

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 May, 2020
03
18/4919

SITE INFORMATION

RECEIVED	20 December, 2018
WARD	Alperton
PLANNING AREA	
LOCATION	1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0
PROPOSAL	Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising residential units (use class C3), flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)
PLAN NO'S	Refer to condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_143296</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/4919" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

INTRODUCTION

This application was presented to Planning Committee on the 17th March 2020. The Committee were minded to refuse the application owing to concerns that related to the following aspects of the proposal:

- Affordable Housing provision
- Loss of employment
- Sunlight and daylight impact

Following discussion of the item at the March committee, a decision was taken to defer the planning application to enable officers to provide further information in relation to the concerns raised by members.

Additional information and clarification is provided in relation to the loss of employment and the sunlight and daylight impacts. Emerging and adopted Affordable Housing policy is discussed and the proposal has been changed in respect of the housing mix. These aspects are discussed in detail below.

In summary, officers continue to consider that the application is policy compliant and would recommend that the application is granted planning permission, subject to referral to the Mayor for his Stage 2 response as well as it being subject to the conditions and s106 heads of terms set out in the March committee report, with those heads of terms adjusted to account for the applicant's revised affordable housing offer.

AFFORDABLE HOUSING PROVISION

National Policy

The National Planning Policy Framework (NPPF), since 2018, has defined affordable housing as follows:

“housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions [of four categories of affordable housing]”.

The four categories are set out as:

- Affordable housing for rent
- Starter homes
- Discounted market sales housing
- Other affordable routes to home ownership

Affordable housing for rent is defined within the NPPF as a product which ***“meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent)”.***

The definition of affordable housing for rent makes reference to “social rent”. Social rent is a product which is set in line with the Social Housing Regulator’s Rent Standard Guidance and is not pegged against the overall market value, whilst affordable rent (defined as at least 20% below local market rents) generally is.

Local Policy

Brent’s adopted local policy (CP2 and DMP15) setting out the requirements for major applications in respect of affordable housing provision stipulates that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes

being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction to affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target). It does not require all schemes to deliver 50 % Affordable Housing. This is an important distinction.

Critically, the definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which would also be consistent with the NPPF definition of affordable housing.

The emerging London Plan (Intend to Publish Version) affordable housing policy (H4, H5 and H6) sets out the Mayor's commitment to delivering "genuinely affordable" housing and that the following split of affordable housing provision is applied to development proposals:

- A minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent)
- A minimum of 30% intermediate products
- 40% to be determined by the borough based on identified need

Brent's emerging local plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (policy H5), with schemes delivering at least 35 % (or 50 % on public sector land / industrial land and that propose a policy compliant tenure split) not viability tested at application stage. Brent Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan H6 policy by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.

Brent's draft Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted DMP15 policy would carry considerably more weight than the emerging policy at present. The draft London Plan is at a more advanced stage than Brent's emerging Local Plan and has been subject to comments from the Planning Inspectorate. Whilst concerns have been raised about some London Plan draft policies by the inspectorate, none of those concerns relate to these policies and it can therefore be considered that this draft policy carries reasonable weight at this stage.

Both the Brent (BH5) and London Plan emerging affordable housing policies depart from affordable rent (defined as discounted at least 20% below market rent) as a 'low cost rented product' and instead seek London Affordable Rented homes.

London Affordable Rent is a product which was introduced in 2016 and its rents are based on the formula rent cap figures for Social Rents uplifted by CPI plus 1%. Therefore, London Affordable Rent is broadly in line with social rent (aside from the small uplift adjustment) and significantly more affordable than standard affordable rent product.

London Affordable Rent is clearly a more affordable product than affordable rent and meets the Mayor's definition of 'genuinely affordable housing' in the emerging London Plan and emerging draft Local Plan (BH5). London Affordable Rent has a consistent value across London in line with the above figures, which equates to a rental payment of £178.05p/w for three bedroom homes. As a very rough guide, London Affordable Rent would be broadly equivalent to 50% of the market rent on a property, although may see a lesser or greater difference compared to the market rent dependent on the average rental values in the particular borough. Despite the enhanced affordability of the London Affordable Rented product, the previous affordable housing offer of this scheme met the adopted London Plan and Local Plan target as it achieved a more than maximum reasonable offer targeting the affordable rent product and for the rest to be intermediate i.e. Shared Ownership, in line with DMP15 requirements.

The policy requirements can be summarised as follows

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

Affordable housing of this proposal

The scheme presented to Members in March included the following affordable housing offer, which officers considered to represent the maximum reasonable proportion of Affordable Housing, with the applicant demonstrating that the target level of 50 % could not be delivered on the site.

OFFER PRESENTED AT MARCH COMMITTEE

(18.1% affordable housing by unit, weighted 53%/47% towards Affordable Rent)

(22% affordable housing by habitable room, weighted 65%/35% towards Affordable Rent)

		Affordable	Intermediate	
Units	Private	Affordable Rent (Capped at no more than 65% of market rent)	Shared Ownership	Total
1 bed	230	0	24	254 (43%)
2 bed	188	0	25	213 (37%)
3 bed	58	56	0	114 (20%)
Total	476 (82%)	56 (10%)	49 (8%)	581 (100%)

This affordable housing offer was justified through the submission of a financial viability assessment which robustly set out why the projected costs and revenues (based on present day values) of the development would have resulted in a scheme that would be unviable, even where no affordable housing had been provided. As such, were this scheme to come forward on the basis that no affordable housing would be proposed, officers consider that the scheme would still be compliant with both adopted and emerging policy with regard to the amount of Affordable Housing (delivering the maximum reasonable amount). The key aspects which contribute to the lack of viability of the scheme largely stem from the fragmented nature of land ownership on the site and the associated complexities of land assembly, the requirement for the Thames Water pumping station on site to be removed and re-provided as part of the development and the historic use of the site for industrial purposes resulting in significant de-contamination and remediation works being necessary in the early phases of development.

The applicant's financial viability assessment has been closely scrutinised by industry experts appointed by the Council and it has been agreed that the scheme is not financially viable on the basis of today's costs and values, and that no affordable housing can reasonably be required. Nonetheless, the applicant proposed to provide 18.1% affordable housing (as set out in the table above) on a tenure split which, whilst not closely aligning with the 70%/30% tenure split sought in policy, was weighted towards affordable rented products in line with DMP15. Officers strongly welcome this offer, particularly given that the financial viability assessments robustly demonstrates that nil provision of affordable housing would be acceptable in this instance.

The Affordable Rented product was to be secured at no more than 65% of the market rent, which is considerably more affordable than the base definition of affordable rent which is permitted within adopted

policy DMP15 (defined as up to 80% of the market rent). The head of the housing team at Brent has confirmed that this product, capped at 65% of the market rent, would be affordable to those on the Council's housing waiting list. While emerging Brent Policy sets out that all of the Affordable Rented accommodation should be provided at London Affordable Rent, this can only be given limited weight at present. More weight can be given to emerging London Plan policy which specifies that 30 % of the Affordable housing should be for London Affordable Rent. However, officers considered the provision of the Affordable Rented Accommodation at a maximum of 65 % market rate to be acceptable as greater weight has only been able to be given to the emerging London Plan policy recently, very late in the consideration of this specific application. The commitment to this affordable housing offer results in the scheme returning a significant deficit, when the projected present day costs and values are updated to account for it.

Revised affordable housing offer

Whilst officers would maintain that the above offer remains compliant with adopted policy on the basis of the viability argument put forward and tested by the Council, officers have since negotiated with the applicants to seek an alternative affordable housing offer which results in the same projected deficit for the developer and which seeks to address concerns raised by Members at the March committee by securing the Affordable Rented homes as London Affordable Rent. The Affordable Housing tenure mix has also been altered to reflect adopted policy. This negatively affects scheme viability and therefore reduces the level of Affordable Housing, but nonetheless, increases the affordability of the Affordable Rented homes.

Whilst requiring the developer to run into a further deficit would not be reasonable, the Council's appointed experts have remodelled the affordable housing to see how this same level of deficit could result in an alternative affordable housing offer that targets the emerging London Plan and Local tenures and tenure splits in delivering the genuinely affordable homes envisioned in draft policy, with particular focus on London Affordable Rent homes. The revised offer would result in 30 fewer affordable units as follows:

- A reduction of 3 Affordable Rented units, with the remaining 53 units switching from Affordable Rent (capped at 65% of market rent) to London Affordable Rent – this makes up 70% of the offer by unit as stipulated in the target tenure split, and;
- A reduction of 27 Shared Ownership units, with the remaining 22 Shared Ownership units remaining as Shared Ownership (making up 30% of the offer by unit as stipulated in the target tenure split). The comparison of the two affordable housing offers is set out below:

This revised offer would result in the following housing delivery:

OFFER PRESENTED FOR MAY COMMITTEE

(12.9% affordable housing by unit, weighted 70%/30% towards London Affordable Rent)

(16.8% affordable housing by habitable room, weighted 78%/22% towards London Affordable Rent)

		Affordable	Intermediate	
Units	Private	London Affordable Rent	Shared ownership	Total
1 bed	224	0	10	254 (43%)
2 bed	201	0	12	213 (37%)
3 bed	61	53	0	114 (20%)
Total	506 (87.1%)	53 (9.1%)	22 (3.8%)	581 (100%)

Both the March and May affordable housing offers result in the same deficit for the developer following financial modelling which, as per RICS guidelines, has been based on present day costs and values. The applicants advise that they are willing to proceed on the basis of an affordable housing offer which results in a deficit as they anticipate a latter improvement in both sales rates and gross development value. The applicants have agreed to an early, middle and late stage viability review which will enable opportunities for additional affordable housing to be provided on the development subject to the conclusions of the reviews as

and when they are undertaken.

Summary

In summary, officers consider that both affordable housing offers set out above are acceptable and policy compliant, representing more than the maximum reasonable provision of affordable housing in both cases. The developer has also confirmed that they would be willing to proceed with the development on the basis of either offer. The May affordable housing offer targets a tenure split ratio which aligns more closely with policy and which includes a low cost affordable tenure which is more affordable than the affordable rented product secured in the March offer, therefore according more closely with emerging local policy. Nonetheless, this revised offer does result in a lower overall provision of affordable housing given that London Affordable Rent homes are more expensive for the developer to deliver.

LOSS OF EMPLOYMENT

Release of employment land

To recap on the employment land aspects of the proposal, the existing site contains 18,963sqm of industrial floor space, mainly in use as car repair garages. The proposed development would see the reinstatement of 1,200sqm of commercial floor space, 575sqm of which would constitute light industrial space within the B1(c) use class as managed affordable workspace. Policy direction since 2011 has accepted that the site's primary employment function can acceptably be lost, and the site was initially allocated for mixed use, residential led development in that year within Brent's Site Specific Allocations Document (Allocation A6 – Woodside Avenue). This continues to be an adopted policy, but is intended to be replaced by emerging policy BSWSA5 (Abbey Industrial Estate) of the emerging Brent Local Plan.

Site allocation BSWSA5 of the emerging local plan continues to promote the residential led redevelopment of the site, with an indicative capacity of 590 new homes. In addition to those homes, the allocation specifies that "some re-provision of employment floor space along the ground floors of the new buildings will be required as well as other potential uses such as small scale retail, commercial leisure or community uses".

As such, the reduction in employment floor space has been supported by adopted policy for almost a decade, and this is intended to be taken forward within the new Local Plan.

The site allocation refers to the provision of "a proportion of managed affordable workspace". As discussed in the main committee report, all of the light industrial floor space (545sqm) has been proposed as managed affordable workspace, at 50 % of market rent. The terms for the provision of the workspace will be comparable with affordable workspace secured within other recent consents within Alperton. The developer has committed to fit out the units, and this is proposed to be secured within the Section 106 legal agreement. The proposed affordable workspace is considered to be fit for purpose and useable.

Relocation of existing businesses

The developer has confirmed that they have been working with the existing tenants of the site where existing tenants have requested assistance to identify alternative opportunities for them wherever possible. This is not a requirement in planning terms, and as discussed above, the material planning considerations are limited to the use class of the floor space on site.

IMPACT ON THE AMENITY OF NEIGHBOURING OCCUPIERS

Visual amenity and overbearing impact

The proposed development is considered to have an appropriate relationship with surrounding properties, although there are some breaches of SPD guidance which are judged as acceptable when weighed against the benefits that the scheme would deliver.

The proposed development accords with SPD1 guidance in relation to most surrounding properties. However, there are a proportionately small number of properties which do not fully comply with the 30 degree line, 45 degree line, or 1:2 guidance. The proposal doesn't comply in relation to the following properties:

- Some properties which have been extended and which sit along the north side of **Carlyon Road**, with the most severe breach to these properties stemming from block C, whose roof level extends above the 30 degree line from the Carlyon Road properties by up to about 2 metres. However, the proposed development would be situated some distance from those properties which are located on the opposite (south) side of the canal.
- Some properties along the west side of **Mount Pleasant** will see windows in their outriggers fail 30 degree line testing in relation to block M, with the most severe breach seeing block M's roof project above the 30 degree line by about 1.75m.
- The proposed development would project above the 45 degree line for a 6m deep section of the garden of 36 **Woodside Close**. This results from the height and placement of Block K; however, this property is oriented away from the development and the main aspect from the house into the garden will retain an open character.
- 11 and 36 **Woodside End** sit alongside blocks H and D respectively and fail 45 degree testing for parts of the garden closest to the rear of the house. However, given the side-to-side relationship it has been deemed appropriate to apply the 1:2 guidance. The 1:2 guidance is complied with in these cases.
- 11 and 12 **Woodside Place** sit alongside blocks K and J respectively and fail 45 degree testing as with the above properties. In these cases, 1:2 rule testing is also failed, with the 1:2 guidance being breached by a depth of 2.6m relative to 11 Woodside Place and 2.4m relative to 12 Woodside Place.
- Despite a generous separation (20m+) between the proposal and **Abbey Wharf**, the heights of the buildings are such that the 30 degree line test will not be met from the windows of the lower levels of the Abbey Wharf building, and the same is true of the proposed flats facing towards Abbey Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship is considered to be acceptable.

The above represents a proportionately small number of properties for which the proposal would not fully accord with the guidance provided in SPD1. The proposal is considered acceptable given the limited overall harm and substantial benefits of this proposal.

Sunlight and Daylight impact

A large array of properties surrounding the site have been tested for relevant daylight and sunlight impacts.

Daylight and sunlight impact on properties to the north and west

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

Daylight and sunlight impact on properties to the south

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

Daylight and sunlight impact on properties to the east

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

number of these breaches are attributable to poor existing conditions along these properties.

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

Overshadowing impacts to gardens

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

Summary of daylight + sunlight impact and consideration of whether acceptable

Taken as a whole, 75% of tested windows meet VSC guidance for daylight, 80% of rooms tested meet NSL guidance for daylight, 86% of rooms tested meet APSH guidance for sunlight and 80% of gardens meet overshadowing guidance. The percentage of windows and rooms tested that pass BRE testing is high although it is acknowledged that a number will fall short of BRE targets. Nonetheless, the relatively high pass rate is welcomed given the growth area status and the clear intent for this site to adopt a denser massing than its surroundings.

Officers have regard to relevant planning policy in reaching this view and would note that the NPPF (2019) states, at para 123, that:

“when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”.

Given the significant regenerative benefits of the scheme and the substantial number of new homes, affordable homes and affordable workspace that will be delivered by it, officers consider the daylight and sunlight impacts of the scheme to be acceptable and do not consider the results to reflect an unusual or anomalous scenario given the scale of the development.

Recommendation: Recommendation remains to grant consent, subject to referral to the Mayor for his Stage 2 response and subject to the s106 heads of terms and conditions set out in the March 2020 committee report, with the s106 heads of terms revised to account for the adjusted affordable housing offer if it is supported by Members.

The remainder of the report has not been changed from the version that was presented to the previous Planning Committee meeting

RECOMMENDATIONS

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

- a. Payment of Council's reasonable legal and professional costs
- b. Notification of commencement 28 days prior to material start
- c. Provision of 56 x 3 bedroom affordable rented units (at no more than 65% of open market rents, inclusive of service charges, and capped at Local Housing Allowance rates), disposed on a freehold / minimum 125 year leasehold to a Registered Provider and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council on initial lets and 75% nomination rights for the Council on subsequent lets.
- d. Provision of 24 x 1 bed and 25 x 2 bed shared ownership units (as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold /

minimum 125 year leasehold to a Registered Provider, and subject to an appropriate Shared Ownership nominations agreement with the Council, that secures reasonable local priority to the units).

- e. Early stage viability review (drafted in line with standard GLA review clause wording) to be submitted where material start in relation to the first residential phase does not commence within 2 years of planning permission date. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Any additional on-site affordable housing to target a policy compliant tenure split unless an alternative approach is agreed with the LPA. Viability review to be based on an agreed Benchmark Land Value of £27,025,000.
- f. Middle stage viability review (drafted in line with standard GLA review clause wording) to be submitted at or after 50% occupation of the private residential dwellings. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Any additional on-site affordable housing to target a policy compliant tenure split unless an alternative approach is agreed with the LPA. Viability review to be based on an agreed Benchmark Land Value of £27,025,000. Not more than 65% of the private dwellings to be occupied until viability review approved in writing by the LPA.
- g. Late stage viability review (drafted in line with standard GLA review clause wording) to be submitted at or after 75% occupation of the private residential development. An offsite affordable housing payment to be made where an uplift in profit is identified. Viability review to be based on an agreed Benchmark Land Value of £27,025,000. Not more than 90% of the private dwellings to be occupied until viability review approved in writing by the LPA.
- h. Provision of 545sqm of affordable workspace - to be disposed of for no more than 50% of OMR/OMV for a minimum term of 15 years, remain affordable for the lifetime of the development and be leased to an affordable workspace provider approved by the Council.
- i. To not occupy more than 50% of the private residential units in block G until the affordable workspace on the first floor of this block has been leased to an affordable workspace provider, unless agreed in writing by the Council.
- j. In the event that an affordable workspace provider cannot be secured following 2 years of marketing, pay a commuted sum commensurate with the value of the affordable workspace (as demonstrated through FVA), estimated to be £1,340,000.
- k. Not later than 3 months prior to the anticipated date of practical completion of the entire development, procure that the affordable workspace provider submits an affordable workspace plan for the Council's approval. Following this, to not occupy more than 50% of the dwellings in Block F until the affordable workspace plan has been approved in writing by the Local Planning Authority and thereafter implemented, including details of fit out not including any furniture. This requirement to fall away in that event that part (j) is triggered.
- l. Contribution towards carbon offsetting in line with GLA formula.
- m. BREEAM 'Excellent' within the commercial floor space of the development.
- n. Submission and approval and implementation of Training and Employment plan.
- o. a sum of £150,000 towards the implementation of a Controlled Parking Zone in the area.
- p. S38/S278 highway works under the Highways act 1980 to provide: (i) construction and adoption of the main site access road connecting Mount Pleasant and Woodside End in general accordance with the layout set out in drawing 17-335-09, including 2m wide footways, 2m kerb radii at the entrance to the northern car park and dropped kerbs and tactile paving at all junctions; (ii) construction of the northern site access road from Woodside Place including a turning head and pedestrian link (where deliverable) to Woodside Close in general accordance with the layout set out in drawing BM32835/02-00-SH-A-01-0001/D0-3; (iii) construction of a traffic calming scheme in Woodside Avenue and adjoining streets incorporating speed reducing features at intervals of 60-90m, improved footway surfacing and dropped kerbs/tactile paving at all junctions, in accordance with a scheme to be submitted to and approved by the Local Highway Authority following consultation with local residents and stakeholders; and (iv) construction of improvements to the existing pedestrian crossing

points on either side of the junction of Mount Pleasant and Woodstock Avenue including enlarged traffic islands, dropped kerbs and tactile paving.

- q. a restriction to prohibit future residents from obtaining on-street parking permits in any future CPZ that is introduced in the area.
- r. submission and approval of a Residential Travel Plan prior to occupation of the development.
- s. Establishment of a Car Club within the site including the provision of suitable parking spaces and subsidising of resident membership fees.
- t. Construction of a pedestrian path alongside the Grand Union Canal with pedestrian links from the main spine road through the site and designation of those routes as permissive paths.
- u. To notify the LPA prior to the first occupation of any part of the commercial floor space and to confirm the use class/es under which that part of the commercial floor space will operate. Thereafter, a contribution will be payable, prior to the first occupation of the relevant part of the commercial floor space, towards bus capacity. The payment amount required will vary as follows (final figures to be subject to agreement with Transport for London):
 - in respect of a part of that Contributing Floorspace to be used within Use Class A1 the sum of £284 per square metre GIA;
 - in respect of a part of that Contributing Floorspace to be used within Use Class D1 or D2 the sum of £213 per square metre GIA; and
 - in respect of a part of that Contributing Floorspace to be used within Use Class A2, A3 or B1 or other use the sum of £145 per square metre GIA.
- v. Contribution towards accessibility improvements at Alperton Station: £166,000.
- w. Indexation of contributions in line with inflation.
- x. Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

Conditions

Compliance

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

Pre-commencement

16. Submit Construction Logistics Plan
17. Submit survey of the waterway wall

18. Submit Canal impact assessment
19. Submit Risk Assessment and Method Statement for the moorings
20. Submit changes to the Air Quality report in relation to energy strategy and AQNA
21. Submit CMS

Post-commencement

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

Pre-occupation/use

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

Informatives

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

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

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

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

SITE MAP



Brent

Planning Committee Map

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

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This map is indicative only.

PROPOSAL IN DETAIL

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

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

EXISTING

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

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

AMENDMENTS SINCE SUBMISSION

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

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

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

SUMMARY OF KEY ISSUES

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

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

2. **Provision of new homes and commercial units (including affordable workspace):** Your officers give

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

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

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

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

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

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

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

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

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

RELEVANT SITE HISTORY

The site has no relevant planning history.

CONSULTATIONS

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

Public Consultation

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

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

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

Internal Consultations

Local Lead Flood Authority – No objection

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

External and Statutory Body Consultations

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

GLA Comment	Officer Response
Proposal generally supported	Noted

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

Thames Water –

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

The Canal and River Trust –

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

Pre-application Consultation

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

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

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

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

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

POLICY CONSIDERATIONS

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

The London Plan 2016

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

Brent Core Strategy (2010)

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

Brent Development Management Policies (2016)

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

Site Specific Allocations Document 2011

A.6 – Woodside Avenue

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

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

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

The following are also relevant material considerations:

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

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

DETAILED CONSIDERATIONS

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

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

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

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

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

Principle of development

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

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

3. Within local policy, Brent Policy CP8 sets out a target of at least 1,600 new homes being delivered in the Alpertown Growth Area between 2019/20 – 2028/29, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 6,000 homes across the same growth area within the emerging Local Plan (policy BSWGA1). Whilst the development meets the requirements of Core Strategy policy CP2 in principle, the need for housing has increased significantly since the adoption of this policy in 2010 and these increasing targets necessitate the need for a greater delivery of homes within Brent than is anticipated in adopted policy.
4. The site is specifically allocated by the Council for mixed but residential-led uses in both the adopted 2011 Site Specific Allocations DPD (with an indicative capacity of 220 residential units) and site allocation BSWSA5 in the emerging Local Plan (with an increased indicative capacity of 590 residential units). Brent's adopted site specific allocation describes an acceptable development of the site as follows:
5. "Mixed use including residential, amenity space and workspace for appropriate B1, D1 and A Class Uses. The Council will expect a comprehensive development following an agreed masterplan that sets out land uses and proposed development in more detail. The development will bring forward a proportion of managed affordable workspace. Improvements will be sought to public transport as part of any proposal to develop the site. The development will exploit the canal-side location. Proposals should conserve and enhance the adjacent canal's site of metropolitan nature conservation importance designation."
6. The development proposed broadly meets all criteria mentioned above, including the provision of affordable workspace. The proposed volume of residential units (581) significantly exceeds that indicated within the adopted 2011 site allocation document however the substantial size of the site is acknowledged and the changed context from 2011 in terms of housing pressure and projected housing numbers as set by the GLA has significantly changed the context within which the allocation brief must be seen. The revised indicative capacity of 590 within the emerging Local Plan reflects this changed context. The increase in unit numbers from the allocation document is therefore supported in principle subject to appropriate demonstration that design, impact and amenity provisions will not be unreasonably compromised as a result of the density of the development proposal.
7. Within the emerging site allocation, it recognises the need for some re-provision of employment floorspace along the ground floors of the new buildings to be provided, given that the site is existing employment land and Brent's status as a provide capacity borough. In addition the emerging site allocation supports the use of other potential uses such as small scale retail, commercial leisure or community uses (e.g. nursery). The plans propose four separate commercial units.
8. On the north side of the site the commercial offer is formed of a 645sqm market commercial space within a ground floor commercial unit (Block G) and 345sqm affordable workspace within a first floor commercial unit directly above the market unit (also Block G). On the south side of the site, the offer is in the form of a 200sqm unit of affordable workspace within a building at the eastern side of the site (Block F), close to the main entrance to the site from Mount Pleasant, fronting Woodside End, and across from the commercial spaces on the north side of the site, thus forming a cluster of commercial frontage at the main node of the development. An additional 64sqm of retail floor space is to be provided within a small pavilion building at the south western corner of the site, at the point where the linear park connects with the main canal side frontage. Overall, the commercial provisions amount to 709sqm of market commercial space and 545sqm of affordable workspace, representing an overall commercial offer of 1254sqm which is split between 57% market and 43% affordable.
9. The commercial offer is positive and the healthy proportion of affordable workspace is welcomed and responds well to the expectations of the site allocation, which seeks a meaningful amount of affordable workspace, offsetting the net loss of employment floor space (notwithstanding that the site has been de-designated as employment land). Permission is sought for the affordable workspace to fall within the B1(c) use class and for the market commercial space to fall flexibly within use classes A1, A2, A3, A4 (retail uses), B1 (offices or commercial uses appropriate within a residential area) or D1 (institutions) and D2 (assembly and leisure).

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

Consideration of the remainder of the site allocation

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

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

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

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

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

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

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

with the Council's legal team:

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

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

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

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

Housing mix, affordable housing provision and tenure mix

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

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

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

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

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

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

35. It should be noted that the GLA disagree with the currently agreed viability position that has been reached between Brent and Brent's financial viability consultants (BNPP). The GLA therefore consider that the scheme is not necessarily providing the maximum reasonable amount of affordable housing. This view is strongly resisted by officers at Brent, supported by independent analysis undertaken by BNPP.
36. The two main areas of disagreement in respect of viability are as follows:

Benchmark Land Value

37. The GLA have stated that they have approached the rental value of the property based upon a multiple of the Rateable Value of the units (where available).
38. BNPP do not consider this to be a suitable approach given the letting evidence which is available and the photographic schedule of condition for each of the units which has been undertaken. Based upon this information, it is possible to make an informed judgment with respect to the existing use value of each unit as opposed to relying on an arbitrary multiple of a figure which as discussed by the Applicant and the GLA at the meeting. It is not known how and when it was determined and if indeed, it has been challenged by and tenants. Tenants are only likely to challenge a rateable value if it is considered to exceed the market rent; if the converse is true the rateable value will remain unchallenged.
39. The range of existing use value figures referenced by the GLA on this approach is significantly below any

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

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

Estimated Private Residential Values

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

Further matters of disagreement

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

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

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

Design

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

Layout and public realm

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

Layout of Northern Side

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

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

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

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

Layout of Southern Side

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

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

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

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

Removal and re-provision of pumping station

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

Public Realm

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

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

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

Height and Massing

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

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

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

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

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

Architecture and Materiality

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

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

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

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

Quality of residential accommodation

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

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

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

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

Amenity Space

73. Policy DMP19 states the following:

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

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

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

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

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

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

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

- Southern site (1,319sqm):

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

- Northern site (421sqm):

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

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

Southern Site

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

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

Northern Site

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

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

accommodation.

Play Space

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

Development Phasing

85. The development is to be phased as follows:

Pre-construction phases

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

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

- Construction of blocks L and M - *Phase 1a*
 - Construction of block **K** - *Phase 1*
 - Construction of basement below blocks J and H and new road through the centre of site - *Phase 2*
 - Construction of blocks **J**, H and **G** - *Phase 3*
 - Construction of basement below B, C, D and E - *Phase 4*
 - Construction of blocks D and C - *Phase 5*
 - Construction of blocks E and B - *Phase 6*
 - Construction of blocks F and A - *Phase 7*
86. The phasing plan would see all of the scheme's affordable housing delivered within the first four block construction phases (phases 1 and 3) which is welcomed.
87. The applicants have confirmed that the first residential completions are planned to be delivered within 3.5 years of consent being granted and continuing at a rate of about 100 units per year. This would result in a total build period of 8.5 to 9.5 years. The phasing would see the site developed from north to south.
88. A number of the conditions within the decision notice as well as clauses within the S106 agreement have time triggers that account for the phasing plan.

Impact on amenities of neighbouring properties

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

Privacy

90. In order to retain acceptable privacy levels to properties, the amenity impact considerations consider that all primary habitable room windows within the property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites, except where the view on to that property would be to a part of the property which would serve as low value amenity space (e.g. the side access around a house). All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, the proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). These standards are in the interests of protecting the privacy of neighbouring occupiers.
91. The above standards are achieved both internally between proposed blocks and between the proposed development and surrounding existing development with the exceptions of situations outlined above in paragraphs 57 and 58. Some further caveats to this are also detailed as follows. Block A will be positioned about 21m from the main western façade of Abbey Wharf, exceeding expectations in SPD1 guidelines for facing window separations. The red line boundary between these sites sits about halfway between these two façades. As with block A, block F borders with Abbey Wharf to the east. The block will sit about 21m from the main western façade of Abbey Wharf, exceeding expectations in SPD1 guidelines for facing window separations. The red line boundary between these sites sits about halfway between these two façades. To the west, the industrial context would not warrant consideration against these criteria. The block sits about 7m from the boundary with the industrial properties, although will not have any habitable windows which would rely on outlook across this site. As such, the placement of this block within 7m of the neighbouring industrial site is not considered to result in any prejudice the develop-ability of the neighbouring site.

Overshadowing & Losses of Light

92. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge of an affected property (including side and rear garden boundaries) towards the proposed buildings. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height at the nearest habitable room windows within neighbouring properties that face towards the proposed buildings.
93. In the event that these relationships cannot be achieved, a careful balance of this harm in the context of the other considerations should be made. A full test of daylight and sunlight impact on surrounding properties can also assist in understanding and weighing up the harm in the balance of considerations. Daylight and sunlight testing has been carried out and is discussed in the next section.
94. Given the extent of the site, the tests of overshadowing and light loss as per the 45 and 30 degree line criteria will be reported building by building, as per the below.

South site

Block A

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

considered to be acceptable.

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

Blocks B and C

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

Block D

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

Block E

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

Block F

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

North site

Block G

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

Block H

105. Block H borders with 11 Woodside End.

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

Block J

107. Block J borders with 12 Woodside Place.

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

Block K

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

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

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

Block L

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

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

Block M

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

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

Summary

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

Daylight, Sunlight and Overshadowing

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

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

Woodside Close

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

Woodside Place

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

Woodside End

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

Carlyon Road

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

Mount Pleasant

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

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

Abbey Wharf

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

Overshadowing

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

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

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

Summary

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

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

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

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

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

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

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

Transport

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

Car parking

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

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

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

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

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

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

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

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

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

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

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

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

Cycling

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

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

Servicing

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

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

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

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

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

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

Access routes

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

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

footpath are recommended to be conditioned

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

Transport Impact

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

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

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

Bus Capacity Improvements:

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

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

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

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

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

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

Travel Plan

215. To help to minimise car journeys and encourage greater use of sustainable transport to and from the site, a Residential Travel Plan has been prepared.
216. This aims to reduce the proportion of trips made to and from the site by car drivers by 10 percentage points from an estimated baseline of 17% to 7% over a five-year period. Please note though that the timescales for the Travel Plan may need to be adjusted depending upon the length of the overall construction programme, as it is to be delivered over 10 phases.
217. The Travel Plan is to be managed by a site-wide Travel Plan Co-ordinator, whose duties will include the provision of transport and marketing information through display boards, marketing brochures and welcome packs for new residents, promotion of cycling and encouragement of car sharing and Car Clubs at the site.
218. The proposed measures are very limited though (no mention is made of personalised journey planning for example) and there is a lack of firm detail or commitment regarding measures in the Travel Plan. In particular, no information has been provided on any engagement with a potential Car Club operator to ensure that the requisite financial support will be provided to establish Car Club vehicles on the site. To this end, it is essential that at least two years free membership of the Car Club is offered to all new residents of the development to help to make a scheme viable. Given the lack of detail in the Travel Plan, it is recommended that a Car Club be secured separately in the S106 Agreement for the development.
219. The Travel Plan is to be monitored biennially, with the first survey undertaken within the first year of occupation to firmly establish a baseline position. All surveys are confirmed as being in line with TRICS and/or i-TRACE methodology, as required.
220. As things stand, the submitted Travel Plan is too lacking in details and firm commitments to serve as a final document, but forms a reasonable framework from which a final Travel Plan can be developed and finalised prior to occupation of the development.

Construction Management

221. Finally, a Framework Construction Logistics Plan has been submitted with the application. Whilst the construction programme has yet to be drawn up in detail, this framework plan sets out some principles regarding the management of construction works.
222. Works will be confined to 8am-6pm on weekdays and 8am-1pm on Saturdays, with HGV movements restricted to those hours and avoiding peak hours (7-8am & 5-6pm). All vehicles will approach and leave the site to/from the east, via North Circular Road, Beresford Avenue and Mount Pleasant, entering the site at the existing main access from Mount Pleasant. This is confirmed as being the most appropriate route, keeping traffic away from residential areas and the congested Ealing Road as much as possible.
223. Deliveries will be pre-booked and drivers required to phone ahead to ensure there is sufficient space within the site to receive the delivery.
224. Use of the Grand Union Canal for deliveries should also be explored.
225. It is confirmed that the site will be self-contained, with hoardings set up to protect the site that will not need to encroach over the public highway. All unloading and parking will take place within the site, although staff will nevertheless be encouraged to use public transport. The retention of pedestrian and

cyclist access from Woodside End will assist in this respect.

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

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

Sustainability and Energy

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

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

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

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

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

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

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

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

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

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

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

Overheating

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

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

234. The calculation results show that all tested residential units meet thermal comfort overheating criteria under 'future near extreme summer' conditions, demonstrating that the building is resilient to overheating during its lifetime. A complete series of tests, including 2 additional projected weather files representing distinct near-extreme summer conditions, informed the overheating strategy, which includes passive design considerations and mechanical ventilation. Mechanical cooling is not necessary for the residential units. However, commercial units are likely to require mechanical cooling to comply with thermal comfort requirements. Mechanical ventilation with heat recovery and summer bypass is required for ground floor residential units to comply with relevant criteria. It is also proposed for the commercial units, although the mechanical heating on its own does achieve compliance with overheating criteria for the commercial units.
235. Subsequent to the submission of the overheating assessment, non-material plan changes were requested and received which resulted in a number of habitable room windows being made larger, in the interests of providing more daylight into flats. This potentially has implications for the overheating assessment and associated mitigation. A condition will require that the overheating assessments and mitigation are updated to reflect the revised plans, and that the relevant mitigation is implemented prior to occupation.

Drainage and Flooding

236. The applicant has submitted a drainage strategy and flood risk assessment with the application, which have been reviewed by Brent's Local Lead Flood Authority. The Local Lead Flood Authority makes the following observations:
237. This development falls within the Flood Zone 1 and the risk of flooding is very low. There are no historical records of any flooding at this site but there have been a number of isolated incidents of the onsite pumping station for the foul sewer system failing. This pumping station is part of the public sewer network and within the responsibility of Thames Water. As discussed earlier, the new development will deliver a new pumping station and this will be to a high standard with a minimal risk of failure.
238. In order to reduce the risks of flooding in the area and within the development site, the development will provide storage tanks, permeable paving and green roofs for surface water discharge with a flow control device. The flow will be restricted to 9 l/s. In addition, the proposals to introduce landscaping across the site will also reduce the flow compared to the non-permeable surfaces that are currently present across the site.
239. This proposal will result in a reduction in the surface water discharge to the existing drainage network from the site by approximately 80%. As a result, this development will reduce the flood risk in this area and will minimise associated risks for prospective residents of the site.
240. Existing surface water is discharged to the Grand Union Canal and it is proposed that the proposed development will utilise the existing outfalls to discharge to the Canal. The Canal and River Trust, who have commented in respect of the impact on the canal, have not raised concerns in relation to this.
241. A condition will require that the drainage and flood risk documents are adhered to in full.

Construction Management

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

Noise Impact

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

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

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

Air Quality

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

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

Contaminated Land

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

Ecology, Trees and Landscaping

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

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

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

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

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

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

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

253. A comprehensive landscaping strategy forms part of the proposal which seeks to significantly improve the natural plant life and ecological value of the site. In terms of the public realm of the development, all new streets created by the development would see street tree planting, including a wide landscaping strip along the new adopted thoroughfare through the centre of the site. There will also be a particular focus on extensive landscaping by the canal frontage at the southern end of the site, with large grassed areas, defensible planting between the building lines and this area and numerous street trees. Significant planting is also proposed within the communal podium gardens, including strips of defensible planting around the edges of these spaces to assist with resident privacy and a large landscaping buffer at the northern end of the site to maximise softness to the edge of the site where it adjoins the triangular plot of land to the north west and to the houses at the rear.
254. The landscaping strategy is strongly welcomed and clearly offers a significant improvement compared to the existing situation, which currently sees a minimal/practically non-existent landscaping offer.
255. A condition will require that an external lighting plan is submitted.

Wind and Microclimate

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

Fire Safety

258. The applicant has submitted a report setting out that the functional requirements of Part B of the Building Regulations can be satisfied for the development, in respect of fire safety. The report sets out preliminary details in respect of an evacuation strategy, a means of warning and escape system, the use of sprinkler systems in the taller blocks, minimisation of travel distances for residents, smoke ventilation, provision of refuge areas, emergency escape signage and lighting, limitation of internal and external fire spread and access and facilities for the fire and rescue service.
259. Fire safety is not a formal planning consideration; however, officers have sought to ensure that fire safety is an aspect that has been considered from the outset. Whilst more detailed design work will inevitably be needed, the fire safety report submitted provides a clear indication that fire safety is being considered and confirms, at this early stage, that the development is already likely to comply with the relevant part of the Building Regulations governing fire safety.

Archaeology

260. The applicant has submitted an archaeological assessment to consider whether any subterranean heritage assets are likely to be encountered during the building of the development. For this purpose, it is confirmed that the site does not fall within an archaeological priority area as defined by Brent Council and that no archaeological designated heritage assets, as defined by the NPPF, are recorded as being on or in close proximity to the site.
261. The site can be considered to have a general low archaeological potential for all past periods of human activity and past activities and uses (industrial) on the site are considered likely to have had a severe negative archaeological impact. The survey's author does not recommend any further archaeological mitigation measures to be needed in this particular instance. Brent's heritage officer agrees with the findings of the report and does not consider that any planning conditions in relation to

archaeological findings are needed.

Equalities

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

Conclusion

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

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

CIL DETAILS

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

We calculated this figure from the following information:

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

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

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

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

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/4919

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

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

Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising residential units (use class C3), flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)

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

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

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

Date: 27/04/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

District Heat Network Future Connection - 6277-M101-P

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 16 The scheme hereby approved shall contain 581 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

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

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

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

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

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

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

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

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

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

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

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

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

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

The requirements set out in the RAMS shall be followed, save for minor variations which are

otherwise agreed in writing by the Local Planning Authority.

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

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

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

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

Reason: to ensure an acceptable impact from the development.

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

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

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

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

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

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

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

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

- 24 Prior to commencement of the development, excluding demolition and site clearance, a plan indicating the provision of electric vehicle charging points within at least 20% of the approved car parking spaces within the site shall be submitted and approved in writing by the Local

Planning Authority. Thereafter, the agreed electric vehicle charging points shall be provided and made available for use. The provision of electric vehicle charging points shall be in accordance with adopted London Plan standards, providing both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of the adopted London Plan policy 6.13.

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

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

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

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

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

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

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

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

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

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

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

The submitted scheme shall identify:

- The landscaping associated with each phase.
- All plant species, densities of planting as well as species and soil densities for all proposed trees and plants.
- Details of any new habitat created.
- Detailed plans of the child play spaces.
- Details of the use of rain gardens and high retention soil.
- External lighting locations and lux levels.
- Details of vehicle barriers preventing vehicles from being driven into the canal.

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

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

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

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

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

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

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

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

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

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

- 32 Prior to the first occupation of the development hereby permitted, confirmation must be provided to the Local Planning Authority that all wastewater network upgrades required to accommodate

the additional flows from the development have been completed.

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

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

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

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

Reason: To protect the amenity of nearby residents.

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

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

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

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

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

Reason: To safeguard the amenity of the neighbours.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 Notwithstanding the approval of this application, further consideration should be given to the facade treatment on the blocks where metal cladding is currently proposed at high level. In discharging the condition requiring details of materials to be submitted and approved, alternative facade finishes should be tested to better complement the brick selection.
- 5 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 6 The Canal and River Trust advise the applicant of the following:
 - Any access to, or oversailing, the Canal & River Trust's land or water during the construction must be agreed in writing with the Canal & River Trust before development commences. Please contact Bernadette McNicholas in the Canal & River Trust's Estate Team at Bernadette.McNicholas@canalrivertrust.org.uk for further information.
 - Any surface water discharge to the waterway will require prior consent from the Canal & River Trust. Please contact Chris Lee from the Canal River Trust Utilities Team (Chris.Lee@canalrivertrust.org.uk).
 - The applicant/developer should refer to the current Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained, and liaise with the Trust's Third Party Work's Engineer:
<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>.
 - Any additional moorings require the approval of the Canal & River Trusts' Business Boating Team. The applicant is advised to contact the Boating Business Manager, Tom Jackson if they wish to pursue this (Tom.Jackson2@canalrivertrust.org.uk) to discuss this
- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 8 The Council recommends that the maximum standards for fire safety are achieved within the development.

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