolidation of town centre uses in Peel Precinct is supported through the adopted South Kilburn SPD (2005), and the ranges of uses proposed are welcomed as they will help to generate footfall through the area, increase the vitality of the area, encourage use of the public space, provide local amenities for residents and provide replacement floorspace for the commercial units that are currently within Peel Precinct, and are to be demolished. The health centre would become a hub building, a focal point, and would be strategically located at the heart of South Kilburn.
20. For the reasons set out the mixed use, residential lead development is considered acceptable in principle, subject to compliance with other aspects of the Development Plan and other material planning considerations.

HOUSING

Affordable Housing:

21. The 18.6% affordable housing proposed is on balance acceptable, subject to a post implementation review to capture viability improvements.
22. London Plan Policies 3.11A, 3.11B and 3.12 require boroughs maximise affordable housing provision, set an overall target in Local Plans for the amount of affordable housing provision needed over the plan period, and seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. Brent's Core Strategy Policy CP2 identifies capacity for at least 22,000 homes over the local plan period 2007-2026 and sets a target that 50% of new homes should be affordable. Developers are required to provide development appraisals to demonstrate that each scheme maximises affordable housing output and Brent's DMP15 – Affordable Housing provides further guidance on how the Council will evaluate such appraisals.
23. The South Kilburn Regeneration programme is committed to re-providing social rented housing for existing tenants and to deliver 50% affordable housing. Whilst not each and every phase has delivered 50% affordable housing, that level has been achieved across the wider programme. To date the programme has and is delivering 943 new homes of which 536 (57%) are affordable, with 509 (54%) social rent and 27 (3%) intermediate. Planning permission has been secured for a further 425 new homes of which 163 (38%) are social rent. Overall there are 1368 homes which have been completed, are under construction or have detailed planning consent, and 51% are affordable.
24. The Peel Precinct scheme proposes 226 new homes, of which 42 are social rent (18.6%). The South Kilburn Estate Regeneration Team appointed Deloitte to draw up a Financial Viability Assessment (FVA). Deloitte contend that 18.6% social rented housing represents the maximum reasonable amount of affordable housing the scheme can viably deliver, with the scheme £9.4m in deficit against the £15.1m benchmark land value and a blended profit of 19% on GDV. The Local Planning Authority appointed BPS to review the Deloitte FVA, and the financial viability of the scheme more generally.
25. With respect to benchmark land value, BPS reviewed the schedule of multiple residential and commercial interests that form the site, provided by the South Kilburn Estate Regeneration Team. BPS consider the Deloitte EUV + 20% premium approach to valuing the land proportionate for what are income generating assets and consequently agree the £15.1m land valuation appropriate. BPS consider blended profit at 19% GDV and other assumptions such as 6% finance, 10% professional fees and 5% contingency, as reasonable and in line with market expectations. BPS do however view Deloitte's assumed residential sales values for the proposed flats on the upper floors to be under-valued, and make additional value engineering savings on the build costs. BPS in summary conclude that at 18.6% social rented housing the scheme would be in deficit by not £9.4m, but by the lower £4.5m, and therefore that 18.6% social rented housing does represent the maximum reasonable amount of affordable housing the scheme can viably deliver.

26. Deloitte have responded to the BPS analysis and maintain their view on both residential sales values and build costs. Whether one agrees with Deloitte or BPS (or assumes a viability position somewhere in-between), the scheme with 18.6% social housing is any case agreed to be in deficit, and as such to represent the maximum reasonable amount of affordable housing the scheme can viably deliver. Officers note in this case that the relatively high costs of assembling the site, the net £2.5m cost to the development of delivering the health centre, and all the affordable housing being delivered at social rents, are key factors that drag down the viability and overall amount of affordable housing.
27. The agreement that 18.6% is the maximum viable amount of affordable housing that this scheme can provide notwithstanding, the applicant and officers have investigated other options in response to Member's challenge at the pre-application presentation to provide more affordable housing. In line with Council policy and CIL Regulation 73, Officers instructed BPS to model the impact of taking an in-kind infrastructure payment in lieu of CIL cash liability, for that part of the health centre considered to be strategic infrastructure, rather than meeting local health needs identified by the NHS and necessary to make the scheme acceptable in planning terms. BPS estimate such in-kind infrastructure payment at £1.425m. BPS will confirm the final figure after consideration of Deloitte's latest comment on build costs. If £1.425m in-kind payment is taken, then both BPS and Deloitte calculate an additional 9 flats can be taken as shared equity units, to be made available to existing leaseholders in the area at a price commensurate with the value of their current properties, and increases the amount of affordable housing to 22.6%. In line with the November 2015 Cabinet decision, this matter is delegated to the Operational Director of Regeneration in the event that Members decide to grant planning permission.
28. Given the affordable housing level falls significantly below the Local Plan 50% target, and the inherent uncertainty associated with FVAs, in line with DMP15 it is recommended a post implementation review mechanism be secured in the s106 agreement. Such review to examine actual costs and values closer to practical completion of the scheme, with half of any surplus against the agreed benchmark land value and profit taken in the form of a commuted payment (capped at level commensurate with 50% on site affordable housing) for offsite affordable housing.

Unit mix:

29. A broad range of one to four bedroom units are proposed, as shown in the table below:

	1B2P	2B3P	2B4P	3B4P	3B5P	3B6P	4B6P	Total
Affordable	11	-	12	-	15	-	4	42 (18.6%)
Market	79	33	34	16	18	4	-	184 (81.4%)
Total	90		79			53	4	226

(Table 1.2)

30. This demonstrates the provision of a well balanced mix of residential units in terms of sizes and types. It comprises of:-
- The maximum reasonable proportion of affordable homes, and 25% of homes would be family sized which would help to meet an identified Borough need, as set out in Core Strategy policy CP2.
 - Replacement homes (social rent): 42 (incl 4 wheelchair units) = 18.6%
 - Homes for open market sale: 184 (incl 19 wheelchair units) = 81.4%
31. In terms of housing choice it is considered this would satisfy London Plan policies 3.8, 3.9, 3.11 and the Mayor's Housing SPG, Core Strategy policies CP2, CP6 and CP21, as well as the South Kilburn SPD.

DENSITY

32. The proposed scheme would result in a level of density of 543 hr/ha, which complies with London Plan policy 3.4. At the same time would make efficient use of this land to provide a significant contribution to Brent's annual housing target of 1.525 homes. London Plan policy 3.4 seeks to optimise housing potential taking into account local context, character, design principles and public transport capacity. In accordance with the London Plan density matrix the application site, which is considered to be in an 'Urban' setting with a PTAL of 5, would be appropriate for accommodating 200 – 700 hr/ha. Paragraph 17 of the NPPF sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value".

PLACEMAKING

Layout and access:

33. A comprehensive redevelopment of the Peel site is proposed in the form of seven new buildings (referred to as Blocks A – G) of varying heights and with different typologies and extensive public realm and highway improvements with the aim of creating a network of streets and active frontages.
34. Blocks A and C would include retail floorspace and Building B would accommodate the multi-use health centre. Residential units would be placed within Blocks A, C, D, E, F and G.
35. It is proposed to re-establish road connections in order to re-connect roads that were disconnected through estate redevelopment in the 1960s and 1970s. This would see the re-connection of Canterbury Road which runs through the site in an east-west direction, and Denmark Road, which lies further north. Both roads would be re-connected for vehicular access. This is welcomed as it would improve permeability, remove existing dead-end routes and would re-introduce a street-based layout that responds well to the existing network.
36. The public realm strategy proposes to make use of traffic calming and landscaping measures to maintain pedestrian priority through these routes.
37. The street-based layout would create a clear hierarchy of routes which would repair the urban grain. Canterbury Road would be the primary route through and maintain a 20m width between buildings. Denmark Road would maintain similar widths of between 18-20m. Neville Road and Granville Road would be secondary routes, and this is reflected by them being narrower at 12-15m.
38. At the heart of the site is the proposed linear public space. Currently there is a pedestrian only link from Peel Precinct to Carlton Vale and the park on the southern side of Carlton Vale. This is unattractive, unwelcoming and is not a space where people would choose to linger and enjoy. The proposal is to maintain this as a pedestrian only link, but to make this an improved public space. Vehicle access would be restricted to emergency service vehicles only. The public realm through this area would be enhanced through new hard and soft landscaping, seating and this would ensure this area is future proofed for the potential provision of a street market, and flexible to other potential uses, including community events. This space would be flanked by a range of different uses, including A1-A3 and the new health centre. These uses would help to increase footfall and further activate the public space. In urban design terms this layout is supported, and further details of the landscaping treatments would be secured by condition, particularly to ensure the palette of materials used is consistent.
39. Individual buildings across the site have been designed to have strong and active street-based frontages; key to this is the provision of individual front entrance doors. All ground floor units have their individual entrances from the street, including private front gardens or other form of defensible space. Level access would be provided throughout for wheelchair users.

Scale and massing:

40. The scale and massing of the proposal are considered acceptable and in this respect the scheme complies with the relevant London Plan (policies 7.6 and 7.7) and Brent policies and the guidance within the NPPF.
41. The South Kilburn SPD (2005) identifies the Peel site as appropriate for accommodating a landmark building and identifies the adjacent Craik Court site as being appropriate for accommodating a building of 10 stories or more. Brent Core Strategy policy CP6 identifies tall buildings as being acceptable within the South Kilburn growth area.
42. There are existing examples of tall buildings locally; Craik Court is 12 storeys, Hereford House is 18 storeys, and more recently development up to 10 storeys has been built along Albert Road.
43. The South Kilburn Conservation Area is situated to the east of the Peel site. The application has been assessed against the NPPF Chapter 12 and Brent's policy DMP 7 which seeks to preserve or enhance Brent's heritage assets. The edge of the Conservation Area is separated from the closest edge of the application site, and no designated heritage asset would be directly affected by the proposal. Taller elements of the proposed development would be visible from locations within the Conservation Area,

however this is no different to the existing situation whereby existing tall buildings can be viewed from various locations within. Arguably there would be an improvement as the tower element has been designed to be slender with high quality detailing and materials. The tallest buildings have been sensitively located furthest away from the Conservation Area so as to minimise their potential impact. On balance the proposal is far enough away that it would preserve the setting of the South Kilburn Conservation Area.

44. Given the context, location and mix of uses the SPD recognises that there is an opportunity to introduce a wide mix of building heights.
45. Building heights within the proposed scheme range from 4 to 16 storeys, with building heights rising from north and east towards the south. This places the tallest element, the 16 storey Block A, fronting Carlton Vale which is the main thoroughfare of South Kilburn. Block A terminates the southern end of a south-north spine of development along the western side of the public square.
46. The new health centre sits at the heart of this spine. In both place-making and urban design terms this is considered the most appropriate location on which to site the tallest element, as it is along the main Carlton Vale route and overlooking Kilburn Park. It is also in close proximity to Queens Park Station (PTAL 5) where higher density development is most appropriate. Contextually this would also relate to the scale and massing of neighbouring Craik Court, which, although lower at 12 storeys, is bulkier than the current proposal.
47. The health centre and its ancillary uses would become a community hub, strengthened by the new and improved public square that it would front. It is considered appropriate therefore for the 'heart' of South Kilburn to be symbolised by a landmark building, and one which accommodates greater height than its existing context.
48. In order to further justify the height, high standards of design and architecture are required so that the building makes a positive contribution to its environment; this is reinforced through London Plan policies 7.6 (Architecture) and 7.7 (Design of Tall Buildings). It is considered that this would be achieved with the current design, through its simple, yet well considered palette of materials and the architectural detailing. That is achieved through the 'fins' and the use of reconstituted stone surrounds, which would contrast well with the brick and glazed elements. The form of architecture proposes a building that appears slender, elegant and well composed with a clearly defined base, middle and top. This would be evident from close up and from more long distant views, and the quality of architecture and how this building would benefit its environment is evident in the submitted perspective views.
49. The treatment of the commercial uses at ground floor would help to 'ground' the building. The pharmacy would have its main frontage and entrance onto Carlton Vale; this is expressed through floor to ceiling glazing, framed by the stone 'fins'. The entrance would be legible, with a secondary entrance also provided from the public square. The café and the second retail unit would also have a presence onto the public square and Canterbury Road respectively. Signage in relation to these uses would need to be designed sensitively so as not to detract from the overall appearance of these buildings, in any event this would require separate advertisement consent.
50. The treatment of the health centre through the use of vertical stone fins helps to signpost this building, and makes this easily distinguishable from the residential buildings either side (Blocks A and C).
51. Lower rise terrace buildings are proposed fronting Canterbury Road. Block E is part 4, 5 and 6 storeys, which is broadly in keeping with the scale of neighbouring Carlton House. The scale of buildings increases in height as you move further away from Carlton House, with roof 'pop ups' along the terrace.
52. Blocks F and G also seek to echo the approach to Block E and would range from 5 to 6 storeys. These have been designed as terrace buildings, with repeating bays, individual front doors, 'pop up' roof elements and front and back gardens.
53. In the interests of making efficient use of previously developed land, the need to optimise housing potential of sites and having had due regard to the site context the ranging scale of development is considered to respond appropriately to the existing and the emerging townscape.
54. With buildings of this scale there is potential for them to adversely impact on surrounding amenity, so detailed daylight/sunlight analysis has been undertaken to test this. The results of this are discussed below.

Elevations: architecture, fenestration and materials:

55. A simple palette of materials is proposed to ensure a consistent language between the buildings, with individuality to the buildings to be achieved through differing approaches to fenestration and articulation. Brick would be the dominant material, which is appropriate given the existing and historical context in South Kilburn and its durability and textural qualities.
56. The health centre (Blocks A, B and C) would have verticality to it, achieved through the use of reconstituted stone fins. This approach is also proposed to make the primary health centre element (Block B) easily distinguishable from the residential parts, and helps to express the southern elevation (overlooking Kilburn Park). Windows and bricks would be set back from the reconstituted stone frame, and this would give depth to the elevations. Elsewhere the elevations would have a clear and repeating rhythm of windows and door openings to the brickwork. A light coloured brick is proposed, which would complement the reconstituted stone material.
57. The architectural language is repeated for Block E through the use of light coloured brick, and reconstituted stone window surrounds. Projecting bays and roof 'pop ups' help to break up the terrace and the use of glazed bricks to highlight the 'pop ups' is considered to add a further interesting element.
58. Whilst Blocks D, F and G are all submitted as outline (with 'Appearance' a Reserved Matter) it has been demonstrated that these would be in keeping with the materials palette and design of Blocks A, B, C and E, and that they would maintain the same level of quality. In any event further details of all external materials would be required as a condition of any approval.
59. On the whole the use of materials and articulation of individual buildings is well considered, and would result in a high quality development, subject to a number of conditions to ensure the quality and detailing would be delivered.

Trees and landscaping:

60. Removal of 11 trees is necessary in order to facilitate development and this is accepted by Officers. A comprehensive tree planting and landscape strategy is proposed, which would result in the planting of 66 new trees of varying maturity and species and this would be secured by condition.
61. Council's have a duty to ensure adequate provision is made for the preservation or planting of trees under s197 of the Town and Country Planning Act 1990 (as amended). A tree survey has been carried out in accordance with British Standard BS5837:2012. This shows that tree coverage across the site is relatively low. The largest concentration of trees is found close to nos 34-57 Peel Precinct. Other trees dispersed across the site area are local authority planted, are of mixed maturity and are either category B or C rated.
62. It is proposed that street trees be arranged in an orderly format, with some laid in the carriageway (subject to Highways approval) in order to assist with traffic calming measures. All street trees are proposed to be one species, Acer Campastre, to complement existing street trees in the area. A range of different tree species would then be used within the shared amenity spaces, and would also be introduced within the linear public space. A landmark tree is proposed to act as a focal point within the centre of this new public space.
63. Landscaped private front gardens are included for Block E units. These would achieve the 50% landscaping target through an arrangement of shrubs and hedges, which would contribute positively to Canterbury Road.
64. Detailed proposals for the shared amenity spaces (Blocks D and E) and roof terraces (Blocks A and C) demonstrate that the choice and range of plants would enhance biodiversity. These spaces would incorporate bespoke play features, informal opportunities for play, doorstep play for 0-5 years, seating, benches.
65. Blocks D, F and G are submitted in outline form, therefore the approach to planting that is shown is only indicative and is intended to demonstrate the strategy that would follow and in any event further details would come forward at Reserved Matters stage. Notwithstanding this the landscape strategy in general submitted does demonstrate an approach to both the public realm and private areas that would strike the correct balance in terms of ensuring these spaces are green, attractive for users and encourage people

to enjoy the spaces.

66. Low level and transparent boundary treatments (typically 1.1m high) are proposed which would differentiate public and private areas, without appearing overly defensive within the streetscene.
67. Some of the detailed design elements of the landscaping strategy have the potential to conflict with the Highway Works. These matters, which primarily relate to the location of trees, can be addressed through a detailed landscaping condition that would require the submission and approval of further details. This would also control the hard landscaping treatment through the public space, as the cast iron circular pieces are not supported, neither are the Broxap bollards – stainless steel bollards would be preferable, nor the style of benches proposed.
68. The 'PEEL' freestanding lettering that would be installed within the public space has the potential to add an interesting element to the landscape. This would also help to signpost the space. The applicant has two options currently for the lettering, and final details would be subject to a condition.
69. On balance the landscape and planting strategy would increase tree coverage, would result in greater species variety, enhance biodiversity and help to contribute positively to the public realm. It would also lead to the creation of good quality and interesting private and shared amenity spaces. In any event detailed surfacing, planting and play proposals would be secured as a condition of approval, and in respect of Phase 3 works Landscape details would be submitted as a Reserved Matter.

QUALITY OF ACCOMMODATION (proposed):

70. All homes (226 in total) meet the minimum space standards as set out in the London Plan, and the nationally described space standards. This complies with London Plan policy 3.5 and Brent DMP policy DMP 18.

Accessibility:

71. London Plan policy 7.2 seeks to ensure that new development achieves the highest standards of accessible and inclusive design. 23 dwellings (10%) have been designed to be wheelchair adaptable dwellings and meet the requirements set out in Part M4(3) 'wheelchair user dwellings'. All other dwellings across the scheme have been designed to meet the requirements set out in Part M4(2) 'accessible and adaptable dwellings'. This will be secured by condition. The GLA has confirmed the quantity of wheelchair adaptable units proposed meets the requirement of London Plan policy 3.8. Four of the wheelchair units are proposed as affordable housing.
72. The layout and arrangement of buildings has allowed the proportion of dual aspect units to be maximised through a combination of through units and dual aspect units. The result is that there is no north facing single aspect units.

Outlook and privacy:

73. Adopted Supplementary Planning Guide 17 'Design Guide for New Development' says that a minimum distance of 20m should be achieved between facing habitable room windows, in order to safeguard against overlooking and loss of privacy. The proposed development is not fully compliant in this regard; however, in justified circumstances this standard can be relaxed: for example where there is an appropriate design response that mitigates, where facing windows are not sole habitable room windows, where it is demonstrated that what is proposed respects the existing urban grain or where the wider planning merits would outweigh any shortfall.
74. The arrangement of Blocks A-G is informed by the street based layout, which results in variations in separation distances between individual buildings within the site. These variations reflect the existing urban grain within South Kilburn, where there are differences in typologies of buildings, and how these relate to one another.
75. Block C which forms part of the central 'spine' of development through the site would be separated from the western flank ends of Blocks F and G by a distance of 17.4m. This distance would be across the public space, which would be tree planted in places so at lower levels, and once established the trees would provide a natural screen between facing elevations.
76. Units within Block C facing east would not directly face primary habitable room windows within the flank

ends of Blocks F or G. Although permission is only sought in outline for Blocks F and G, 'Layout' is not a Reserved Matter so it can be determined from this that a reasonable level of separation would be provided, and opportunities for directly facing habitable rooms within these buildings would be limited through the orientation of units and the arrangement of windows.

77. Blocks F and G are expressed as two terraces, which share a central courtyard. The splayed orientation of the terraces ensures that habitable windows do not directly face one another. These are not back-to-back facing terraces. In part only, the south facing elevation of Block G is to be 12m from the rear of Merle Court, and some directly facing windows will result. Normally a separation of 20m would be required. However the proposed level of separation, at 12m is more generous than the current arrangement, it impacts on a proportion of flats only in Merle Court and when planning permission was granted in 2010 for Merle Court this was in the knowledge that Peel Precinct, and buildings to the north of Merle Court were likely to come forward for comprehensive redevelopment at a later date. Due to the existing context, density and scale of the proposed development, its setting within an emerging urban context and the wider planning benefits that this would bring a more flexible application of SPG17 guidance is considered appropriate.
78. Canterbury Road would be the principal road through the site, this dictates the degree of separation for buildings either side of this. Resulting in 20m between facing elevations of Blocks E and F, which is compliant with SPG17.
79. Due to the siting of Blocks D and E there is a pinch point where the south western end of Block E is within 6m of the facing elevation of Block D. Direct overlooking does not occur, however, due to the siting of the lift/stair core in Block D.
80. Block D would provide a strong and active frontage along Neville Road which would enclose the street. The eastern elevation of this would be 15m from the building on the opposite side of the road (Oxford – Kilburn Club). As this building opposite is not in residential use then overlooking and loss of privacy would not occur.
81. The distance between the north east corner of Block E and Carlton House is 16.5m at its narrowest. In response to this relationship where Block E comes to within 20m, or less, of the facing elevation of 89-96 Carlton House the internal unit layouts have been arranged so that windows opposite one another would not be directly in line. Where there are existing forward projections to Carlton House these have been lined up so that they are opposite stair cores in the proposed development (building E).
82. The north eastern gable end of Block E is 15.5m from Carlton House, however this is only applicable up to third floor level because after this the building steps back. Windows within this elevation are secondary only so could be obscure glazed if that was considered necessary, and once again these windows have been placed so that they do not sit directly opposite Carlton House windows.
83. When regeneration which seeks to optimise the housing potential is proposed within an existing densely populated urban area, then there will often be a need to apply standards more flexibly. As discussed, this scheme does have some shortfalls in terms of separation distances, but for the reasons set out above, overlooking and loss of privacy have been largely mitigated and on balance it is considered a good standard of accommodation would be achieved for prospective and neighbouring residents.

Residential amenity space:

84. Brent DMP policy DMP 19 states that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its residents'. This is normally expected to be 20sqm per flat and 50sqm for family housing. The proposed scheme is compliant in this regard.
85. Each property would benefit from some form of private amenity space in the form of private gardens or recessed balconies. The private space is complemented through the provision of communal gardens, for Blocks D and E, and Blocks F and G. Communal roof terraces are also proposed for Blocks A and C.
86. In total the different forms of amenity space amount to 5,636sqm. This quantum is in accordance with both the Mayor's Housing SPG and policy DMP 19.
87. Additionally, the site is well served by existing open space. Kilburn Park is opposite, on the southern side of Carlton Vale. Paddington Recreation Ground and Queens Park are both within 800m of the site. The recently completed Woodhouse Urban Park, which includes play for older children, is within 400m of the

site.

Children's play space:

88. Play space provision to cater to a range of age groups is proposed in accordance with the Mayor's 'Play and Informal Recreation' SPG and London Plan policy 3.6.
89. The estimated child yield overall is 77 children, which generates a requirement for approximately 775sqm. A variety of doorstep play and play elements within communal gardens is proposed. Roof terraces for Blocks A and C would include doorstep play for ages 0-5, it also suggested that Block D's roof terrace could also. The private shared communal space for Blocks D and E is relatively large, this allows for the provision of a wider range of play opportunities. Here two bespoke pieces of play furniture are to be provided to encourage play and social interaction. The communal space between Blocks F and G would accommodate smaller scale play features, more appropriate for the size of this space.
90. In any event further details would be required by condition, or at Reserved Matters stage (Blocks D, F and G).

AMENITY/ENVIRONMENTAL CONSIDERATIONS:

Wind and microclimate conditions:

91. The wind and microclimate effects of the development would, on balance, be acceptable. London Plan policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, in relation to wind and microclimate. The same applies through policy 7.7 when considering tall and large buildings.
92. Due to the building heights proposed there is the potential for harm to occur. In view of this a detailed wind assessment has been carried out. This assesses the likely effects of the proposed development on local wind conditions. The analysis indicated that this is not likely to have a significant adverse impact on the wind conditions on site and in several areas has a beneficial impact when compared to the baseline condition (the existing site).
93. With the proposed development in place the future wind conditions around existing properties are predicted to be suitable for their intended use and there are no adverse impacts predicted when compared to existing site conditions. Wind conditions for entrances within the proposed development are also considered to be within acceptable limits.
94. Conditions around amenity spaces were also assessed. Conditions for existing amenity spaces were found to be suitable for their intended use. Two areas located east of Block A were identified minor adverse effects when compared to their intended use. However, it is recommended that this can be mitigated against through carefully considered local landscaping to help act as wind shields, and this can be secured by condition. A seated area in the park on the opposite side of Carlton Vale, was assessed and whilst it was predicted to not achieve the correct wind conditions for its intended use under proposed conditions, it does not under the existing conditions. It is considered unlikely that any on site mitigation measures would effectively reduce the impact on this area due to the distance of this from the site.
95. Wind conditions to amenity spaces within the proposed development are considered to be suitable for their intended use. Balconies would be recessed and roof terraces would have parapets and be provided with local landscaping to act as buffers and wind shields.
96. Wind conditions to footpaths, road and car park spaces show an improvement in comparison to their intended use, and no adverse impacts were recorded.
97. On balance the results do not indicate any major adverse effects on local wind conditions with the proposed development in place, subject to some limited mitigation measures to be secured by condition.

Daylight and sunlight conditions: Impact on neighbour amenity and prospective occupiers:

98. The daylight and sunlight conditions for future and neighbouring residents would be acceptable, on balance.
99. A daylight and sunlight report has been submitted which has been used to understand the impact upon

daylight and sunlight amenity of the existing surrounding buildings which may arise from the proposed development. It also looks at internal daylight and sunlight conditions for the proposed units to determine whether or not these would receive sufficient daylight and sunlight levels.

External conditions:

100. The results of this report are that 73% of the identified surrounding receptors tested meet the Building Research Establishment (BRE) guidelines for daylight, and 88% in terms of sunlight analysis. The existing buildings most affected by the proposal are 65-96 Carlton House and Merle Court.
101. All daylight and sunlight calculations have been carried out in accordance with the BRE report 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' (2nd Edition, 2011) and also British Standard 8206 – 2:2008 'Lighting for Buildings, Part 2 – 'Code of Practice for Daylighting', to which the BRE guide refers.
102. The main purpose of the BRE guide is to assist in the consideration of new and existing buildings to ensure that each retains a potential to achieve good daylight and sunlight levels. It is important to note that the guidelines have been drafted primarily for use with low density suburban developments and should therefore be applied more flexibly when dealing with more dense urban sites, such as this one. The BRE guidelines state that in existing buildings daylight and sunlight can be reduced by as much as 20% of their original value before this loss is materially noticeable.
103. Looking first at the effects of the proposed development on daylight conditions on existing surrounding buildings: in total, 923 windows were tested for Vertical Sky Component (VSC). The VSC test is a test of the amount of available daylight from the sky, received at a particular window. The target figure for VSC recommended by BRE is 27%. However it is generally recognised that this level can be difficult to achieve in more built up urban areas, and for this reason the existing urban context is an important consideration. Of the windows tested it is deemed that 673 (73%) would continue to meet target values.
104. There are a number of mitigating factors that result in this outcome. The location of the site is urban with existing dense development, meaning levels of natural light are often lower than the BRE's guide targets, which as previously stated were developed primarily for more suburban areas. The precise use of rooms in existing surrounding buildings is unknown, but not all windows tested would serve habitable rooms. In addition a large proportion of the affected windows are situated below existing overhanging balconies which limit the amount of daylight received (e.g. this is evident at Craik Court and Carlton House), so this relates to an inherent design issue associated with these properties which is un-related to the proposed scheme. Factors such as this call for a more flexible application of the BRE guidance.
105. When looking at the effects of the proposed development on sunlight conditions on existing surrounding buildings, of the 442 windows tested 392 (88%) would continue to meet the target values as set out in the BRE guide. Again, mitigating factors including the urban location, dense nature of existing development and the existing balconies have an impact on this outcome.
106. In the majority of instances where daylight is below a VSC of 27%, sunlight levels either achieve BRE compliance or are close to 100% compliance which helps to offset the impacts. The exception to this is the Tabot Centre Building (nos 151-159), Granville Road which would achieve 65% BRE compliance. Of the 80 windows tested, 28 fall short of the criteria for Annual Probable Sunlight Hours, and of these 19 (68%) are positioned directly beneath projecting balconies or recessed into the building. So, once again the inherent building design is a contributing factor.

Internal conditions:

107. Turning to the analysis of internal daylight and sunlight conditions for the new residential properties: this analysis looked at Blocks A, C and E only for which detailed consent is sought. Blocks D, F and G were excluded as these are submitted in outline only, where the internal layouts are not fixed, and Block B is exempt as this is non-residential. Of the 62 windows tested for Average Daylight Factor (ADF), 48 (77%) of these would meet the target values set out in the BRE guide. All of those tested within Block A meet the guide. Where failure to meet the target was noted in Blocks C and E it is stated that this is down to mitigating circumstances, including rooms/windows being beneath projections, occupying recessed positions, or being adjacent to protruding building elements all of which limit their ability to achieve higher levels of daylight. The dense urban location is again a mitigating factor.

108. Of the 62 rooms tested for Daylight Distribution, 45 (72%) would meet the target values set out in the BRE guidelines. The mitigating factors discussed above would be applicable to these rooms also.
109. Internal sunlight conditions were assessed for 62 windows, and 34 (55%) would meet the BRE guide. This level of compliance can be explained by the fact the majority of bedrooms are recessed and are limited in terms of the level of sunlight that can be achieved. Other rooms are also affected by the mitigating circumstances discussed previously, including inherent building design features and aspect.

Summary of daylight and sunlight

110. Due to the density and scale of the proposed development and its setting within an urban context, it is inevitable there would be some level of impact on daylight and sunlight conditions. Within this context a more flexible application of the BRE guide is considered appropriate. Due consideration must also be given to the wider planning merits of the scheme. This scheme would provide a significant number of new homes and would result in a well-considered place, whilst for viability reasons and in order to maximise the site's housing potential, which in turn translates to the proportion of affordable housing that can be delivered, a certain scale and density of development is required to be achieved. What the results discussed show is that the majority of existing buildings would continue to receive good levels of daylight and sunlight with the proposed buildings in place. Equally the results for the rooms within the new units show that the majority would receive good levels of both daylight and sunlight for future occupiers. On balance, it is considered that the overall impacts on daylight would not be so severe to outweigh the benefits of the development.

TRANSPORT

Transport considerations: Access, parking and servicing:

111. The transport impacts of the proposal are acceptable and in this respect the scheme complies with the relevant London Plan and Brent policies and the guidance within the NPPF.

Transport impact

112. The development is considered likely to have a negligible impact on vehicular traffic flows in the local area, subject to conditions and planning obligations. The London Plan policy 6.3 sets out the need for developments to address impacts on the movement network while policy 6.11 seeks to smooth traffic flow and tackle congestion and 6.12 relates to the Road Network Capacity. London Plan policies 6.9 (cycling) and 6.10 (walking) are also relevant.
113. The application is supported by a Transport Assessment and this, combined with the constraints on car parking and "permit free" restrictions, give officers confidence the transport impact will be acceptable. The impact of changes to the highway layout (see below) have been considered and found to be acceptable.
114. Public transport capacity in the area would not be materially affected; there are 120 buses and 24 rail/Underground services per hour passing close to the site.
115. Turning to walking and cycling, audits have been carried out which do not identify any major issues however there is a need to resurface Peel Precinct and improve pedestrian crossing facilities on Salusbury Road. The former will be addressed as part of this development whilst the latter will be addressed as part of a separate development at Cullen House.
116. A Construction Management and Logistics Plan will be required, prior to commencement of any works, to ensure the impact of construction works on the highway network are minimised. A framework Travel Plan has been submitted however it requires revisions, so an improved Travel Plan of sufficient quality to achieve a PASS rating using TfL's ATTrBuTE assessment criteria must be approved, prior to occupation of any of the units.

Highway layout

117. Significant alterations are proposed and are considered acceptable, meeting the relevant standards for a 20mph zone. London Plan policy 6.7 (Better Streets and Surface Transport) is relevant. These alterations are designed to prioritise the pedestrian, calm traffic, improve the streetscene and provide parking and include:
- Demark Road and Canterbury Road - opened to link Canterbury Terrace to Neville Road, to allow vehicular access around the entire Carlton House block

- Neville Road and Granville Road - widened, to provide parking bays on both sides and a more uniform carriage width, but also pinch points built out for street trees and traffic calming
- Neville Close - narrowed and southern 35m section closed except for loading. The car park for Craik Court is currently accessed via Neville Close. To ensure access is maintained, the extension to Canterbury Road will extend beyond Neville Road as far as Neville Close. In the future vehicles travelling to Craik Court from Carlton Vale would travel via Rupert Road, Denmark Road, Neville Road and Canterbury Road and although this route is longer, it is considered to be an acceptable alternative arrangement. In the long term, it is proposed through the Masterplan to provide a more direct route by continuing the extension of Canterbury Road westwards to meet Rupert Road directly, but this does not form part of this particular application.
- Canterbury Road/Neville Road junction - 30m wide raised table for pedestrian access to the precinct

These changes are welcomed, subject to a number of conditions: a consistent palette of materials for the works to any non-adopted highway; amend the kerb line along the eastern side of Neville Close retain a 2m wide footpath; ensure the rear doors to the medical centre do not open outwards.

118. A planning obligation, secured via a S106 legal agreement, is required to secure the highway improvement works. The extended and widened streets, including Peel Precinct and Neville Close, should all be offered for adoption by the Highway Authority and construction works should therefore be undertaken under S38/S278 of the Highways Act 1980 under the supervision of Brent Council's transportation officers, which will include the cost of amending Traffic Regulation Orders to suit the new on-street parking layout. Whilst a Stage 1 safety Audit has been carried out a Stage 2 Safety Audit and details of materials and street furniture will be also secured via that process.

Parking

119. The parking provision is acceptable, having regard to the site's accessibility. DMP 12 seeks to manage parking provision in line with Appendix 1 of the DMP DPD 2016 and manage parking impact. The site has good to very good public transport accessibility (PTAL 4-5) and surrounding roads are subject to parking controls; therefore a reduced parking standard is appropriate. Policy DMP 12 sets a maximum parking standard of 198 spaces for this development. No off street parking is proposed within the development, instead 45 parking bays will be provided on-street as a mix of 20 existing and 25 new spaces. These will be incorporated into the local controlled parking zone (CPZ) and "permit free" agreements will be applied selectively to the residents:

- Blocks A-D and F (170 homes, majority private housing) will be "permit free"
- Blocks E and G (56 homes, majority affordable housing) will be allowed to purchase parking permits - this includes the right for residents of Block E to purchase private parking permits for the existing but to be reconfigured 32 space car parking shared with Carlton House.

120. Parking for disabled residents can be accommodated on-street as Blue Badge holders are exempt from the "permit free" arrangements and bays can be specifically marked on-street on request. A number of bays would be wider, to allow easy conversion. Two dedicated wider spaces would be provided in the reconfigured car park at Carlton House.

121. Turning to the commercial uses, some of the on-street bays will be shared or exclusive pay and display during CPZ hours, giving some space for visits to the medical centre. Doctors will be able to apply for a doctor's bay to be marked on-street and four potential bays have been identified on Canterbury Road.

122. Electric vehicle charging points should be incorporated into the reconfigured car park in line with the London Plan standards and this will be secured by condition.

Cycling

123. Bicycle parking will be provided in accordance with the London Plan standards in secure storerooms. In Blocks A, C and E these include basement level storage, accessed by lift. Cycle stands would be provided in the precinct for visitors to the homes, shops and health centre.

Servicing

124. Residential refuse stores of sufficient size are provided in acceptable locations, generally located alongside entrances; access for collection is straightforward and where the distance between the store and the highway is greater than 10m, smaller, more easily moved bins can be used. This complies with Brent's DMP 13 and standards set out in Appendix 2 of the DMP DPD 2016.

125. The health centre refuse store would be located on Neville Close, at the rear of the building. To

service this, one-way access southbound along Neville Close is required, with a left-hand turn only onto Carlton Vale eastbound. A traffic order and robust surfacing that highlights the area as a pedestrian priority zone will be required by obligation, and secured as part of the highway improvement works.

126. Entrance cores to all units are easily accessible for fire access and delivery of other goods.

Transportation Summary

127. The proposal is acceptable, subject to a number of conditions and planning obligations as set out in the Recommendations section.

ENVIRONMENTAL CONSIDERATIONS

Air quality:

128. The air quality is acceptable for residential accommodation, subject to conditions, and the development would have a neutral impact on air quality, subject to conditions during construction. The site is within a designated Air Quality Management Area (AQIA), therefore a report has been submitted considering the potential air quality impacts associated with the proposed construction and future uses of the site.
129. Emissions from traffic have the potential to expose future occupants to elevated levels of nitrogen dioxide and particulate concentrations. This is predicted at the proposed blocks closest to Carlton Vale, and so for these units mitigation is proposed in the form of mechanical ventilation with heat recovery (MVHR). This is also proposed for ground and first floor levels of the health centre (building B) in order to protect users of this facility from poor air quality. The proposed mitigation can be secured by condition.
130. Increased traffic flows resulting from the development are predicted, and these have been considered in order to assess if this would significantly affect existing receptors. The results of this show that increases in concentrations of pollutants would be negligible. It has been shown that the energy centre, and the use of a Combined Heat and Power (CHP) unit would be air quality neutral.
131. The report identifies that during the construction phase there is potential for dust nuisance to be generated beyond the application boundary. However, through the implementation of a Dust Management Plan (DMP), the impacts can be successfully minimised, and are unlikely to be significant. Further details of this DMP would be secured by condition.
132. The Council's Environmental Health Officer concurs with the findings of the assessment and recommends that conditions are secured in relation to internal noise levels, construction noise and dust and air quality.

Noise conditions:

133. The noise conditions are acceptable for residential accommodation, subject to conditions. A noise survey has been undertaken to assess the site's suitability for residential and other proposed uses. Existing dominant noise sources were noted to be road traffic in the surrounding area, particularly along Carlton Vale. Notwithstanding this, the site is currently in residential use, and is surrounded by residential uses so its redevelopment for residential use is considered to be entirely appropriate, however some mitigation is likely to be required.
134. It is proposed that any plant installations adhere to plant noise emission criteria, and on this basis the Council's Environmental Health Officer recommends that any plant shall be installed so that the rated noise shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.
135. In relation to recommended internal noise levels then a condition is recommended to ensure these are achieved, together with a scheme of sound insulation measures to prevent transmission of noise between residential and non-residential floors.

Flood risk and drainage:

136. The site is not at low risk of flooding. London plan policy 5.12 requires developments to comply with flood risk assessment and management requirements set out in the NPPF.

137. The site is situated within Flood Zone 1 and therefore has the lowest level of flood risk, and is below the 1 hectare threshold for undertaking a full Flood Risk Assessment (FRA). However a Flood Risk Statement does support the application. This confirms the site is at low risk of tidal or fluvial flooding, and that flood risk from all other sources is deemed to be low.
138. London plan policy 5.13 requires development to utilise sustainable urban drainage systems (SUDS) and to aim to achieve greenfield run-off rates whilst ensuring surface water run-off is managed as close to source as possible. A Drainage Strategy submitted with this application outlines the proposed strategy for dealing with surface water and foul water drainage. The strategy seeks to incorporate SUDS by collecting run off for reuse on site: there are three rain gardens included in the landscape strategy, permeable paving (subject to suitable ground conditions) and the provision of below ground attenuation tanks on site. Further details of this strategy would be secured by condition.
139. Thames Water has recommended conditions to secure further details of the drainage strategy.

Contamination:

140. There is the potential for there to be contaminants in the ground however further investigation and remediation measures can be secured via condition. The requirement to deal with contaminated land is set out in London Plan policy 5.21, and is reinforced by the NPPF.
141. A preliminary risk assessment supports the application. The assessment identifies potential contaminants in made ground. Remediation measures are therefore deemed to be necessary to ensure the site is suitable for its end use.

PHASING

142. The development would be built in a number of phases, in part to enable properties for secure tenants to be built for them to move into, and this would release other parts of the site for the remainder of the development.
143. The first phase (Phase 1) would require the demolition of the building housing South Kilburn Studios (2A Canterbury Road), as well as 16-33 Peel Precinct. This would allow the first 38 affordable units to be constructed in Block E, housing all secure tenants currently residing in 16-33 Peel Precinct. This would ensure all existing secure tenants are accommodated.
144. Phase 2 would require 1-7 & 15 Peel Precinct and 8-14 Neville Close to be vacated. Once vacancy has been secured blocks A, B and C can be constructed. This will contain 64 private sale units, the health centre and the commercial units.
145. Phase 3 would require the demolition of 34-57 Peel Precinct and 97-112 Carlton House. This would allow for the construction of blocks D, F and G (submitted in outline), which will contain 120 private sale units and 4 affordable units.
146. In any event a detailed phasing plan would be secured by condition and details conditions worded to enable development of the early phases without having to discharge conditions on all phases.

CONCLUSION

147. The proposal would deliver the following wider planning benefits:
- The delivery of both affordable and private housing in a sustainable location, and at a dense level of development which optimises the housing potential
 - A new multi-use health centre
 - New commercial units providing local amenities
 - A new and enhanced public open space at the heart of South Kilburn
 - Re-establish historic road connections, highway improvement works and public realm enhancements
 - High standards of urban design and architecture
 - Sustainable design which will result in low levels of carbon emissions
 - A CIL contribution of +5M towards local infrastructure.
 - The redevelopment of the next phase of the South Kilburn Masterplan

Officers consider that on balance the scheme would make a positive contribution to the regeneration of South Kilburn and recommend the application for approval subject to the conditions and obligations set out in this report, and Stage II referral to the Mayor.

SUSTAINABILITY ASSESSMENT

Energy:

The scheme would meet the relevant energy and sustainability targets, subject to planning obligations with a S106.

The NPPF promotes sustainable development and the transition to a low carbon future, through the delivery of renewable and low carbon energy. The London Plan policy 5.2 requires carbon dioxide emissions to be limited and this scheme is required to improve the reduction in CO2 emissions by 35% above the 2013 Building Regulations targets. Policy 5.3 seeks sustainable design and construction and policies 5.5 and 5.6 expect Decentralised Energy Networks to be brought forward in accordance with an energy hierarchy. Policy 5.7 encourages the use of renewable sources of energy, where feasible. Policy 5.9 seeks to reduce the urban heat island effect. Policy 5.15 seeks to minimise the use of mains water. The Mayor's SPG "Sustainable Design and Construction" (2014) is also relevant. Brent Core Strategy policy CP19 requires non-residential development within a growth area to achieve BREEAM "Excellent".

A detailed Energy Strategy supports the application, this seeks to demonstrate how the proposed scheme complies with the above aspects of the Development Plan.

The proposed Energy Strategy seeks to reduce energy demand through the use of enhanced building fabric, air tightness and insulation, heat recovery ventilation and cooling. Clean energy generation is to be achieved through the use of a CHP system, this would provide heating and power across the site until connection to the future district heat network can be established. This heat network will come forward as the regeneration of South Kilburn progresses; the Council is currently procuring a delivery partner for the Gloucester House and Durham Court development which will house the energy centre. It is hoped to have the energy centre complete in summer 2020. To provide some comfort that future connection is feasible and would occur, drawings have been provided to show the route of the heat network and how this can be connected to the application site.

The proposed development would generate renewable energy through the use of Photovoltaics (PV) (325sqm) and Air Source Heat Pumps (ASHP), which are considered necessary to meet the heating and cooling demands of the non-residential areas.

The Energy Strategy has been reviewed by the GLA who have verified that the development can be expected to achieve the London Plan targets. For the non-residential elements of the development a BREEAM rating of 'Excellent' is targeted.

The proposal complies with the energy and sustainability requirements, subject to planning obligations in a S106 legal agreement (see the Recommendation section). Compliance with the carbon reductions target and the delivery of the wider sustainability measures would be secured in a s106 agreement.

Environmental Impact Assessment (EIA):

A request for an EIA Screening Opinion for the Peel Site was received at pre-application stage. The Council carried out a screening opinion in view of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended).

Having considered the scope of the proposals it was determined that the proposal does not fall within Schedule 1 Development of the Environmental Impact Assessment Regulations 2011 but within Schedule 2 Development, Part 10, Infrastructure Projects (b) – Urban development projects (ii) the development includes more than 150 dwellings. Consideration was given to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the EIA Regulations 2011 and Planning Practice Guidance.

Having given full consideration of the possible impacts and effects of the proposed development a screening opinion was given that the Local Planning Authority does not consider that the impacts would be significant to warrant an Environmental Impact Assessment (EIA).

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

And, to authorise the Head of Area 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 **£5,256,808.45*** 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): 5586 sq. m.

Total amount of floorspace on completion (G): 23662 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	22571		17242.5575 183839	£200.00	£35.15	£4,403,010.22	£773,829.05
Shops	1091		833.442481 616093	£40.00	£35.15	£42,565.10	£37,404.08

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)	286	
Total chargeable amount	£4,445,575.32	£811,233.13

*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

Application No: 16/4174

To: Mr Brooker
The Charlotte Building
17 Gresse Street c
London
W1T 1QL

I refer to your application dated 21/09/2016 proposing the following:
Hybrid Application for the proposed redevelopment of the Peel site comprising Peel Precinct, 97-112 Carlton House, 8-14 Neville Close, 2 Canterbury Road & Peel site garages:

- **Full** planning application for the demolition of 2A Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of four buildings (A, B, C and E) ranging between four to 16 storeys, plus part basement comprising of 38 replacement affordable homes for existing South Kilburn secure tenants, 64 private sale units (38 x 1-bed, 47 x 2-bed, 13 x 3-bed and 4 x 4-bed units) new health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2), 3no A-class retail units at ground floor, associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision.

- **Outline** planning application with reserved matters (around Appearance, Landscaping, and Scale) for the demolition of 97-112 Carlton House, 34-57 Peel Precinct and Peel site garages, and erection of three buildings (D, F and G) ranging in height between up to 4 and up to 8 storeys provide up to 124 residential units comprising of 4 Affordable Housing units, and up to 120 private units, with associated landscaping, private open space, and cycle parking.

and accompanied by plans or documents listed here:

See Condition 4

at Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road & Peel Site Garages, London, NW6

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: 03/02/2017

Signature:

Alice Lester

Head of Planning, Transport and Licensing

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.

Document Imaged

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 Development Plan and relevant material planning considerations

- 1 **RESERVED MATTERS TO BE APPROVED**

Permission is granted subject to the written approval by the Local Planning Authority of the details of the following reserved matters in respect of the areas of the Development shown as Outline Planning (hatched blue) on drawing 643-PL-106 Rev A (hereinafter called "the reserved matters"):

- (i) scale of the buildings and structures in accordance with the approved parameter plan number 643-PL-107 Rev A titled Development Framework Maximum Building Envelope;
- (ii) appearance of the buildings and structures in accordance with the relevant sections 5.8, 5.9 and 5.10 within the Design and Access Statement dated August 2016;
- (iii) landscaping of private and public space

The plans and particulars of the Reserved Matters for each Phase referred to in the Phasing Condition shall be approved in writing by the Local Planning Authority prior to the commencement of any part of the development to which those Reserved Matters relate EXCEPT that this shall not prevent works of site clearance, demolition of existing buildings and structures, ground investigation and site survey works, erection of temporary boundary fencing or hoarding and works of decontamination and remediation (hereafter 'preparatory works') and each Phase shall be carried out only as approved.

Reason: To ensure the development is carried out in accordance with the prevailing relevant policy and to meet the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015

- 2 **FULL PLANNING TIME TO COMMENCE**

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.

- 3 **OUTLINE PLANNING TIME TO SUBMIT RM AND COMMENCE**

In the case of any reserved matter, application for approval must be made not later than the expiration of four years beginning with the date of this permission, and that the development to which this outline permission relates must be begun not later than whichever is the later of the following dates:

- (i) the expiration of four 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.

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

PLANS

643-PL-100 SITE LOCATION PLAN

643-PL-101 EXISTING SITE PLAN
 643-PL-102 PROPOSED DEMOLITION
 643-PL-104 PROPOSED SITE PLAN
 643-PL-105 Rev B PROPOSED PHASING PLAN
 643-PL-106 Rev A HYBRID APPLICATION DIAGRAM
 643-PL-107 Rev A DEVELOPMENT FRAMEWORK MAXIMUM BUILDING ENVELOPE
 643-PL-200 Rev A PROPOSED GROUND FLOOR
 643-PL-201 Rev A PROPOSED FIRST FLOOR
 643-PL-202 Rev A PROPOSED SECOND FLOOR
 643-PL-203 Rev A PROPOSED THIRD FLOOR
 643-PL-204 Rev A PROPOSED FOURTH FLOOR
 643-PL-205 Rev A PROPOSED FIFTH FLOOR
 643-PL-206 Rev A PROPOSED SIXTH FLOOR
 643-PL-207 Rev A PROPOSED SEVENTH FLOOR
 643-PL-208 Rev A PROPOSED EIGHTH - THIRTEENTH
 643-PL-214 Rev A PROPOSED FOURTEENTH FLOOR
 643-PL-215 Rev A PROPOSED - FIFTEENTH FLOOR
 643-PL-216 Rev A PROPOSED ROOF PLAN
 643-PL-217 Rev A PROPOSED BASEMENT PLAN
 643-PL-220 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-221 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-222 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-223 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-224 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-225 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-226 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-227 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-228 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-234 Rev A PROPOSED BUILDINGS A, B AND C – FOURTEENTH FLOOR PLAN
 643-PL-235 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-236 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-237 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-250 Rev A PROPOSED BUILDING E – GROUND FLOOR
 643-PL-251 Rev A PROPOSED BUILDING E - FIRST FLOOR
 643-PL-252 Rev A PROPOSED BUILDING E - SECOND FLOOR
 643-PL-253 Rev A PROPOSED BUILDING E – THIRD FLOOR
 643-PL-254 Rev A PROPOSED BUILDING E – FOURTH FLOOR
 643-PL-255 Rev A PROPOSED BUILDING E – FIFTH FLOOR
 643-PL-256 Rev A PROPOSED BUILDING E – ROOF

Flat layouts

643-PL-270 Rev A TYPICAL PRIVATE 1 BED 2 PERSON
 643-PL-271 Rev A TYPICAL PRIVATE 2 BED 4 PERSON
 643-PL-272 Rev A TYPICAL PRIVATE 2 BED 4 PERSON
 643-PL-273 Rev A TYPICAL PRIVATE 3 BED 6 PERSON
 643-PL-274 Rev A TYPICAL PRIVATE 2 BED 3 PERSON
 643-PL-275 Rev A TYPICAL PRIVATE 1 BED 2 PERSON
 643-PL-276 Rev A TYPICAL PRIVATE 2 BED 4 PERSON
 643-PL-277 Rev A TYPICAL AFFORDABLE 1 BED 2 PERSON
 643-PL-278 Rev A TYPICAL AFFORDABLE 2 BED 4 PERSON
 643-PL-279 Rev A TYPICAL AFFORDABLE 3 BED 5 PERSON
 643-PL-280 Rev A TYPICAL AFFORDABLE 3 BED 5 PERSON
 643-PL-281 Rev A TYPICAL AFFORDABLE 4 BED 6 PERSON UNIT
 643-PL-282 Rev A TYPICAL AFFORDABLE 4 BED 6 PERSON (DUPLEX)
 643-PL-283 Rev A TYPICAL AFFORDABLE WHEELCHAIR UNIT
 643-PL-284 Rev A TYPICAL AFFORDABLE WHEELCHAIR UNIT
 643-PL-285 Rev A TYPICAL PRIVATE 1 BED 2 PERSON UNIT (LIFETIME HOMES)

SECTIONS

643-PL-300 Rev A EXISTING SITE SECTIONS/ELEVATIONS
 643-PL-301 Rev A EXISTING SITE SECTIONS/ELEVATIONS
 643-PL-302 Rev A PROPOSED SITE SECTIONS/ELEVATIONS
 643-PL-303 Rev A PROPOSED SITE SECTIONS/ELEVATIONS

ELEVATIONS

643-PL-305 Rev A EXISTING BUILDING ELEVATIONS PEEL SITE
643-PL-306 Rev A EXISTING BUILDING ELEVATIONS PEEL SITE
643-PL-307 Rev A EXISTING BUILDING ELEVATIONS PEEL SITE
643-PL-308 Rev A EXISTING BUILDING ELEVATIONS PEEL SITE
643-PL-320 Rev A EXISTING ELEVATIONS 34-57 PEEL PRECINCT
643-PL-321 Rev A EXISTING ELEVATIONS 1-15 PEEL PRECINCT
643-PL-322 Rev A EXISTING ELEVATIONS 16-30 PEEL PRECINCT
643-PL-323 Rev A EXISTING ELEVATIONS 16-30 PEEL PRECINCT
643-PL-324 Rev A EXISTING ELEVATIONS 97-112 CARLTON HOUSE
643-PL-325 Rev A EXISTING ELEVATIONS 97-112 CARLTON HOUSE
643-PL-326 Rev A EXISTING ELEVATIONS SOUTH KILBURN STUDIOS

643-PL-310 PROPOSED BUILDINGS A, B & C – SOUTH AND EAST ELEVATIONS
643-PL-311 Rev A PROPOSED BUILDINGS A, B & C – WEST AND NORTH ELEVATIONS
643-PL-312 Rev A PROPOSED BUILDING E - SOUTH EAST AND NORTH WEST ELEVATIONS
643-PL-313 Rev A PROPOSED BUILDING E - SOUTH WEST AND NORTH EAST ELEVATIONS
643-PL-330 Rev A PROPOSED BUILDINGS A, B & C – EAST ELEVATION
643-PL-331 Rev A PROPOSED BUILDINGS A, B & C – SOUTH ELEVATION
643-PL-332 Rev A PROPOSED BUILDINGS A, B & C – WEST ELEVATION
643-PL-333 Rev A PROPOSED BUILDINGS A, B & C – NORTH ELEVATION
643-PL-335 Rev A PROPOSED BUILDING E – PROPOSED SOUTH EAST ELEVATION
643-PL-336 Rev A PROPOSED BUILDING E - NORTH WEST ELEVATION
643-PL-337 Rev A PROPOSED BUILDING E - SOUTH EAST & NORTH WEST ELEVATIONS.

LANDSCAPE

131_PP_01.010 Rev R PUBLIC REALM

131_PP_01.090 Rev A PARKING LAYOUT

OTHER

XCO2, Energy Statement (June 2016)

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

5 ACCESSIBLE HOUSING

Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

6 D1 USE CLASS RESTRICTION

The elements of the building(s) permitted for "D1 Use" as shown on approved drawings shall under no circumstances be used as a Place of Worship within Class D1 (Non-residential Institutions) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) without express planning consent from the Local Planning Authority first being obtained.

Reason: in order to ensure that the use of the premises has an acceptable impact on transportation grounds and on residential amenity

7 PARKING TO BE PROVIDED

Prior to occupation of the relevant Phase the following shall be constructed and permanently marked out to serve the relevant Phase:

- (a) the approved number of car parking spaces as shown on the approved plans which shall include the provision of at least 20% active and 20% passive electric vehicle charging points, and
- (b) at least 2 spaces designed and laid out for disabled parking

Thereafter the approved parking shall be retained and used solely for the specified purposes in connection with the Development hereby approved for the lifetime of the Development and shall not be obstructed or used for any other purpose(s).

Reason: To ensure adequate parking provision in accordance with adopted standards

8 HEALTH CENTRE DOORS

The doors to the Health Centre on the Neville Close facade including entrance doors and refuse storage doors shall open inwards.

Reason: to prevent obstruction of the highway.

9 PHASING CONDITION

The development hereby permitted shall be carried out in the following Phasing programme unless an alternative Phasing programme is approved in writing by the Local Planning Authority pursuant to this condition:

- (i) Phase 1: Demolition of former Local Authority office unit and 16-24 & 25-33 Peel Precinct and erection of Block E to provide 38no. affordable units [and associated landscaping, private open space, associated car parking, cycle parking and servicing provision]
- (ii) Phase 2: Demolition of 1-7 & 15 Peel Precinct and 8-14 Neville Close and erection of Blocks A, B and C to provide 64no. private sale units, new health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2), 3no A-class retail units at ground floor, associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision
- (iii) Phase 3: Demolition of 34-57 Peel Precinct, 97-112 Carlton House and remaining structures within the application site and erection of Blocks D, F and G to provide 4 no affordable units and 120no private sale units [and associated landscaping, private open space, associated car parking, cycle parking and servicing provision]

Notwithstanding the above the delivery of the public realm works will be subject to further details as approved through Condition 14

Reason: In the interests of clarity and proper planning

10 CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN

No works at all including 'preparatory works' shall commence for each Phase of the development until a Construction Environmental Management Plan (CEMP) for:

- (a) the Preparatory works
- (b) Phase 1
- (c) Phase 2
- (d) Phase 3

have been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors including:

- (i) Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
- (ii) Working Hours: Standard construction hours (e.g. Monday to Friday 08:00 to 18:00 hours, Saturday 08:00 to 13:00 hours, with no working on Sundays or Bank Holidays);
- (iii) Access Routes: Routing construction traffic away from NSRs.

- (iv) Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
- (v) Screening: The use of site hoardings, enclosures, portable screens and/or screening nosier items of plant from NSRs, where reasonably practicable.
- (vi) Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
- (vii) Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
- (viii) Piling: Ensuring that piling is undertaken using most appropriate technique, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with the LBB, prior to work commencing.
- (ix) BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
- (x) Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.
- (xi) Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a possible future LEZ as a minimum; minimise movement of construction traffic around site.
- (xii) Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
- (xiii) Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate

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

Reason: particular attention must be paid to minimising the noise and air quality impact of the demolition and construction works on sensitive receptors and to ensure demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.

11 CONSTRUCTION LOGISTICS PLAN

No works at all including 'preparatory works' shall commence for each Phase of the development until a Construction Logistics Plan (CLP) for:

- (a) the Preparatory works
- (b) Phase 1
- (c) Phase 2
- (d) Phase 3

have been submitted to and approved in writing by the Local Planning Authority. The CLP, which shall be accompanied by a site layout plan showing the following elements, shall include details of:

- (i) the construction vehicle access(es) and routing, which shall avoid those roads that have width restrictions;
- (ii) timing of deliveries (to avoid peak hours and to comply with local road restrictions) and the control of traffic entering the site such as use of a banksman;
- (iii) the parking of vehicles of site operatives and visitors;
- (iv) loading and unloading of plant and materials;
- (v) storage of plant and materials used in constructing the development;
- (vi) wheel washing facilities to be installed prior to commencement of any works; and
- (vii) a scheme of road-cleaning along construction routes

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

Reason: To ensure impact of demolition and construction activities are controlled including the impact of traffic, noise and air pollution and in particular to ensure demolition and construction traffic does not cause congestion or contribute towards a lack of safety on the local highway network which includes a significant route into London (Carlton Vale) and narrow residential streets

12 MATERIALS TO BE SUBMITTED

Prior to commencement of the relevant Phase with the exception of 'preparatory works' further details of all exterior materials including samples and/or manufacturer's literature for:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (i) building envelope materials e.g. bricks, render, cladding;
- (ii) windows, doors and glazing systems including colour samples; and
- (iii) balconies and screens

The works for each Phase shall be carried out in accordance with the approved details for the relevant Phase and shall be retained thereafter for the lifetime of the development.

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

13 NON-RESIDENTIAL FRONTAGES

Prior to commencement of above ground works to Blocks A, B and C further details of the exterior of the non-residential ground floor shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (i) windows, doors, shop fronts and glazing systems including colour samples; and
- (ii) details of where advertisements would be applied notwithstanding that the advertisements themselves would require separate advertisement consent

At least 50% of the area of the windows on the non-residential frontages shall be kept free from anything that would obscure views through the window including but not limited to applied lettering and screens, posters, screens set behind the windows. This shall not apply to the health/community group room, treatment/clinical room(s), interview/baby change and pharmacy consultation space as shown on the approved plans, which shall be provided with a reasonable level of privacy.

The works shall be carried out in accordance with the approved details and shall be retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality and to ensure the non-residential elements provide an active frontage in the interests of natural surveillance and the viability and vitality of the area.

14 PUBLIC REALM DELIVERY PLAN

- (a) Prior to commencement of any works except 'preparatory works' a site wide draft public realm delivery plan shall be submitted and approved in writing by the Local Planning Authority; and
- (b) Prior to commencement of the relevant Phase a detailed public realm delivery plans to serve:

- (i) Phase 1
- (ii) Phase 2
- (iii) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be informed by the site wide draft public realm delivery plan.

The works shall be carried out in accordance with the approved delivery plan and shall be retained for the lifetime of the Development.

Reason: to ensure the public realm is delivered in a timely manner

15 LANDSCAPING

On commencement of the relevant Phase further details of the hard and soft landscaping to serve:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include (but are not limited to):

- (i) Walls and fences: Details of proposed walls, fencing and other means of enclosure indicating materials and heights.
- (ii) Trees: Details for minimum 66 new tree planting across the site, with all new trees planted at a minimum girth of 12-14cm, with sizes to be agreed in writing.
- (iii) Planting: Notwithstanding any details of landscape works referred to on the approved plans, a detailed scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes, locations and planting densities). Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the relevant Phase, or in accordance with a programme agreed in writing with the Local Planning Authority.
- (iv) Physical separation: Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.
- (v) Mounds existing contours and any alteration of the ground levels, such as earth mounding.
- (vi) Hard landscaping: Details of all areas of hard landscape works and proposed materials.
- (vii) Cycle parking: Details of all external public cycle parking, including within Peel public square.
- (viii) Signboards and seating: Other appropriate matters within the context of a landscaping scheme, such as details of signboards, seating, foot ways and other paved pedestrian and vehicle parking areas. Such details to also include further details of the 'PEEL' lettering within the public square
- (ix) Other details to include: measures to mitigate against adverse wind conditions for those receptors identified as likely to experience adverse wind conditions in the XCO2, (X) Wind and Microclimate Analysis Report (June 2016) .
- (x) A Landscape Management Plan including details of the proposed arrangements for the maintenance of the landscape works.

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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.

16 CHILDRENS' PLAY

- (a) Prior to commencement of any works except 'preparatory works' a site wide draft children's play space delivery plan shall be submitted and approved in writing by the Local Planning Authority; and
- (b) Prior to commencement of the relevant Phase detailed children's play space delivery plans to serve:
 - (i) Phase 1
 - (ii) Phase 2
 - (iii) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) the location of the play area and/or equipment
- (ii) details of the equipment and/or earthworks to meet the minimum standards for play

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason: to ensure there is sufficient provision of areas and equipment for childrens' play

17 EXTERNAL LIGHTING

On commencement of the relevant Phase further details of the external lighting to serve:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) highway street lighting;
- (ii) other public realm lighting;
- (iii) communal amenity space including roof garden lighting; and
- (iv) car park lighting

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason: These details are required to ensure that public and private spaces are adequately lit for pedestrian and highway safety and to prevent light pollution.

18 BLOCK A ELEVATIONS

Prior to commencement of above ground works to Block A further details of the elevations shall be submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason: to ensure the tall building displays the highest architectural standards

19 DRAINAGE STRATEGY AND SUDS

No works to any Phase shall be commenced until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. Such a strategy shall include:

- (i) adherence to the principles of Sustainable Urban Drainage Systems and the drainage hierarchy set out in London Plan policy 5.13; and
- (ii) all on or off site drainage works

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed details of the drainage strategy and shall be retained for the lifetime of the Development.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community and to ensure the development meets the requirements of London Plan Policy 5.13

20 MECHANICAL PLANT

Prior to the installation of any mechanical plant within the relevant Phase further details of such mechanical plant, including but not limited to refrigeration, air-conditioning, ventilation system, air source heat pumps, combined heat and power units and kitchen extraction systems, to serve:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) detail the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
- (ii) details of any ducting in terms of its appearance and siting;
- (iii) demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and
- (iv) include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (ii)
- (v) include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
- (vi) include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

The approved mechanical plant shall be installed in accordance with the approved details and maintained thereafter for the lifetime of the development.

Reason: To ensure that users of the surrounding area do not suffer a loss of amenity by reason of noise, vibration and odour nuisance

21 CROSSOVER WIDTH

Prior to commencement of Phase 1 except 'preparatory works' further details of the vehicular crossover to the Carlton House car park from Canterbury Road shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include increasing the width to 4.1m.

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason:

22 CONTAMINATION - SITE INVESTIGATION AND REMEDIATION STRATEGY

Prior to commencement of any works except 'preparatory works' a Site Investigation to determine the nature and extent of any contamination present, carried out in accordance with the principles of BS 10175:2011 by competent persons, shall be submitted to and approved in writing by the local planning authority to determine the nature and extent of any soil contamination present. The Site Investigation shall include:

- (i) the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination; and
- (ii) a Remediation Strategy containing an appraisal of remediation options should any contamination be found that presents an unacceptable risk to future site users. If required, the Remediation Strategy shall specify measures to contain, treat or remove any soil contamination to bring the site to a condition suitable for the intended residential use. The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The works shall be carried out in accordance with the approved details in accordance with the approved timetable and the Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

23 REMEDIATION VERIFICATION

Prior to the occupation of the relevant Phase the measures identified in the approved remediation strategy shall be completed in full for each relevant Phase and a Verification Report that demonstrates that the remediation of:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

has been carried out in accordance with the approved remediation scheme and the relevant Phase is permitted for end use shall be submitted to and approved in writing by the local planning authority UNLESS the local planning authority has previously confirmed that no remediation measures are required for the relevant Phase.

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

24 AIR QUALITY MITIGATION MEASURES

Prior to occupation of the relevant Phase a report which demonstrates that air quality mitigation measures have been complied with for each Phase as follows:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include evidence that the mitigation measures set out in the approved Air Quality Impact Assessment (XCO2 Energy air quality assessment dated 19th January 2017: Job no 8.637) relating to that Phase have been fully implemented and shall be retained for the lifetime of the Development.

Reason: To ensure the safe development and secure occupancy of the site for residential use within the Air Quality Management Area.

25 HOURS OF OPERATION OF NON-RESIDENTIAL USES

Prior to the occupation of any non-residential Use hereby approved further details of the hours of operation for the relevant Use shall be submitted to and agreed in writing by the Local Planning Authority. The relevant Use shall operate in accordance with the approved hours of operation for that Use for the lifetime of the development.

Reason: in the interests of the amenity of local residents

26 DELIVERY AND SERVICING PLAN

Prior to the occupation of the relevant Phase a Delivery and Servicing Plan (DSP) to serve:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority.

On occupation of the relevant Phase the approved DSP shall be implemented in full and shall be adhered to for the lifetime of the development.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure that deliveries and servicing are planned to minimise their impact on the local highway network.

27 WATER USAGE

Prior to first occupation of a relevant Phase hereby approved, confirmation from the Building Control body to demonstrate that the relevant building 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 for each Phase as follows:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a sustainable development

28 CHP

The Combined Heat and Power (CHP) unit installed shall meet or improve upon the emissions standards and technical details described in the Air Quality Impact Assessment (XCO2 Energy air quality assessment dated 19 January 2017: Job no 8.637). Prior to the commencement of the use of the CHP unit details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met shall be submitted to and approved in writing by the Local Planning Authority. The CHP unit shall thereafter be maintained in such a way as to ensure that

these standards continue to be met.

Reason: To protect local air quality.

29 INTERNAL NOISE STANDARDS

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) 45 dB Lmax

Prior to first occupation of any Phase Tests shall be carried out within one room of each built facade type for a living and bedroom area over a four-day period, to show that the required internal noise levels have been met and the results for the relevant Phase as follows:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To obtain required sound insulation and prevent noise nuisance

30 PILING METHOD STATEMENT

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

31 TREE PROTECTION

Prior to commencement of any development including 'preparatory works' further details of tree protection shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the locations and the means of protection (in accordance with BS5837:2012) of existing trees on site or in close proximity to the site identified for retention, including detailed proposed protection measures during any demolition or construction works to include locations of all protective fencing, ground protection, site facilities and storage areas. Where, for construction purposes, it is necessary to position tree protection fencing within the RPA of retained trees, suitable ground protection will be installed to prevent undue soil/root compaction from pedestrian and/or vehicular traffic.

No works shall be carried out until the tree protection is installed in accordance with the approved details and is retained for the duration of those works.

Furthermore, all trees within the approved details that are identified for retention as part of this development that fall into irreversible decline and/or die as a result of non-adherence to the approved protection measures within a period not to exceed five years from completion of works shall be replaced with a tree of size and species to be agreed with the Local Authority.

Reason: To ensure a satisfactory appearance and setting for the proposed development, 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, ensure that it enhances the visual amenity of the area and to protect trees in the immediate environment and to retain a mature tree cover around the site in accordance with s.197 of the Town and Country Planning Act 1990.

INFORMATIVES

- 1 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
- 2 The applicant may be required to enter into a "Building Over sewer" Agreement with Thames Water Utilities Ltd before commencing construction of any part of the building over a public sewer. Thames Water should be contacted prior to any works commencing.
- 3 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.
- 4 The applicant is advised that prior to commencement of any works on site, a condition survey of the existing road network, together with a regime for monitoring the condition of the road network during construction and subsequent repair works, shall be agreed by the Local Highway Authority. The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 5 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
 - (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings
- 6 Given the age of the building(s) to be demolished it is possible that asbestos may be present. Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Environmental Health Officer should be contacted.

- 7 Thames Water waste comments:

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed

illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

8 Thames Water water comments:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There is a Thames Water main crossing the development site which may need to be diverted at the Developer'S cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227