

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 May, 2020
06
19/3259

SITE INFORMATION

RECEIVED	11 September, 2019
WARD	Kilburn
PLANNING AREA	
LOCATION	Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road & Peel Site Garages, London, NW6
PROPOSAL	Full planning application for a phased development for the demolition of 2 Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of seven buildings (A to G) ranging between 5 and 16 storeys, plus part basement, comprising private sale residential units (Use Class C3), shared ownership residential units (Use Class C3), social rented residential units (Use Class C3); new health centre (Use Class D1), new gym (Use Class D2), flexible use class within retail and commercial units (Use Class A1/A3/B1) at ground floor, associated landscaping, highways and public realm improvements (including new public space and market square), private open space, associated car parking, cycle parking and servicing provision.
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_146970</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 "19/3259" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

- A. Subject to any Stage 2 Direction by the Mayor of London pursuant to the Mayor of London Order, Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Development Management or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.
1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
 2. Notice of Commencement of works
 3. Undertake to not implement Phases 2 and 3 of Permission 1
 4. Notify the Council on sale of proportions of private sale units
 5. The securing of the affordable units
 6. Post implementation viability review
 7. To not occupy more than 67% of the private sale units until a Health Centre Lease with local GP Practices has been entered into
 8. Public realm and highways works through the submission of a Public Realm Delivery Programme and entering into s38/278 Agreements
 9. Training and employment
 10. Submission of Framework Travel Plan, Health Centre Travel Plan and Residential Travel Plan
 11. Carbon offsetting
 12. Contribution of £428,400 towards a local carbon off-setting scheme to achieve a zero carbon development
 13. Restriction of access to parking permits for residents in Blocks A, B, C, D, F, G
 14. Submission of Public Access Plan, Public Access Delivery Plan, and Public Access Management Plan
- B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions to secure the following matters:
1. Time Limited Permission
 2. S106
 3. Confirmatory Deed
 4. Approved Plans/Documents
 5. Phasing
 6. Affordable Units (x127)
 7. Private Sale Units (x181)
 8. Accessible Housing
 9. Restricted Use (Flexible Uses)
 10. Restricted Use (Health Centre/Gym)
 11. Parking
 12. Health Centre Doors
 13. Site Investigation (Contamination)
 14. Construction and Environmental Management Plan
 15. Materials to be Submitted
 16. Non-residential Frontages
 17. Landscaping
 18. Children's Play Space Delivery Plan
 19. External Lighting
 20. Details of Block A Elevations
 21. Drainage Strategy
 22. Details of Mechanical Plants
 23. Air Quality Mitigation Measures Confirmation
 24. Hours of Operation (Non-residential Uses)
 25. Delivery and Servicing Plan
 26. Water Usage
 27. CHP Units
 28. Piling Methodology
 29. Tree Protection Measures
 30. Communal TV/Satellite
 31. Considerate Constructors Scheme

- 32. Market Square Operational Management Plan
- 33. Ecological Enhancements
- 34. Bat Emergence Surveys
- 35. Invasive Species Methodology Statement
- 36. BREEAM Pre-Assessment ("Excellent")
- 37. BREEAM post Construction Review

- C. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee not that such change(s) could reasonably have led to a different decision having been reached by the committee.
- D. That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

SITE MAP

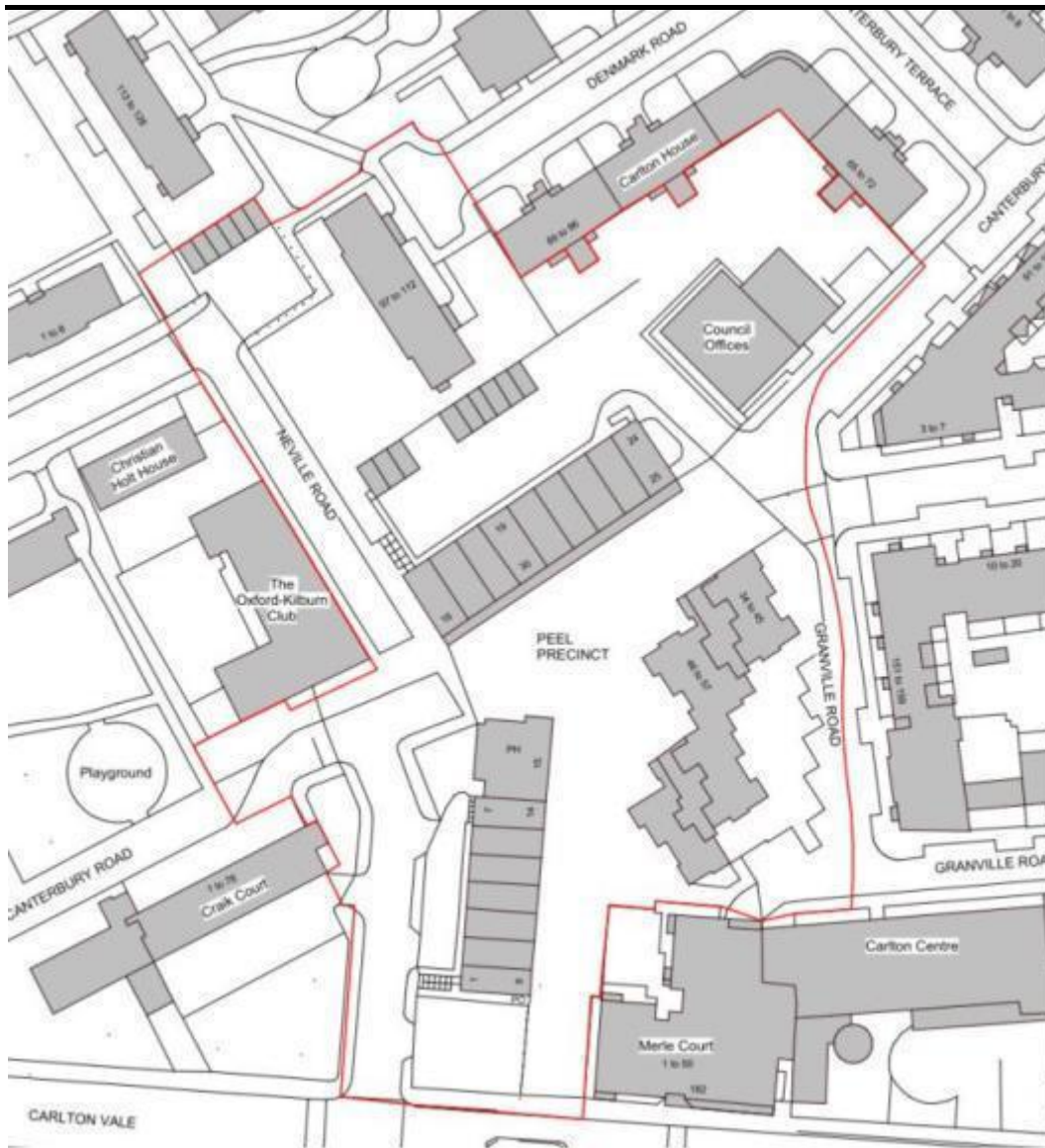


Brent

Planning Committee Map

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

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This map is indicative only.

PROPOSAL IN DETAIL

Full planning permission is sought for a phased development for the demolition of 2 Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of seven buildings (A to G) ranging between 5 and 16 storeys, plus part basement, comprising 181 private sale units (Use Class C3), 85 shared ownership units (Use Class C3), 42 social rented units (Use Class C3) a total of 308 residential units; new health centre (Use Class D1), new gym (Use Class D2), flexible use class within retail and commercial units (Use Class A1/A3/B1) at ground floor, associated landscaping, highways and public realm improvements (including new public space and market square), private open space, associated car parking, cycle parking and servicing provision.

The proposed development again provides a mixture of housing, retail, health and commercial uses within seven blocks. The key differences between the two schemes being:

- An increase in the number of residential units from 226 to 308
- Increase in of 1- to 2-storeys for Blocks B/C/D/F/G
- An increase in on-site affordable housing from 18.5% to 40% in the form of 85 additional intermediate units
- Additional commercial space
- The re-configuration of the medical centre over a single floor (first floor of Blocks A/B/C) rather than over five floors in Block B (reception remains on the ground floor), with an affordable gym provided across the second floor of Blocks B & C
- Blocks F & G are reconfigured into an “L” shape to front Granville Road and a new market square introduced on the western side
- Introduction of flexible work spaces in the ground floor of Blocks F & G

EXISTING

The application site is located in within the South Kilburn Estate, on the northern side of Carlton Vale, within the “Civic Quarter”. It covers an area of approximately 1.44 hectares and previously had 56 residential units, comprised of a mixture of local authority secure tenants (x36) and owner occupiers / leaseholders (x20), and a range of retail/commercial uses such as the West Kilburn branch of the Royal British Legion, located in the Sir Robert Peel public house. This is no longer a public house for planning purposes (current planning use is Sui Generis, see more detail below), and the temporary South Kilburn Studios at 2 Canterbury Road.

The site comprises buildings of between 1 and 4 storeys and prior to their vacancy, accommodated both residential and commercial uses at:

- 34-57 Peel Precinct,
- 97-112 Carlton House,
- 8-14 Neville Close,
- 2 Canterbury Road; and
- Peel site garages.

The site is surrounded by residential development to the north, east, and west. Craik Court, which is immediately west of the site and is set back from Carlton Vale, is a twelve storey residential block and is one of the historical South Kilburn estate buildings. Merle Court, immediately to the east, is a more recent part 6 and 8 storey building (beyond this is the Carlton Centre, Granville Hall, and a school). On the southern side of Carlton Vale is Kilburn Park School and Kilburn Park.

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

AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the original submission:

- Updated landscaping.
- Provision of cycle parking amended to meet with London Plan standards
- Doors fronting the public realm have been reviewed to ensure that they open inwards where possible, recessed, or if still opening outwards, designed to not obstruct the public highway.

- Reconfiguration of Entrance Lobby 2 for Block D
- Front gardens to units 185 and 186 in Block D have been reduced to 500mm leaving a footpath width of 1.7m on Denmark Road.
- Updates to north-east corner of Block F.
- Elevational amendments

SUMMARY OF KEY ISSUES

1. The key planning issues for Members to consider are set out below. Five letters of objection were received regarding some of these matters. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.
 - a. **Principle:** The principle of the redevelopment of the Peel Precinct is accepted, having regard to the extant hybrid permission and to the aspirations of the South Kilburn Masterplan. Members must therefore consider whether the proposed changes, in particular the additional height to the majority of the blocks, the re-orientation of blocks F & G, the altered unit mix and uses and the increased density will continue to have an acceptable impact on existing neighbouring development. The revised scheme continued to deliver significant elements of infrastructure which represents a significant benefit of the proposed development, including the new health centre for South Kilburn and the provision of affordable workspace.
 - b. **Heritage Assets:** The development site, whilst not occupied by a listed building, sits near to the South Kilburn Conservation Area and to various listed buildings within the Conservation Area. Although some elements of the revised scheme will be more visible from within the Conversation Area, it is considered that in heritage terms, no harm arises to the identified heritage assets.
 - c. **Affordable Housing:** The extant permission would deliver 42 affordable units (18.6%), 38 of which will be delivered in Phase 1, within Block E. Whilst below the target of 50% set out in policy, this was established to be the maximum reasonable level which could be provided on site, with scheme viability negatively affected by the provision of a new health centre as part of the scheme. The proposed development would provide 127 (41%) affordable homes (56% by habitable room) and whilst a significant increase over the extant permission, would fall below the target set out in policy but has been demonstrated to represent the maximum reasonable proportion of Affordable Housing. The affordable offer, should be again be viewed within what is being achieved in the wider South Kilburn regeneration area (51%) and also having regard to the provision of the health centre and the introduction of affordable workspace. A post-implementation review is again proposed, to be secured by legal Agreement.
 - d. **Design:** The overall design of the proposed development is similar to that of the extant permission albeit the majority of the buildings will increase between 1 and 2-storeys. The most significant change relate to the re-orientation of Blocks F&G and the introduction of a market square.
 - e. **Scale/Bulk/Neighbour Impact:** The increase in scale and bulk is considered acceptable when compared to existing and proposed developments. Any additional impact on neighbouring developments and occupiers is considered to be acceptable.

RELEVANT SITE HISTORY

Planning permission (ref: 16/4174), subject to a S106 Agreement, was granted in September 2017 for a hybrid application for the proposed redevelopment of the Peel site comprising Peel Precinct, 97-112 Carlton House, 8-14 Neville Close, 2 Canterbury Road & Peel site garages:

- **Full** planning application for the demolition of 2A Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of four buildings (A, B, C and E) ranging between four to 16 storeys, plus part basement comprising of 38 replacement affordable homes for existing South Kilburn secure tenants, 64 private sale units (38 x 1-bed, 47 x 2-bed, 13 x 3-bed and 4 x 4-bed units) new health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2), 3no A-class retail units at ground floor, associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision.
- **Outline** planning application with reserved matters (around Appearance, Landscaping, and Scale) for the demolition of 97-112 Carlton House, 34-57 Peel Precinct and Peel site garages, and erection of

three buildings (D, F and G) ranging in height between up to 4 and up to 8 storeys provide up to 124 residential units comprising of 4 Affordable Housing units, and up to 120 private units, with associated landscaping, private open space, and cycle parking.

Various pre-commencement conditions have been discharged insofar as they relate to Phase 1 (Block E only) to enable the commencement of that Phase.

CONSULTATIONS

Public Consultation

Letters were sent to the occupiers of 1163 neighbouring and nearby properties in addition to site and press publicity. Five letters of objection were received raising some or all of the following points:

<u>Comment</u>	<u>Response</u>
Design	
16 floors in Block A is too high – 10 would be better	Permission has already been granted for a 16-storey block.
Market place and public area seem too small for the number of new buildings	Please see Design section of this Report
Buildings are too tall and unsuitable for South Kilburn	Please see Design section of this Report
Too dense	Please see Design section of this Report
Maximum height should be 12-storeys	The extant permission allows for a tower up to 16-storeys in height. Please see Design section of this Report
Amenity	
Many of the flats fall short of daylight/sunlight BRE standards, just to overcrowd more flats in the area and the atmosphere/usage it is supposed to create	Please see Design section of this Report
Loss of green areas, gardens, trees in detriment of 12-15-storey buildings	The proposed footprint is similar to that already approved. Please see Design section of this Report
Views and quality of air will be affected by the taller buildings	Please see Impact on Neighbour Amenity section of this Report
Other Matters Raised	
Will there be a swimming pool in the gym	A swimming pool is not proposed
SK Masterplan is on track to exceed the number of new homes it promised, there is no benefit on adding more at the expense of more space for residents and taller buildings affecting the public realm	Since the adoption of the Masterplan, the Council's housing target has increased from 15,253 to 23,250. The proposed uplift in housing numbers will contribute to meeting with the new target.

Resident's Ballot and Public Engagement

A residential ballot was held in September/October 2019, a requirement for all regeneration schemes looking to access Mayoral funding. Peel was excluded from the ballot because of the extant permission and due to existing residents having been decanted. Notwithstanding, 84% of residents voted in favour of the continued regeneration of South Kilburn.

Throughout the pre-submission process, the applicant has engaged with residents and key stakeholders. A series of public meetings/events were held from September 2018 to May 2019 to discuss and elicit feedback on the proposal as it developed and five workshops were held with local GP Practices and the CCG to develop and refine the proposals for the health centre. In addition, the South Kilburn Trust, the Design Guardians, and the GLA have also been involved prior to submission. Although not all of the concerns raised by residents, such as a lack of additional parking, could be addressed, other elements, such as the units within Block E being designed by residents, is an example of good practice. It is considered that the applicant has fully complied with the requirements of the Mayors Good Practice Guide to Estate Regeneration in that consultation has been: transparent, extensive, responsive, meaningful; and engagement has been proactive, and has involved residents.

Statutory / Non-statutory Consultees

Historic England (GLAAS)

It has been advised that GLAAS do not wish to provide comment.

Thames Water

It has been advised that there are no objections.

Environmental Health – Air Quality

It is advised that being within an AQMA, it is expected that the Assessment should have used WHO guidelines for NO₂, PM₁₀ and PM_{2.5} because the proposal includes a health care facility. Conditions are suggested in relation to construction noise and dust, and non-road mobile machinery

Local Lead Flood Authority

No objections are raised.

Greater London Authority

It has been advised that the principle of the architectural approach, the uplift in units and increase in building heights is supported. However, the application does not yet fully comply with the London Plan (or draft) and the following should be addressed:

Management of the creative hub by a workspace provider should be secured by planning obligation and the extant planning permission should be extinguished.

Early and Late Stage Viability Review Mechanisms are required to confirm that the affordable housing and tenure split (22:78) between social rent and shared ownership is the maximum viable level.

Additional information is needed on the affordability of the shared ownership units and play space provision. The architectural improvements should be secured by condition.

The energy strategy is supported subject to further modelling of energy efficiency measures and an appropriate carbon off-set payment being secured.

Car parking should be reduced and cycle parking provision increased in accordance with the draft London Plan. CPZ parking permit restrictions should be secured by a S106 Agreement.

A car parking management plan, travel plan, delivery and servicing plan, and construction logistics plan should be secured by condition.

Members should note that the above matters raised have been addressed below and where necessary, secured by condition or through the legal agreement.

London Borough of Westminster

No objections are raised.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies

Document and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

The London Plan including:

Policy 2.7	Outer London: Economy
Policy 2.14	Areas for regeneration
Policy 3.1	Ensuring equal life chances for all
Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.6	Children and young people's play and informal recreation facilities
Policy 3.7	Large residential developments
Policy 3.8	Housing choice
Policy 3.9	Mixed and balanced communities
Policy 3.10	Definition of affordable housing
Policy 3.11	Affordable housing targets
Policy 3.12	Negotiating affordable housing
Policy 3.13	Affordable housing thresholds
Policy 3.14	Existing housing
Policy 3.16	Protection and enhancement of social infrastructure
Policy 3.17	Health and social care facilities
Policy 4.1	Developing London's economy
Policy 4.3	Mixed use development and offices
Policy 4.8	Supporting a successful and diverse retail sector and related facilities and services
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.5	Decentralised energy networks
Policy 5.6	Decentralised energy in development proposals
Policy 5.7	Renewable energy
Policy 5.8	Innovative energy technologies
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.16	Waste net self-sufficiency
Policy 5.18	Construction, excavation and demolition waste
Policy 5.19	Hazardous waste
Policy 5.21	Contaminated Land
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.7	Location and design of tall and large buildings
Policy 7.8	Heritage assets and archaeology
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.18	Protecting open space and addressing deficiency
Policy 7.19	Biodiversity and access to nature

Core Strategy

CP1	Spatial Development Strategy
CP2	Population and Housing Growth

- CP5 Placemaking
- CP6 Design & Density in Place Shaping
- CP9 South Kilburn Growth Area
- CP15 Infrastructure to Support Development
- CP17 Protecting and Enhancing the Suburban Character of Brent
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock
- CP23 Protection of Existing and Provision of New Community and Cultural Facilities

Development Management Document

- DMP 1 Development Management General Policy
- DMP2 Supporting Strong Centres
- DMP5 Markets and Carboot Sales
- DMP4a Shop Front Design and Forecourt Trading
- DMP9a Managing Flood Risk
- DMP9b On Site Water Management and Surface Water Attenuation
- DMP12 Parking
- DMP13 Movement of Goods and Materials
- DMP15 Affordable Housing
- DMP18 Dwelling Size and Outbuildings
- DMP19 Residential Amenity Space
- DMP21 Public Houses

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

The Draft London Plan has recently been subject to an Examination in Public and the Panel Report has been received by the GLA. The GLA has released its "Intend to Publish" version (December 2019) and this carries substantial weight.

Key relevant policies include:

Intend to publish London Plan

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- SD6 Town centres and high streets
- SD8 Town centre network
- SD10 Strategic and local regeneration
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D9 Tall buildings
- D10 Basement development
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- H1 Increasing housing supply

H4	Delivering affordable housing
H5	Threshold approach to applications
H6	Affordable housing tenure
H7	Monitoring affordable housing
H8	Loss of existing housing and estate redevelopment
H10	Housing size mix
H11	Build to rent
S1	Developing London's social infrastructure
S2	Health and social care facilities
S4	Play and informal recreation
S5	Sports and recreation facilities
E2	Providing suitable business space
E3	Affordable workspace
E8	Sector growth opportunities and clusters
E9	Retail, markets and hot food takeaways
E11	Skills and opportunities for all
HC1	Heritage conservation and growth
HC5	Supporting London's culture and creative industries
HC6	Supporting the night-time economy
G1	Green infrastructure
G5	Urban greening
G6	Biodiversity and access to nature
G7	Trees and woodlands
G8	Food growing
SI1	Improving air quality
SI2	Minimising greenhouse gas emissions
SI3	Energy infrastructure
SI4	Managing heat risk
SI5	Water infrastructure
SI7	Reducing waste and supporting the circular economy
SI12	Flood risk management
SI13	Sustainable drainage
T1	Strategic approach to transport
T2	Healthy Streets
T3	Transport capacity, connectivity and safeguarding
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.1	Residential parking
T6.3	Retail parking
T6.4	Hotel and leisure uses parking
T6.5	Non-residential disabled persons parking
T7	Deliveries, servicing and construction
T9	Funding transport infrastructure through planning

Draft Local Plan

DMP1	Development management general policy
BP6	South east
BSEGA1	South Kilburn Growth Area
BD1	Leading the way in good urban design
BD2	Tall buildings in Brent
BD3	Basement development
BH1	Increasing housing supply in Brent
BH2	Priority areas for additional housing provision within Brent
BH3	Build to rent
BH5	Affordable housing
BH6	Housing size mix
BH13	Residential amenity space
BSI1	Social infrastructure and community facilities
BE1	Economic growth and employment opportunities for all
BE4	Supporting Strong Centres Diversity of Uses
BE7	Shop front design and forecourt trading

BE8	Markets and car boot sales
BHC1	Brent's Heritage Assets
BHC3	Supporting Brent's culture and creative industries
BHC4	Brent's night time economy
BGI1	Green and blue infrastructure in Brent
BGI2	Trees and woodlands
BSUI1	Creating a resilient and efficient Brent
BSUI2	Air quality
BSUI3	Managing flood risk
BSUI4	On-site water management and surface water attenuation
BT1	Sustainable travel choice
BT2	Parking and car free development
BT3	Freight and servicing, provision and protection of freight facilities
BT4	Forming an access on to a road

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 Technical housing standards – nationally described space standards (2015)
 National Design Guide (2019)
 Mayor of London - A City for all Londoners
 Mayor's Good Practice Guidance to Estate Regeneration
 LB Brent S106 Planning Obligations SPD (2013)
 LB Brent Design Guide for New Development (SPD1)
 LB Brent Shopfronts SPD (SPD3)
 LB Brent Basement SPD (Jun 2017)
 LB Brent South Kilburn SPD 2017
 LB Brent South Kilburn Conservation Area Character Appraisal (2006)
 LB Brent Waste Planning Guide SPG
 LB Brent Air Quality Action Plan 2017-2022
 Community Infrastructure Levy Regulations 2010
 London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle of development:

1. The overarching objectives for estate regeneration, as set out in the Mayor's Good Practice Guide to Estate Regeneration are to: deliver safe and better quality homes for local people; increase the supply of new and affordable homes; and to improve the quality of the local environment through public realm improvements and the provision of social infrastructure. South Kilburn is a designated Growth Area and the Peel Precinct forms part of Phase 3 of the South Kilburn Masterplan. The broad aims of the Growth Area, the Masterplan, and that of the South Kilburn SPD are to deliver: 2400 new dwellings (50% for existing secured tenants); retail, health and education facilities; and an improved public realm.
2. The extant permission, has established the principle of redevelopment, the layout and acceptability of building heights and uses. The proposed scheme follows the principles established with the extant permission albeit in a revised form in terms of some additional height, the re-positioning of Blocks F&G, the creation of a market square, an additional 82 units and an increase in affordable units. The changes from the extant scheme are welcomed and supported in principle.

Housing

Estate Redevelopment

3. Policy 3.14 ("Existing Housing") of the London Plan (and draft LP Policy H10) together with the Mayor's Estate Regeneration Good Practice Guide confirms that existing housing should be retained where possible and appropriate, except where there are acceptable plans for its replacement. The redevelopment of affordable housing should only be permitted where it is replaced by better quality accommodation, providing at least an equivalent floorspace. Principle H1 ("Housing Targets") of the South Kilburn Masterplan also confirms that any socially rented housing lost through the demolition of

existing housing will be re-provided and made available to existing secure tenants.

4. The current scheme, which improves upon the extant permission, is considered to demonstrate compliance with the above policies and guidance in that there will continue to be an increase in affordable housing (floorspace and unit numbers) and there continues to be a full right of return/remain for existing tenants. Although there is a net decrease in the number of affordable 2-bed units (reduced from 28 to 12), family-size units are now provided (x19). The proposed mix is considered to better reflect the identified demand within the South Kilburn Estate.



5. Peel forms part of Phase 3A of the South Kilburn Regeneration Masterplan (see above), which has delivered 1300 units to date, of which 874 are affordable. The table below provides a breakdown of the housing delivered.

Site	Completion	Total Affordable	Total S/O	Total Private	Total Units
Phase 0					
Granville New Homes	Completed 2012	110	0	0	110
Thames Court	Completed 2012	20	0	0	20
Phase 1A					
George House & Swift House	Completed 2012	113	19	21	153
McDonald House	Completed 2011	26	0	0	26
Merle Court	Completed 2012	42	8	0	50
Franklin House, Hansel Close & Hollister House	Completed 2011	75	0	55	130

Total For Phase 1A		386	27	76	489
Phase 1B					
Cambridge Avenue, Chichester Road, Bristol Walk & Gorefield Place	Completed 2016	58	0	83	141
Falconbrook Court & Walbrook Court	Completed 2016	64	0	0	64
Totals for Phase 1B		122	0	83	205
Phase 2A					0
Queens Park Place	Completed 2016	28	0	116	144
Kilburn Quarters (Kilburn Park Road & Cambridge Road)	Completed 2017	103	0	124	227
Totals For Phase 2A		131	0	240	371
Phase 3A					
Unity Place	2020 (first Phase) 2021 (Whole site)	235	0	0	235
Totals for Phase 3A To Date		235	0	0	235
Total Delivered to Date		874	27	399	1300
Peel		42	85	181	308
Total incl. Peel		916	112	580	1608

Tenure / Mix / Affordable Housing

- Core Policy 2 ("Population and Housing Growth") sets a target for 25% of new homes in the borough to be family-sized units (3-bed or larger), and CP21 ("A Balanced Housing Stock") confirms the need to provide an appropriate range and mix of self-contained units, including a proportion of family sized homes. Core Policy 2 also confirms that the Borough will aim to achieve the London Plan's target of 50% affordable housing and DMP15 ("Affordable Housing") seeks 70% of new affordable units to be social/affordable rented and 30% intermediate housing at affordability levels meeting local needs. For the scheme, this would equate to x77 family-sized units and 154 affordable units, of which there should be x108 social/affordable rented and x46 intermediate tenure.
- Sixty-two units of the proposed scheme will be family-sized units (58 x 3-bed and 4x 4-bed), equating to 20% of the total and although below the policy requirement of 25%, higher proportions of family housing have a negative impact on scheme viability and it is considered that the significant uplift in affordable units overall, outweighs the shortfall in family sized units. By way of comparison, the consented scheme would have delivered 57 (25%) family-sized units (53 x 3-bed and 4 x 4-bed). In terms of the affordable offer, there will be 127 affordable homes (41%) of which 42 will be socially rented (33%) and 85 in shared ownership (67%). The extant scheme would deliver the same number of socially rented homes (42) but no shared ownership homes.
- It is acknowledged that the affordable offer and the tenure split does not meet the adopted policy position. However, 52% of the overall housing provision on the wider South Kilburn Estate will be affordable housing and it is accepted that some sites will be able to deliver more than the 50% target. Similarly, in relation to the tenure split (see table above), the level of intermediate units delivered to date across South Kilburn is low and the proposed level within Peel will help to redress this and secure a better mixed and balanced community. Moreover, intermediate units (together with the private sale units) help to cross-subsidise the other significant wider benefits for the community in the provision of a health centre (inclusive of a gym) and affordable workspace.

Proposed Affordable Tenure

	Social Rented	Intermediate	Total	% Affordable
Studio	-	3	3	2
1b2p	11	39	50	39
2b	12	43	55	43
3b	15	-	15	12
4b	4	-	4	3
Total	42	85	127	100

Proposed Housing Mix (number of homes)

	Social Rented	Intermediate	Private	Total
Studio	-	3	18	21
1b2p	11	39	60	110
2b	12	43	60	115
3b	15	-	43	58
4b	4	-	-	4
Total	42	85	181	308

Consented Housing Mix

	Full Planning		Outline Planning		Total
	Social Rented	Private	Social Rented	Private	
Studio	-	-	-	-	-
1b2p	11	27	0	52	90
2b	12	35	0	32	79
3b	11	2	4	36	53
4b	4	-	-	-	4
Total	38	64	4	120	226
	102		124		

9. Shared ownership homes will be fully integrated within private sale cores. The 38 secure tenants in Block E and the additional 4 socially rented homes (x3 in Block D and x1 in Blocks F & G) benefit from their own front doors, giving protection by the affordable, long term asset management strategy for residents. It is also important to note that the quality of build will be indistinguishable between Blocks.

Viability

10. Whilst the proposed level of on-site affordable housing is a significant improvement on the extant scheme (18.5%), it does not achieve the Council's on site affordable housing target of 50% (with a tenure split of 70/30 rented/intermediate). As a consequence, the viability of the scheme has been independently reviewed to establish whether the current offer is the maximum reasonable amount. The FVA and the Council's review has also been scrutinised by the GLA.
11. The applicant's financial viability appraisal ("FVA") indicates that the scheme would result in a residual land value ("RLV") of £11,458,144 against a benchmark land value ("BLV") of £15,100,000.00. Where the RLV is less than the BLV, a scheme is in deficit, and as outlined above, the submitted FVA is showing the scheme to be in deficit of approximately £3.6M, inclusive of grant funding of £4.9M. Notwithstanding the financial position above, the FVA concludes that the applicant is committed to delivering Peel and therefore the offer of 41% on-site provision by unit (56% by habitable room) with a tenure split of 33/67. This is therefore, the maximum which can be reasonably provided.
12. An area of disagreement revolved around the BLV used by the applicant because the Council, and the GLA, do not accept the use of an historic value being applied to the present. Whilst it is appropriate to fix the BLV for the purposes of subsequent early/late stage reviews going forward with the extant permission, a new scheme should be assessed against current values. However, one of the issues with this approach is that it has proven difficult to establish a value for the buildings associated with Phase 1 because they have already been demolished (1-7 & 15 Peel Precinct and 8-14 Neville Close). An agreed alternative approach has been to use land assembly costs (the costs of securing vacant possession) incurred between May 2015 and March 2019. This provides a figure of £12,304,000. This is based on the actual costs and an estimate of commercial values based on the last passing rents capitalised at a yield of 10%. The result of using this alternative approach is that the deficit is reduced to £488,000.
13. With the scheme still incurring a deficit, albeit at a much reduced level, it therefore does confirm that the applicant's offer is the maximum reasonable amount. It is therefore recommended that this is secured through a S106 Agreement, together with post implementation reviews.

Non-Residential Uses

14. In addition to the residential offer, the proposed development again proposes a mix of uses. As with the extant permission, a health centre is again proposed which will provide accommodation for up to three

GP practices, and this remains one of the key elements of the extant and current schemes, and the wider South Kilburn regeneration area. The health centre will deliver core health services with capacity to deliver extended hours GP services and services through Integrated Care Networks, as outlined within the NHS Long Term Plan.

15. An affordable gym is introduced on the second floor of Blocks B & C, above the health centre. This will have a combined entrance lobby with the health centre but can also be operated independently. Together, these two elements will form a combined health and wellbeing facility. Space on the ground floor is also designed to be used independently of the first floor for community health and wellness activities outside of main surgery hours.
16. In addition, to the above, “flexible space” is now proposed, within the ground floor of Blocks F & G, to be occupied by an affordable workspace provider. To further enhance Peel as a focal point of South Kilburn, a market square is introduced, fronting the flexible workspace in Blocks F & G, with the intention of creating a focal point for public activity and the generation of footfall for the commercial uses thereby contributing to the vitality and viability of Peel and its retail offer. The breakdown of the consented and proposed floorspace is provided in the tables below.
17. With specific regard to the affordable workspace, this will be cross-subsidised by the increase in residential units and all spaces are designed to function as either one space, or a series of smaller subdivided units, thus being able to adapt to changing circumstances or tenant requirements. The affordable workspace would be secured on the following terms:
 - 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.
 - Leased to an affordable workspace provider approved by the Council.
 - Secure a commuted sum (estimated to be £1.153m) in the case that an affordable workspace operator cannot be secured within 2 years of practical completion.

Type of Use	Consented Floorspace (GEA, sqm)	Proposed floorspace (GEA, sqm)
Pharmacy, Supermarket, Retail	415	397.8
Health Centre	1,455	1,374.9
Flexible Wing Space (A1/A3/B1)	757	1,406.3
Market Office/Store	34	25.2
Non-Residential Plant	90	317.4
Total	2,751	3,521.5

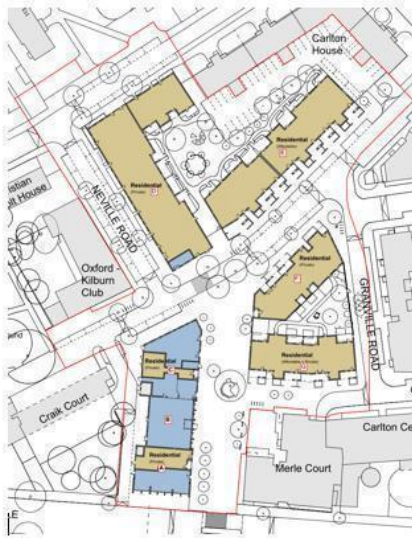
18. The proposed uses reinforce Peel as the “Civic Quarter” within the South Kilburn SPD, based around health, retail, leisure and community facilities. They are also considered compliant with London Plan Policies 3.16, 3.17, 4.6, 4.9 and 7.1 in that the scheme will enhance health and social infrastructure, and also improve the arts, entertainment and retail offer for residents. The proposal is also consistent with CP9 of the Core Strategy. The uses will be secured by appropriately worded conditions and/or through the accompanying S106 Agreement.

Design Considerations

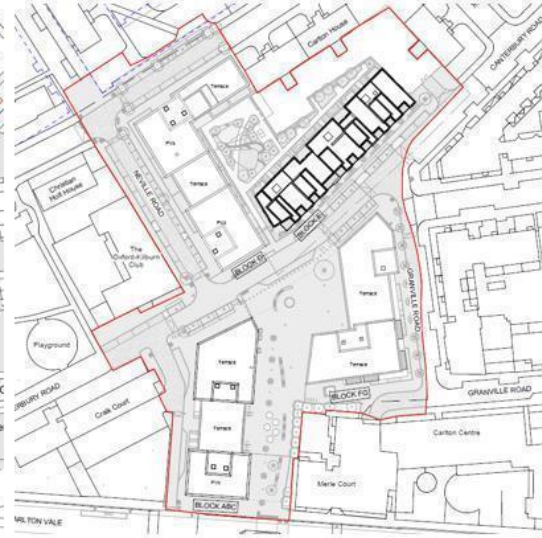
Layout and Access

19. The proposed layout is similar to the extant scheme, with most of the buildings occupying a similar footprint. The key change however is with Blocks F & G, which are now oriented to front Granville Road, as illustrated below, with the space created on the western side of Block F forming the market square.

Consented Layout



Proposed Layout



20. The market square, at the centre of the site, will be one of the focal points of the development, with the flexible uses at the base of Blocks F & G opening out onto it. It is intended that the route through the proposed layout, beginning from Carlton Vale will lead up to and through the Market Square, providing for pedestrian footfall along the length of this key route, culminating in an open area for market stalls and other community activities.
21. Aside from Block E which remains unchanged from the extant permission, the layout of the residential elements have been amended to better rationalise the configuration of the internal and communal spaces for each of the blocks/units. The internal layout of Blocks A, B & C have changed significantly from the extant scheme insofar as it relates to the non-residential uses. Previously, the health centre was stacked over the previously proposed five floors of Block B but following consultation with the CCG, the health centre will now occupy the first floor across all three blocks (entrance lobby occupying the ground floor of Block B), and a gym will be provided across the second floor of Blocks B & C. The amended layout for the health centre is considered an improvement over the extant permission as it provides easier access and circulation for patients and staff. The inclusion of a gym will also support the promotion of health and wellbeing across Peel and the wider community.
22. The amendments made to the ground floor of Blocks F & G involve the introduction of non-residential, flexible uses opening out onto a newly created public square, helping to activate that frontage and the public realm. It is intended that an affordable workspace provider will manage the flexible workspace. The affordable workspace will be secured via a S106 Agreement.

Elevations

23. The elevational appearance of each of the Blocks is similar to the extant scheme in that the finishing materials continue to be drawn from the same family of materials as with the extant scheme. The buildings are proposed to be brick based, using a variation in tone horizontally, which changes the higher up the building in order to define strong base, middle and top elements. This is reinforced by the strong presence of entrances and openings, and their detailed design, with commercial frontages being larger than those for the residential elements. The more noticeable changes are to Blocks A, B & C to reflect the key amendment of creating residential units on the upper floors. In addition, the stone framing has been removed, creating a much cleaner building appearance. Further details such as the use of ceramics and ironmongery are employed to add detail and articulation to openings, entrances and more detailed elements such as window bays, balconies and principal doorways. The changes to the architectural approach are welcomed and are considered to improve the overall appearance of the development, strongly adhering to the principle of achieving high quality design.
24. The details for the non-residential frontages, in terms of the shopfront design and signage remain an important aspect of the development. The design, materials, illumination and placement of signage should be carefully considered so that it contributes to the character and setting of the relevant shop or development and shopfronts should remain uncluttered in terms of window displays. Indicative signage has been provided on the elevational drawings and further examples of the signage strategy have been

provided with the Design & Access Statement (section 8.3). It is proposed that fixed metal lettering is attached to the external walls of the relevant units, stacked signage above the canopy entrance for the health centre, and some projecting signs. The indicative shopfronts are considered acceptable as they would broadly comply with the adopted Shopfronts SPD, however details will be secured through an appropriately worded condition.

Scale and Massing

25. The principle of increased scale and massing was established with the extant permission, which would deliver buildings ranging in height from 4 storeys to 16 stories. The increase in scale and massing was considered acceptable when compared to existing developments such as Craik Court (12-storeys), Hereford House (18-storeys) and Crone Court (12-storeys), and with more recent developments such as George House (11-storeys) and the proposed Neville & Winterleys scheme which proposes buildings ranging in size from six to twelve storeys. Moreover, Principle D1 of the South Kilburn SPD confirmed that the Peel development, along Carlton Vale, "*lends itself to greater height...*". The current scheme would add an additional 1 to 2 stories to all blocks, except for Blocks A and E which remain at 16 stories, and part 4 part, part 5 stories respectively, although it should be noted that with regards to Block A, whilst it remains at 16-storeys, the overall height has increased from: 53.4m to roof level, and 54.7m to the top of the access stair enclosure; to 54.65m to roof level, 56.2m to the top of the parapet, and 59m to the top of the lift overrun. The majority of the increase in height in Block A relates to the provision of the lift overrun which whilst increasing the overall height of the building, due to its siting on the roof (set in from the south, east and west elevations) will not be highly visible within the immediate vicinity but only in long views of the building.
26. Having regard to the above, it is considered that the additional height, when viewed in the context of the extant permission, the surrounding development and proposals coming forward, is acceptable and will not be out of keeping, scale and character.

Quality of Accommodation

27. To improve the quality of new housing, new development must meet with or exceed the minimum internal space standards contained within the London Plan (Policy 3.5 Quality and design of housing developments), and the nationally described space standards ("Technical Standards"). All units will continue to meet with or exceed the respective minimum standard.
28. The number of single aspect dwellings (x134 or 44%) have been minimised as much as possible and it is important to note that there are no north-facing single aspect units. Where it has not been possible to provide dual aspect dwellings, those units have been designed to minimise any adverse impact through a reduction in the depth of the rooms, provide good views and provide good levels of internal daylight.
29. In terms of internal daylight, 71% of rooms tested (x506) will continue to meet with the targeted values of the BRE guide, compared with 77% (x62) for the extant scheme, although it should be noted that the figures for the extant scheme could only consider the rooms within the Blocks which formed the full element of the proposal (Blocks A, C & E). Of the rooms which do not meet with the BRE target, 67 serve bedrooms where lower levels of daylight is accepted. The majority of the remaining rooms are affected by the presence of balconies. With regard to internal sunlight, of the 714 windows assessed 255 (36%) will meet the BRE target, with the remainder not meeting the targeted 5% sunlight hours for the winter months primarily because of the presence of overhanging balconies. This compares with 55% for the windows tested for Blocks A, C & E of the extant scheme.
30. Although it is demonstrated that the current scheme will have a greater proportion of windows that fall below internal daylight/sunlight guidance levels than the extant permission, that impact is predominantly as a result of the need to provide balconies for each of the proposed units. The full results of the testing indicates where a room or window does not meet with the BRE target value, the shortfall can be considered marginal. On balance, having regard to the extant permission, the nature of the scheme and surrounding developments, it is considered that the living conditions of future residents in terms of daylight/sunlight is not unacceptable when weighed against the benefits of the scheme.

Amenity Space Provision

31. New developments, as confirmed by DMP19, are required to have external amenity space of a sufficient size and type to satisfy needs, and this is normally expected to be 20sqm per flat and 50sqm for family

housing (including ground floor flats). As with the extant scheme, each property would benefit from some form of private amenity space, either through private gardens or balconies. The private space is complemented through the provision of rooftop communal space for Blocks B, C, D, F & G, and ground level communal space behind Blocks D & E. In total, the different forms of amenity space amount to 7,144sqm (5,636sqm with the consented scheme) as set out below and this also compares to a requirement for 6400sqm when applying DMP19.

32. There are 10 family sized homes at ground floor level which have a target amenity provision of 50sqm. These have either 12 or 15sqm terraces which are directly adjacent to the communal amenity space. The exception to this is one three-bedroom flat which has a 35sqm terrace which is situated within a street frontage and therefore would be limited in terms of its usability. However, the site is well served by existing open space. Kilburn Park is opposite (on the southern side of Carlton Vale), Paddington Recreation Ground and Queens Park are both within 800m of the site, and Woodhouse Urban Park, which includes play for older children, is within 400m of the site.
33. It is acknowledged that not all of the units meet with the minimum standard as set out above, however they all, as a minimum, have a balcony which exceeds the London Plan minimum requirement of 5sqm for 1-2 bedroom dwellings, and an additional 1 sqm for each additional occupant. Notwithstanding, DMP19 does allow for some flexibility in that the policy states that the quantum is “*normally expected*”, thus implying the stated quantum is not an absolute. Moreover, the supporting text states: “*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*”.

1-2 bedroom homes, and family sized homes above ground level				
Block	A-C	D-E (1-2 bed / 3-bed above ground)	D-E (family sized at ground level)	F-G
Minimum private external amenity	5 Sqm	5 Sqm	12 Sqm	5 Sqm
Maximum shortfall of private external amenity	15 Sqm	15 Sqm	38 Sqm	15 Sqm
Communal amenity space	655 Sqm	365 Sqm		887 Sqm
Total No. Homes	100	144		64
Pro-rata communal external space	6.6	2.5		13.9
Maximum resultant shortfall	8.5	12.5	35.5	1.1
Public space (mixed use, so lower value per user)	Approx. 1,800 sqm			
Pro-rata public space	Approx. 5.8 sqm			
Approx. distance to South Kilburn Open Space	30-60 m	100-200 m	120-200 m	90-150 m

34. Having regard to all of the above, it is considered that on balance, the development provides an acceptable quantum and quality amenity space.

Children's Playspace

35. Play space provision to cater to a range of age groups is proposed in accordance with the Mayor's 'Play and Informal Recreation' SPG, Policy 3.6 of the London Plan and draft Policy S4. Applying the updated playspace calculator, the estimated child yield is 105 children, which generates a requirement for approximately 1053sqm. Doorstep play and play elements within communal gardens is proposed atop Blocks B, C, D, F & G and at ground floor level behind Blocks D & E (for the residents of those two Blocks), amounting to 438sqm. Although this falls short of the expected requirement, there is approximately 1500sqm of provision at the nearby Woodhouse Urban Park (c.70m distant) and 235sqm

at Craik Court (c.50m distant). In addition, there is 900sqm within Kilburn Park, on the opposite side of Carlton Vale. Details for the playspace will again be secured by condition.

Accessible and Adaptable Dwellings

36. The London Plan (Policy 3.8) requires that 90% of new dwellings meet with Building Regulation requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. This would equate to at least 31 wheelchair units, which is confirmed by the applicant. These would again be secured by an appropriately worded condition. It should also be noted that whilst wheelchair housing is located at ground floor as far as possible, some will need to be on upper floors, however accessibility is ensured through the inclusion of two lifts within all cores.

Density

37. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity. Table 3.1 of the current London Plan gives Brent an annual housing target of 1,525 new dwellings while the draft London Plan (Table 4.1) significantly increases this to 2,325.
38. The site (approximately 1.44ha) is located within an area with a public transport accessibility level ("PTAL") of 5, suggesting that an appropriate level of density for this urban location is in the range of 200-700hr/ha or 70-260u/ha. The extant scheme will deliver 687 habitable rooms and 226 units, therefore providing 477hr/ha and 157u/ha. The proposed scheme will achieve density levels of 627hr/ha and 214u/ha. Whilst there is a greater uplift in proposed density levels, these still fall within the suggested range considered appropriate for this location. Moreover, the increased housing would be a significant contribution towards meeting the Council's higher housing targets.
39. Notwithstanding the density figures above, adopted policy acknowledges that a numerical assessment of density is but one factor to consider in assessing whether the site is capable of accommodating the proposed development. Consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and the satisfactory resolution of any highways matters. Some of these matters have been discussed above, and the remainder will be discussed below.

Fire Safety

40. Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12 of the draft London Plan requires all major proposals to submit a Fire Statement. The Statement should demonstrate that the development will achieve the highest standards of fire safety by reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape.
41. In accordance with the draft Policy, a Fire Strategy Report has been produced together with a plan which indicates features such as emergency egress windows/doors, the location of wet and dry riser inlets/outlets, fire services access points, and the location and fire rating of walls and doors. The overall fire strategy has been summarised as being:

Residential

- Means of escape will be based on the apartment of fire origin only evacuating in the residential accommodation. The commercial spaces are separate fire compartments and therefore will evacuate on an individual basis, with each adopting a simultaneous evacuation in the event of an incident in that accommodation only. No interconnection of fire alarm system or evacuation protocol is proposed between any areas.
- Blocks ABC apartments are accessed from the staircase by traditional common access corridors. Travel distances in the common access corridors are limited to a maximum of 15m based on the apartments in each core being covered by residential sprinklers. The common access corridors are ventilated in each core by a 1.5sqm natural smoke shaft plus a 1sqm natural AOV (Automatic Opening Vent) at the head of the common staircases.
- In Block D, Core D1 apartments are accessed from the staircase by traditional common access

corridors. Travel distances in the common access corridors are limited to a maximum of 15m based on the apartments in each core being covered by residential sprinklers. The common access corridors are ventilated by a 1.5sqm natural AOV's plus a 1sqm natural AOV at the head of the common staircase.

- Block D, Core D2 apartments are accessed from the staircase by common access corridors. The travel distances in these corridors are extended on both sides of the staircase up to a maximum of 25m and therefore these distances are mitigated by the introduction of two 0.6sqm mechanical fan assisted smoke shafts that serve each floor concerned. The common staircase includes a 1sqm natural AOV at the head of the common staircases.
- Block FG apartments are accessed from the staircase by traditional common access corridors. Travel distances in the common access corridors are limited to a maximum of 15m based on the apartments in each core being covered by residential sprinklers. The common access corridors are ventilated in Core G by a 1.5sqm natural smoke shaft plus a 1sqm natural AOV at the head of the common staircase. The common corridors in Core F are ventilated by 1.5sqm natural AOV's plus a 1sqm natural AOV at the head of the common staircase.
- Fire alarm and detection systems

Non-residential

- Commercial units in Block ABC and FG will be completely self-contained with a standalone evacuation strategy. Travel distances and exit widths will be designed to adopt the recommendations of Approved Document B
- Fire alarm and detection systems for the Health Centre and gym
- No fire alarms in the ground floor commercial units at completion of the shell

Fire appliance access

- Fire service vehicle access to the commercial spaces will be based on all parts of these compartment footprints being covered within 45m of a fire appliance parking position. The residential accommodation to all blocks will be based on firefighting shafts (including wet rising water mains (Core A of Block ABC only), dry rising water mains (Core C1 of Block ABC and Blocks D and FG) and firefighting lifts). Public or private fire hydrants will be available to within 90m of the entrance doors into the commercial spaces and rising main inlets to the residential blocks

Heritage Considerations

Statutory Background and the NPPF

42. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm "*considerable importance and weight*". Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).
43. Section 16 of the NPPF ("Conserving and enhancing the historic environment") (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance" (para.184). In determining applications, LPA's are advised at para.192 take into account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
44. When considering the impact of a proposed development on the significance of a designated heritage

asset, it is advised at para.193 that “*great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*”. Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). It is also advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance.

45. Policy 7.8 of the London Plan (“Heritage Assets and Archaeology”) and draft Policy HC1 (“Heritage, conservation and growth”) advises what boroughs should do at a strategic level to identify, preserve, and enhance London’s heritage assets. Policies DMP1 (“Development Management General Policy”) and DMP7 (“Brent’s Heritage Assets”) confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets.
46. There are several heritage assets against which the proposed development should again be considered. These include:
 - The South Kilburn Conservation Area;
 - St Augustine’s Church (grade II listed)
 - Grade II listed dwellings on Princess Road (Nos.9-67 (odd) and 22-84 (even))
47. What must therefore be determined is whether the proposed development will harm the significance of the aforementioned heritage assets, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72). The proposal will have a greater or lesser impact on individual heritage assets and the factors for consideration will be:
 - The significance of the asset
 - The sensitivity to harm of the asset
 - Proximity
 - Visibility
 - Compatibility of the proposal with the context and setting of the asset

Assessment Against Significance of Heritage Assets

48. The South Kilburn Conservation Area, designated in 1979, derives its significance from the area being largely unaltered from when development largely took place from just before the turn of the 19th Century. The area is characterised by wide tree-lined streets and town houses of high architectural quality with intricate detailing. The estate was originally laid out with a series of roads grouped around an open space known as Cambridge Gardens, which remains a focus of the Conservation Area. Paragraph 6.6 of the South Kilburn Conservation Area Character Appraisal considers that the modern flats and buildings external to the Conservation Area but in close proximity to it, detract from the overall appearance of the heritage asset.
49. It was acknowledged with the extant scheme that whilst there is a separation between the site and the Conservation Area, the taller elements would be visible but that this would not be different from the existing situation. Moreover, the tallest elements of the scheme were located furthest away to minimise impact. The extant scheme was considered to, on balance, preserve the setting of the South Kilburn Conservation Area.
50. Although the majority of the buildings (Blocks B, C, D, F, G) are increasing height, the impact of this on the character or appearance of the Conservation Area is considered to remain unchanged, that is, there is no harm to the special character of it. A more noticeable change however will be apparent in the termination of views west along Princess Road. The eastern façade of the northern end of Block F will now be more prominent as a result of the re-orienting of this Block to align with Granville Road, although to help mitigate any impact, the end of this Block will be angled away from Granville and Princess Roads and the balcony openings have been refined further through the introduction of columns to narrow the appearance of those openings. Overall, it is agreed with the Heritage Statement that the quality of views close to the Site is likely to generally improve as views of the existing poor quality and vacant built form and streetscape, would be replaced with views of new buildings of high quality design and construction.

51. The nearest of the listed dwellings (No.22 Princess Road) is located approximately 40m to the east, with the distancing to the other listed dwellings progressively increasing further along the road. Due to the intervening developments between the site and the listed dwellings, there will be no direct harm to any of them but will instead help to improve their setting. It is considered that the development will enhance the setting, character and appearance of the identified heritage assets.

Summary of Heritage Considerations

52. When considering applications which may impact on heritage assets, the decision maker must give considerable importance and weight to the desirability of preserving the setting of a listed building (s.66) and preserving or enhancing the character and appearance of a conservation area (s.72). There is a presumption in law to refuse applications which would cause harm, because great weight must be given to the preservation of those heritage assets. As paragraph 93 of the NPPF confirms, the more important the asset, the greater the weight should be.
53. It is considered that that the proposed development, due to its design and siting, will not harm the significance of the identified heritage assets by virtue of distancing and intervening buildings. It is considered that views are enhanced because of the significantly improved architecture and the continued siting of the taller buildings away from the nearest edge of the Conservation Area. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal will not lead to any harm to the designated heritage assets having regard to Policy 7.8 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with section 16 of the NPPF. The development proposals must therefore now be assessed against any other material considerations, in accordance with s.38(6) of the 2004 Act and s.70(2) of the T&CPA 1990.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy _

54. In terms of distancing levels, these remain largely consistent with the extant scheme, although some minor changes should be noted:
- Block A is moved 2.6m east and will be 16.2m from Merle Court (previously 19m)
 - Block C is moved 1.9m east and will be 18m from the western end of Block G (previously 17.5m)
 - Block D is extended to 3.9m towards the western end of Nos.89 to 96 Carlton House and will be 0.8m from that building (previously 4.8m).
 - Block F is extended 5.2m north and will be 16.6m from Block E (previously 19.8m)
55. Whilst a minimum distance of 18m is normally required between facing windows, some deviation from this is acceptable where the prevailing character varies from this, the space between comprises of a public space such as a road or other public space, or subject to acceptability with regards to overlooking and privacy. Principle D2 of the South Kilburn SPD also advises that the Council will “*treat numerical design standards (e.g. separation distances) more flexibly where buildings are of a demonstrably high design quality*”. The re-positioning of Block A brings it nearer to the fenestration on the flank (west) elevation of Merle Court (which is 6-storeys nearest to Block A), however, the windows on that elevation do not serve habitable bedrooms rooms but kitchen/dining rooms. The balconies visible at the front and rear of this part of Merle Court open out from the respective living rooms, with a south and north facing aspect respectively and the glazing serving the living rooms are the primary sources of light and outlook. In addition, the respective windows look over the new boulevard, and it should also be noted that Merle Court sits approximately 1.6m from its western boundary, which is formed along an existing pedestrian route from Carlton Vale and the proposed route through to the proposed market square, therefore there is a certain level of overlooking that currently exists. Whilst distancing levels have been reduced slightly, having regard to all of the above, it is considered that this element of the scheme should not have a harmful impact on the amenity of the occupiers of Merle Court through greater overlooking and loss of privacy.
56. With regard to Block C’s relationship to the re-configured Block G, at 18m, the level of distancing has improved marginally from the extant scheme and meets with the minimum distance normally sought between facing windows. This element of the scheme will not result in any greater level of overlooking and loss of privacy to the occupiers of Block G.

57. In relation to the closer siting to Carlton House, the western flank of that adjacent development does not contain any fenestration, therefore not resulting in any harm.

Loss of Light / Overshadowing

58. A *Daylight and Sunlight Report* has been provided to assess the impact of the additional height and massing on neighbouring and future occupiers, drawing upon the assumptions and conclusions of the 2016 Report which helped to inform the approval for the consented scheme.

Daylight

59. As expected, with an increase in height and massing in some areas, there is some additional impact on the neighbouring developments. In terms of daylight, a similar number of windows were tested with the approved (923) and current schemes (925). With the current scheme, 533 windows (58%) continue to meet with BRE guidance (i.e. 0.80 times the former value), compared to 673 (73%) of the consented scheme. It is also noted that 62% of the windows tested on the nearby NWCC scheme will meet with the BRE guidance. Of the windows which did not meet the standard, many of these fall marginally short, recording values of between 0.71 to 0.79. Many of these windows either recessed or are affected by overhanging balconies within their own developments. The uses of some of the rooms are also unclear and could serve non-habitable rooms or circulation spaces.

Sunlight

60. In terms of sunlight, a similar number of windows were again tested with the approved (442) and current schemes (446) and a similar number of windows were BRE compliant (88% vs 82% respectively). It is also noted that with regard to the NWCC scheme, 82% of the windows would meet with BRE guidance levels. The difference in proportions between the two schemes (6%) is minor and demonstrates that in terms of sunlight, the development will continue to have an acceptable impact with regard to sunlight.

Overshadowing

61. In terms of overshadowing, the courtyard on the northern side of Merle Court was again analysed. The BRE target being that 50% of such space should be receiving at least 2 hours of direct sunlight on 21 March and 21 June. Prior to development, 35% of the courtyard receives the targeted 2 hours of sunlight on 21 March, increasing to 66% on 21 June.
62. The proposed development will reduce the existing figures above to 1% and 24% respectively for 21 March and 21 June, and this compares to 2% and 28% for the extant scheme. Given that the overshadowing impact has been accepted in the extant scheme, the proposal is very comparable and would not result in any noticeable further harm.. Moreover, the location of that courtyard, on the northern side of that building, results in a significant amount of overshadowing of the courtyard by Merle Court itself.

Summary of Neighbour Impact

63. It is acknowledged that the increase in height, bulk, and re-siting of the various buildings will result in some additional impact on neighbouring occupiers and amenity space. However, as advised within the Daylight & Sunlight Analysis, the tests and criteria outlined in the BRE guide have been written with a suburban environment in mind, therefore the recommendations should be interpreted with flexibility. Notwithstanding, the additional impact of the current scheme over the extant scheme, does not result in an unacceptable increase in impact on the existing amenities of adjoining or future occupiers. Having regard to the minor additional impact and the surrounding urban context that forms the Growth Area, the proposed development is considered acceptable in this regard. Due to the nature of the Growth Area some impact is expected to the neighbouring properties, but the impact identified are not considered to significantly harm the overall living conditions of the adjoining occupiers. Furthermore, the benefits of the scheme in providing high quality new housing is considered to outweigh any harm that has been identified in terms of loss of light.

Highway Safety

64. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity

and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13). It is important to note that the proposed street layout remains unchanged from the consented extant scheme, that is, Canterbury and Denmark Roads will be reopened to traffic to provide through-routes around the development and new parking is confined to on-street parking bays. Peel Precinct is again proposed to be re-landscaped to provide a public market square, whilst the southern end of Neville Close is to be closed to vehicles, except for deliveries and emergency access.

Parking

65. Although there is an increase of 82 units, in terms of parking provision, there is no proposed change to the 77 spaces approved under the consented scheme, which comprises of 45 on-street spaces (incorporated into the existing CPZ and includes x6 for the health centre) and 32 re-provided spaces for existing secure tenants in the car park behind Block E/Carlton House (x19 for Block E and x13 for Carlton House). Other tenants will be restricted from accessing parking permits via the S106 Agreement.
66. Disabled Blue Badge holders are exempt from the parking permits restrictions, so would be eligible for on-street parking permits in the area. On-street bays can also be marked specifically for disabled residents upon request once the roads are adopted. As before, a number of on-street bays have therefore been indicated to a 2.6m width to allow easy conversion to Blue Badge use, but these are for indicative purposes only and they will not be designated as disabled spaces at the outset – only if a request for a disabled space is received.
67. For the commercial uses, it is again anticipated that some of the new on-street spaces created will be shared use or exclusive pay and display use during CPZ hours, providing some space for visitors to the centre. Doctors working at the health centre that require a vehicle in the course of their duties to make home visits will be able to apply for doctor's bays to be marked on-street and the application suggests that up to four such bays may be required.
68. The provision of electric vehicle charging points (20% active and 20% passive) within the Carlton House car park was previously secured by condition. With electric vehicle charging points now being introduced on-street, charging points for 20% of the on-street bays would also need to be provided as part of the highway works and a condition is once again proposed to secure these.

Cycle Parking

69. The scheme is proposing 446 cycle parking spaces on two-tier racks within nine internal storerooms for Blocks A-D, F & G, plus 26 external 'Sheffield' stands (52 spaces) located around the development for visitors. One stand has been relocated to the junction of Denmark Road and Neville Road to better serve Block D. Provision is now considered to meet current London Plan standards and the cycle storage will be secured by an appropriately worded condition.

Servicing

70. Refuse stores for the residential blocks are located alongside the entrance cores, with sufficient space to accommodate refuse storage requirements. The stores would again generally be within 10m of new and existing lengths of highway to allow easy access for collection, although access to the store for Block G would require refuse vehicles to reverse a short distance along the access to the adjoining Merle Court, which is considered acceptable in principle.
71. Access to the refuse stores and delivery bays for Block A-C would be via the pedestrianized area of the future Neville Close, which is proposed for one-way access southbound for loading and emergency vehicles only with a left-turn out to Carlton Vale. A suitable traffic order and signage, along with suitably robust surfacing that also highlights the area as a pedestrian priority zone, will again be required for this street, secured through the S106 Agreement.

Layout

72. The proposed new lengths of Denmark Road and Canterbury Road and the widening of Neville Road and Granville Road remain similar to the hybrid consent, so are considered acceptable in principle.
73. It is now confirmed that a 3.7m (min) width footway will be retained for adoption on Canterbury Road

behind the proposed loading bay along the northern side of the market square. This will be delineated on the ground by metal studs to show the extent of the adopted highway. The carriageway width of Canterbury Road has been adjusted to retain a minimum of 5.5m, whilst all lengths of footway have been adjusted to ensure a minimum width of 2m, which is welcomed.

74. Concerns were previously raised with a number of the entrance/fire doors opening outwards from buildings over future adopted footways. These have all been amended, except for an entrance door on Block F and an additional door on Block C serving a substation. With regard to the Block F door, although the door has been recessed, when opened it will project approximately 0.4m beyond the face of the building. To ensure that this does not cause a pedestrian safety issue, the door will now be protected by small build-outs, which is considered acceptable. In relation to the substation door, this is also considered acceptable in this instance because the substation will only be accessed infrequently thus not unduly affecting pedestrians.
75. The drawings have been updated to include all tactile paving and the speed table along Canterbury Road has been returned to its previous arrangement across the market square only, with a separate speed table at the Granville Road junction. The proposed carriageway and footway materials remain unchanged, other than the previously requested use of granite block paving along the southern end of Neville Close to emphasise its use as a shared surface. These elements are considered acceptable.
76. Previous concerns of the tree planting along Granville Road have also been addressed through the widening of the footway to 3m, at the expense of the carriageway which has been reduced to 5.2m width. This is welcomed and the reduced carriageway for Granville Road (a cul-de-sac) is considered appropriate.

Trip Generation

77. Predicted car journeys have been factored downwards from the approved scheme to reflect the lower level of car parking provision within the site. By doing this, the number of predicted journeys by car would be 6 arrivals/17 departures in the am peak hour (8-9am) and 14 arrivals/8 departures in the pm peak hour (5-6pm). This is lower than previously forecast and as such, the development is again considered likely to have a negligible impact on vehicular traffic flows in the local area
78. Greater numbers of public transport trips are forecast to and from the development, with estimated trips more than doubling to 22 arrivals/95 departures in the am peak (8-9am) and 68 arrivals/38 departures in the pm peak (5-6pm). The presence of 120 buses per hour and 24 rail/Underground services per hour passing close to the site means the impact of this development on any particular public transport service is likely to be negligible (less than one extra passenger per bus service and less than two passengers per train service). Transport for London have confirmed through their consultation response.
79. The number of walking and cycling journeys are also predicted to be greater than previously calculated, rising to 132 and 123 walking trips in the am and pm peak hours respectively and 20 and 12 trips in the peak hours by bicycle. The number of cycling parking spaces has increased as a result of the increase in units and as noted above, cycle parking provision is considered to meet with adopted London Plan standards.

Travel Plan

80. A new Framework Travel Plan has been submitted for this application, which sets out a range of measures aimed at minimising car use to the site, with the success of these measures being monitored over a five year period under the remit of a Travel Plan Co-ordinator. A Steering Group is also referred to in order to help to co-ordinate the Residential and Health Centre Travel Plans.
81. As with the previous scheme, targets have not yet been set at this stage, except to double bicycle use over the five years of the travel plan. No targets have been set for any other travel modes or by different land uses, but it is stated that these will be developed following the initial travel survey that is to be undertaken once 75% of the residential units are occupied. However, given the phased nature of the development, initial Travel Surveys should instead be undertaken once the first phase is complete and largely occupied.
82. As with the Travel Plan submitted with the extant scheme, the menu of measures does not mention

offering interest-free season ticket loans to health centre staff, whilst the proposed promotion of Car Clubs amongst residents does not include any offer of subsidised membership for new residents. However, it should be noted that these measures were subsequently secured in the S106 Agreement for the previous scheme and it is again proposed to do so with the current scheme.

Sustainable Design

Carbon Reduction / Energy

83. Chapter five of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The commercial elements will be "expected" to achieve a BREEAM 'Excellent' rating and the residential element, being a major development, should be achieving carbon emissions reduction targets leading to zero carbon, with any shortfall to be off-set through a financial contribution to the Council's Carbon Offsetting Fund.
84. The submitted *Energy Statement* in following the energy hierarchy ("Be Lean", "Be Clean", "Be Green"), outlines the approach to carbon emission savings and renewable energy, which is similar to the extant scheme. In terms of "Being Lean", the approach is to minimise energy consumption through passive design, and fabric performance, achieved through highly insulated walls/roofs/floors, efficient glazing, high levels of air tightness, and efficient lights/appliances. With regard to "Be Clean", the development will again have a site wide heat network which will be served by the South Kilburn District Energy Network, and in relation to "Be Green", 278sqm of PV panels atop available roof space and the use of variant refrigerant flow ("VRF") heat pumps for the retail units and creative hub. Each residential unit will be expected to contribute to the provision of the district energy centre at a cost of £3600 per unit (£1,108,000 in total).
85. With specific regard to BREEAM, the Energy Strategy advises that for "shell-only uses", it is very difficult to achieve an "Excellent" rating because energy performance can only be assessed on energy demand without taking into account energy efficiency measures e.g. if units have a high proportion of glazing and the orientation of the units. The Energy Strategy therefore considers that a realistic target is BREEAM "Very Good". Officers do not accept this position because mindful that with "shell and core" developments, the developer has no control beyond the delivery of the unit and that the tenant will ultimately be responsible for the fitout, the shell can still be delivered to a point where it does not impede the delivery of an "Excellent" rating, and it should be noted that this has been agreed, with the proposed condition reflecting this.
86. All of the identified measures and monetary contributions will again be secured by condition or through the S106 Agreement, as appropriate.

Air Quality

87. With the site located in a designated Air Quality Management Area, London Plan Policy 7.14 and CP19 of the Core Strategy requires the submission of an Air Quality Assessment. Similar to the extant permission, the Assessment has confirmed that subject to appropriately worded conditions, there would be a neutral impact on air quality during construction, and that the increased traffic on Denmark and Canterbury Roads (over 100 vehicles per day) would have a negligible impact on air quality. While there would be an increase in annual NO₂ levels for the blocks closest to Carlton Vale, the installation of a mechanical ventilation heat recovery system ("MVHR") would minimise any impact. Development is considered to be air quality neutral in relation to transport and building-related emissions. As with the extant permission, conditions are proposed in relation to the mechanical plant, air quality mitigation measures and CHP.

Flood Risk/Drainage/Water Consumption

Flood Risk

88. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies DMP9A and 9B confirms the Councils approach. The submitted *Flood Risk Assessment* confirms that the site falls within the Flood Zone 1, with the risk of fluvial and surface water flooding considered to be low (less than 0.1%).

Drainage/SuDS

89. Adopted policies confirm that all new development should be achieving greenfield run-off rates and the SuDS Strategy confirms that this will be achieved as the surface water drainage system is designed for a 1 in 100-year storm event plus a 40% allowance for climate change. The ground is not suitable for infiltration due to the underlying made ground underlain with London Clay and there are no nearby watercourses. Therefore, as with the extant scheme, a range of sustainable drainage measures have been incorporated into the scheme, such as permeable paving, landscaping (including rain gardens), and attenuation tanks. Although water butts will be provided for all Blocks, these are not taken into consideration for on-site attenuation because if there is no activity within the building and the butt is full, no attenuation is provided. Similar to the consented scheme, a condition is proposed to secure the details of the Drainage/SuDS Strategy.

Water Consumption

90. In order to minimise impact on water supply, Policy 5.15 of the London Plan (policy SI5 of the draft Plan) confirms that water consumption should not exceed 105 litres per head per day (110 litres inclusive of external water consumption i.e. irrigation). Commercial development should be achieving at least the BREEAM excellent standard.
91. The *Sustainability Statement* confirms that insofar as the residential elements are concerned, the policy requirement will be met through the specification of low-flow sanitary fittings such as WC's and taps, with fittings selected in accordance with the Building Regs Approved Document Part G. In addition, water meters will also be fitted. With regard to the irrigation of the proposed landscaping, drought-resistant plants will be selected, and water efficient irrigation (either relying solely on precipitation or employing an automatic drip irrigation system to regulate watering as required depending upon weather conditions and control and optimise the amount of water use through soil moisture sensors) is proposed. In relation to the non-residential uses, it is advised that water metering and leak detection systems will be installed. Details of the above will be secured by an appropriately worded condition.

Wind and Microclimate

92. London Plan policies 7.6Bd and 7.7Da confirm that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to wind turbulence and microclimate. With regard to the extant scheme, the Wind and Microclimate Analysis Report submitted with that application confirmed that the development would not have an unacceptable impact on wind conditions on- or off-site. In terms of the current scheme, the additional height and massing of the majority of the blocks, and the re-orientation of Blocks F and G, is not anticipated to provide significant adverse effects. This is due in part to: the overall design of the buildings with inbuilt mitigation measures such as cantilevered balconies which reduce the downwash effects plus raised parapets and rooftop plantings which provide shelter to rooftop amenity areas. No major adverse effects are again anticipated on local wind conditions when the scheme is assessed against future developments or in isolation, with some receptors experiencing improved conditions. This compares favourably with the extant permission. No additional conditions are required because the details of landscaping is already secured by condition and the parapets and balconies are integral to building design.

Ecology and Biodiversity

93. Policy 7.19 of the London Plan ("Biodiversity and access to nature") requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 18 of the Core Strategy ("Protection and Enhancement of Open Space, Sports and Biodiversity") confirms the Borough's commitment to promote and enhance biodiversity. A Preliminary Ecological Appraisal has been submitted in support of the application as the development involves the demolition of existing buildings on site and the removal of some trees. As with the extant scheme, the Appraisal confirms that the existing habitats are of a low ecological value and has limited value in relation to protected flora and fauna. Notwithstanding, it is advised that further survey work (emergence surveys) will need to be undertaken prior to the demolition of the buildings related to Phases 2 and 3. It is also recommended that vegetation clearance is undertaken outside of the bird nesting season (or under the supervision of an ecologist if not possible), and that an Invasive Species Management Plan is also provided to mitigate the spread of invasive plant species such as buddleia, false acacia, cherry laurel and cotoneaster which have all been recorded within or adjacent to the site. The above will be secured by conditions.

94. In terms of ecological enhancements, it is suggested that native plantings, living roofs/walls, bat

bricks/boxes, and bird boxes could be provided, which will all improve the ecological value of the site. Some soft landscaping is proposed for the rooftops of Blocks B/C/D/F/G (Drawing No. L-110) where those areas are also utilised as communal amenity space for those respective Blocks. Whilst not a “green roof” in the strictest terms, those areas of soft plantings will assist in providing habitat, reduce flood risk, and also help to reduce noise and air pollution. With regards to bat boxes, it is recommended that they should target pipistrelles because they are urban tolerant and a crevice dwelling species that are most likely to be present in the area. A landscaping condition is again proposed. In relation to the other suggested measures, these will be secured by appropriately worded conditions.

Trees and Landscaping

95. As mentioned above, the ecological value of the site is low, and existing tree cover is quite poor but one of the features of the scheme is the number of trees proposed throughout the site. As with the consented scheme, 11 trees will be removed in order to facilitate the development but approximately 81 trees will be planted at ground (x45) and roof (x36) levels. A variety of single and multi-stemmed trees of various sizes will be used to provide some diversity and to also provide a level of screening from the wind, to provide a level of privacy, to help soften the appearance of the development and to provide areas of shading. In addition to the tree planting, low level plantings are also proposed to provide the additional biodiversity and visual enhancement. The species proposed will be selected to take into account their location (shaded/unshaded) in order to provide year-round cover. A landscaping condition and a tree protection condition to ensure that trees within proximity of the site are protected throughout construction are again proposed.

Contamination

96. Policy 5.21 of the London Plan (“Contaminated Land”) encourages the recycling of brownfield sites, inclusive of those affected by contamination, through remediation. With regards to this element of the proposal, there is no change from the consented scheme. As reported with that application, there is the potential for contaminants in the ground and a condition was imposed to deal with a site investigation and remediation. Insofar as Block E (Phase 1) is concerned, details have been submitted and approved. A similar condition is again proposed for the current scheme.

Noise

97. The potential impact from noise on existing and future occupiers was considered with the extant permission and mitigated through the use of various conditions to ensure that any noise emitting plant used during and post construction fall within acceptable limits, the hours of use for the non-residential elements are agreed with the Local Planning Authority, and internal noise levels are also within acceptable levels. Subject to the re-imposition of similar conditions, it is considered that the development should not unduly impact on the amenity of existing and future occupiers with regards to noise impacts.

Site Waste Management

98. Policy 5.16 of the London Plan has stated goals of working towards managing the equivalent of 100% of London’s waste within London by 2026, creating benefits from waste processing and zero biodegradable or recyclable waste to landfill by 2026. This will be achieved in part through exceeding recycling and reuse levels in construction, excavation and demolition (“CE&D”) waste of 95% by 2020. In order to achieve the above, London Plan policy 5.18 confirms that through the Local Plan, developers should be required to produce site waste management plans to arrange for the efficient handling of CE&D.
99. The *Sustainability Statement* discusses the need to develop a construction environmental plan (“CEMP”), which would be regularly reviewed throughout construction. A CEMP was secured by condition with the extant scheme and it is again proposed to re-impose a similar condition.

Phasing

100. Unlike the extant permission which was to be built out over three phases, the current scheme will be developed over four. Phase 1 (Block E), which is currently being implemented under the extant permission, involves the demolition of South Kilburn Studios and 16-33 Peel Precinct. Thirty eight social rented units will be provided here for the secure tenants.
101. Phase 2 involves the demolition of 1-7 & 15 Peel Precinct and 8-14 Neville Close to allow for the construction of Blocks A, B & C. This Phase will contain a total of 100 units (x67 private sale units and

x33 shared ownership units), the health centre and the commercial units.

102. Phase 3 will deliver x64 units within Blocks F & G (x29 private sale, x34 shared ownership, and x1 social rent) following the demolition of 34 to 57 Peel Precinct.
103. Phase 4 involves the demolition of 97-112 Carlton House and the construction of Block D. a total of 106 units are provided (x85 private sale, x18 shared ownership, and x3 social rent).

Equalities

104. 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).

Conclusions

105. Having regard to all of the above, it is considered that planning permission should be granted in line with the recommendation set out at the start of this report for the following reasons:
1. The proposed development would contribute to increasing Brent and London's supply of housing, including Affordable Housing, having regard to Policies 3.3, 3.4 & 3.14 of The London Plan, Core Policies 1, 2, 6, 18 & 21 of the Core Strategy, DMP Policies 1 & 15 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
 2. The proposed development by virtue of the non-residential uses proposed, will contribute to the health and wellbeing of residents and the vitality and viability of South Kilburn, having regard to Policies 2.14, 3.2, 3.16, 3.17, 4.1, 4.3, 4.8 of the London Plan, Core Policy 9 of the Core Strategy, Policy DMP2 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework
 3. The proposed development, due to its design, size, scale and siting, does not unduly detract from the character and appearance of the street scene or the surrounding area having regard to Policies 3.5, 7.1, 7.4 & 7.6 of the London Plan Policy, Core Policies 5, 6 & 17, DMP Policies 1 & 19 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
 4. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage assets and their significance as set out above. It is considered that the development proposal will not lead to any harm to those assets having regard to Policy 7.8 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
 5. The proposed development, due to its siting does not unduly impact on the existing amenities of the occupiers of nearby properties in terms of loss of light, outlook, privacy, overlooking, and overshadowing. In this respect complies with Policy 7.6 of the London Plan, Core Policy 17, DMP Policy 1 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
 6. The proposed development, by virtue of its internal and external design, is considered to provide a high quality level of accommodation for future occupiers, having regard to Policies 3.5, 3.6, 3.7, 3.8, 7.1, 7.2, 7.5, 7.6, 7.14 & 7.15 of the London Plan, Core Policy 6 of the Core Strategy, DMP 1, 18 & 19 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
 7. Having regard to conditions attached to this permission, the proposal makes appropriate provision for servicing, access, parking, including cycle parking and visibility splays, and in this respect complies with Policies 6.3, 6.9, 6.12 & 6.13 of the London Plan, DMP Policies 11 & 12 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

8. The proposed development, by virtue of measures proposed and conditions imposed, will contribute to the mitigation of and adaptation to climate change, having regard to Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10, 5.12, 5.13 & 5.15 of the London Plan, Core Policies 20, 32 and 36, DMP Policies 8, 9a & 9b of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

S106 DETAILS

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

1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
2. Notice of Commencement of works
3. Undertake to not implement Phases 2 and 3 of Permission 1
4. Notify the Council on sale of proportions of private sale units
5. The securing of the affordable units
6. Post implementation viability review
7. To not occupy more than 67% of the private sale units until a Health Centre Lease with local GP Practices has been entered into
8. Public realm and highways works through the submission of a Public Realm Delivery Programme and entering into s38/278 Agreements
9. Training and employment
10. Submission of Framework Travel Plan, Health Centre Travel Plan and Residential Travel Plan
11. Carbon offsetting
 - a. Contribution of £428,400 towards a local carbon off-setting scheme to achieve a zero carbon development
12. Restriction of access to parking permits for residents in Blocks A, B, C, D, F, G
13. Submission of Public Access Plan, Public Access Delivery Plan, and Public Access Management Plan

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

CIL DETAILS

This application is liable to pay **£3,294,146.83** * 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): 1881 sq. m.

Total amount of floorspace on completion (G): 4210 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	4210		2329	£200.00	£0.00	£694,541.07	£0.00
(Mayoral) Dwelling houses	4210		2329	£0.00	£60.00	£0.00	£141,006.53
(Brent) Dwelling houses	7332		6470.05	£200.00	£0.00	£1,929,459.86	£0.00
(Brent) Shops	840.3		741.51	£40.00	£0.00	£44,226.00	£0.00
(Brent)	1374.9		1213.27	£0.00	£0.00	£0.00	£0.00

Non-residential institutions							
(Brent) Assembly and leisure	804.9		710.28	£5.00	£0.00	£5,295.36	£0.00
(Mayoral) Dwelling houses	7332		6470.05	£0.00	£60.00	£0.00	£391,721.16
(Mayoral) Shops	840.3		741.51	£0.00	£60.00	£0.00	£44,894.07
(Mayoral) Non-residential institutions	1374.9		1213.27	£0.00	£0.00	£0.00	£0.00
(Mayoral) Assembly and leisure	804.9		710.28	£0.00	£60.00	£0.00	£43,002.78

BCIS figure for year in which the charging schedule took effect (Ic) BCIS figure for year in which the planning permission was granted (Ip) TOTAL CHARGEABLE AMOUNT	224224	331331
	334	
	£694,541.07£1,978,981.22	£141,006.53£479,618.01

*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: 19/3259

To: Countryside Properties
(c/o Turley, Agent)

I refer to your application dated **11/09/2019** proposing the following:

Full planning application for a phased development for the demolition of 2 Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of seven buildings (A to G) ranging between 5 and 16 storeys, plus part basement, comprising private sale residential units (Use Class C3), shared ownership residential units (Use Class C3), social rented residential units (Use Class C3); new health centre (Use Class D1), new gym (Use Class D2), flexible use class within retail and commercial units (Use Class A1/A3/B1) at ground floor, associated landscaping, highways and public realm improvements (including new public space and market square), private open space, associated car parking, cycle parking and servicing provision.

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

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

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

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

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

- 2 No development or phase of development (as set out in condition 5 of this permission) shall be commenced until an agreement under section 106 of the Town and Country Planning Act 1990 (and any other necessary enabling powers) substantially in the form submitted and entitled "Section 106 Agreement - Engrossment Version" has been entered into by all parties holding an interest in the land subject to the development or phase of development save for statutory undertakers and other de minimis interests.

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

- 3 No development of any Phase of the development (other than the first phase) shall be commenced until a confirmatory deed substantially in the form annexed to the "Section 106 Agreement - Engrossment Version" has been entered into by all parties holding an interest in the land comprised in that Phase save for statutory undertakers and other de minimis interests confirming that the land in that Phase is bound by the section 106 agreement entered into under condition 1 of this planning permission.

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

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

PSK-CGL-000010 Rev.P1	LOCATION PLAN
PSK-CGL-000011 Rev.P4	SITE PLAN - EXISTING
PSK-CGL-000013 Rev.P3	CONSENTED & PROPOSED PLAN
PSK-CGL-000017 Rev.P-	PUBLIC ACCESS PLAN
PSK-CGL-051000 Rev.P15	BLOCK ABC BASMENT PLAN
PSK-CGL-051001 Rev.P20	BLOCK ABC GROUND FLOOR PLAN
PSK-CGL-051002 Rev.P16	BLOCK ABC FIRST FLOOR PLAN
PSK-CGL-051003 Rev.P17	BLOCK ABC SECOND FLOOR PLAN
PSK-CGL-051004 Rev.P16	BLOCK ABC THIRD FLOOR PLAN
PSK-CGL-051005 Rev.P14	BLOCK ABC FOURTH FLOOR PLAN
PSK-CGL-051006 Rev.P14	BLOCK ABC FIFTH FLOOR PLAN
PSK-CGL-051007 Rev.P14	BLOCK ABC SIXTH FLOOR PLAN
PSK-CGL-051008 Rev.P16	BLOCK ABC SEVENTH FLOOR PLAN
PSK-CGL-051009 Rev.P14	BLOCK ABC EIGHTH FLOOR PLAN
PSK-CGL-051010 Rev.P14	BLOCK ABC NINTH FLOOR PLAN
PSK-CGL-051011 Rev.P15	BLOCK ABC TENTH FLOOR PLAN
PSK-CGL-051012 Rev.P15	BLOCK ABC ELEVENTH FLOOR PLAN
PSK-CGL-051013 Rev.P14	BLOCK ABC TWELFTH FLOOR PLAN
PSK-CGL-051014 Rev.P14	BLOCK ABC THIRTEENTH FLOOR PLAN
PSK-CGL-051015 Rev.P14	BLOCK ABC FOURTEENTH FLOOR PLAN
PSK-CGL-051016 Rev.P14	BLOCK ABC FIFTEENTH FLOOR PLAN
PSK-CGL-051017 Rev.P15	BLOCK ABC SIXTEENTH FLOOR PLAN

PSK-CGL-051018 Rev.P15	BLOCK ABC ROOF PLAN
PSK-CGL-051900 Rev.P10	UNIT TYPE A1.PR - 1B2P - BLOCK ABC
PSK-CGL-051901 Rev.P5	UNIT TYPE A1.SO - 1B2P - BLOCK ABC
PSK-CGL-051902 Rev.P9	UNIT TYPE A2.PR - 2B4P BLOCK ABC
PSK-CGL-051903 Rev.P5	UNIT TYPE B3.PR - 1B2P - BLOCK ABC
PSK-CGL-051904 Rev.P5	UNIT TYPE B1.PR - 1B2P - BLOCK ABC
PSK-CGL-051905 Rev.P4	UNIT TYPE B1.SO - 1B2P - BLOCK ABC
PSK-CGL-051906 Rev.P5	UNIT TYPE B2.PR - 1B2P BLOCK ABC
PSK-CGL-051907 Rev.P9	UNIT TYPE C2.PR - 1B1P - BLK ABC
PSK-CGL-051908 Rev.P8	UNIT TYPE C1.PR - 1B1P BLOCK ABC
PSK-CGL-051909 Rev.P4	BLOCK ABC UNIT TYPE C2.SO - 1B1P - BLOCK ABC
PSK-CGL-051910 Rev.P5	UNIT TYPE C3.PR - 1B2P BLOCK ABC
PSK-CGL-051911 Rev.P4	UNIT TYPE C3.SO - 1B2P BLOCK ABC
PSK-CGL-051912 Rev.P9	UNIT TYPE C4.PR - 2B4P BLK ABC
PSK-CGL-051913 Rev.P4	UNIT TYPE C4.SO - 2B4P BLOCK ABC
PSK-CGL-051914 Rev.P5	UNIT TYPE C5.PR - 2B4P BLOCK ABC
PSK-CGL-051915 Rev.P4	UNIT TYPE C5.SO - 2B4P BLOCK ABC
PSK-CGL-052000 Rev.P15	BLOCK D GA PLAN GROUND FLOOR
PSK-CGL-052000 Rev.P18	BLOCK D GROUND FLOOR
PSK-CGL-052001 Rev.P16	BLOCK D GA PLAN FIRST FLOOR
PSK-CGL-052002 Rev.P15	BLOCK D GA PLAN SECOND FLOOR
PSK-CGL-052003 Rev.P14	BLOCK D GA PLAN THIRD FLOOR
PSK-CGL-052004 Rev.P14	BLOCK D GA PLAN FOURTH FLOOR
PSK-CGL-052005 Rev.P14	BLOCK D GA PLAN FIFTH FLOOR
PSK-CGL-052006 Rev.P14	BLOCK D GA PLAN SIXTH FLOOR
PSK-CGL-052007 Rev.P14	BLOCK D GA PLAN SEVENTH FLOOR
PSK-CGL-052008 Rev.P15	BLOCK D GA PLAN EIGHTH FLOOR
PSK-CGL-052009 Rev.P15	BLOCK D GA PLAN NINTH FLOOR
PSK-CGL-052010 Rev.P15	BLOCK D GA PLAN TENTH FLOOR
PSK-CGL-052011 Rev.P15	BLOCK D GA PLAN ROOF PLAN
PSK-CGL-052900 Rev.P9	BLOCK D UNIT TYPE D1.PR - 1B2P
PSK-CGL-052901 Rev.P4	BLOCK D UNIT TYPE D2.PR - 1B2P
PSK-CGL-052902 Rev.P4	BLOCK D UNIT TYPE D3.PR - 1B2P
PSK-CGL-052903 Rev.P3	BLOCK D UNIT TYPE D1.SO - 1B2P
PSK-CGL-052904 Rev.P4	BLOCK D UNIT TYPE D4.PR - 1B2P
PSK-CGL-052905 Rev.P8	BLOCK D UNIT TYPE D7.PR - 2B3P
PSK-CGL-052906 Rev.P4	BLOCK D UNIT TYPE D6.PR - 1B2P ACCESSIBLE
PSK-CGL-052907 Rev.P4	BLOCK D UNIT TYPE D8.PR - 2B3P
PSK-CGL-052908 Rev.P4	BLOCK D UNIT TYPE D9.PR - 2B3P
PSK-CGL-052909 Rev.P4	BLOCK D UNIT TYPE D5.PR - 1B2P
PSK-CGL-052910 Rev.P7	BLOCK D UNIT TYPE D12.SO - 2B4P
PSK-CGL-052911 Rev.P4	BLOCK D UNIT TYPE D11.PR - 2B4P
PSK-CGL-052912 Rev.P8	BLOCK D UNIT TYPE D12.PR - 2B4P
PSK-CGL-052913 Rev.P3	BLOCK D UNIT TYPE D7.SO - 2B3P
PSK-CGL-052914 Rev.P4	BLOCK D UNIT TYPE D13.PR - 2B4P
PSK-CGL-052915 Rev.P4	BLOCK D UNIT TYPE D14.PR - 2B4P
PSK-CGL-052916 Rev.P3	BLOCK D UNIT TYPE D6.SO - 1B2P
PSK-CGL-052917 Rev.P4	BLOCK D UNIT TYPE D10.PR - 3B5P
PSK-CGL-052918 Rev.P3	BLOCK D UNIT TYPE D11.SO - 2B4P
PSK-CGL-052919 Rev.P5	BLOCK D UNIT TYPE D18.PR - 3B5P
PSK-CGL-052920 Rev.P4	BLOCK D UNIT TYPE D20.PR - 3B5P
PSK-CGL-052921 Rev.P7	BLOCK D UNIT TYPE D21.SR - 3B5P ACCESSIBLE
PSK-CGL-052922 Rev.P3	BLOCK D UNIT TYPE D14.SO - 2B4P
PSK-CGL-052923 Rev.P4	BLOCK D UNIT TYPE D15.PR - 2B4P
PSK-CGL-052924 Rev.P4	BLOCK D UNIT TYPE D16.PR - 2B4P
PSK-CGL-052925 Rev.P4	BLOCK D UNIT TYPE D17.PR - 3B5P
PSK-CGL-052926 Rev.P4	BLOCK D UNIT TYPE D19.PR - 3B5P
PSK-CGL-052927 Rev.P3	BLOCK D UNIT TYPE D23.SR - 3B5P ACCESSIBLE
PSK-CGL-052928 Rev.P4	BLOCK D UNIT TYPE D24.PR - 3B5P ACCESSIBLE
PSK-CGL-052929 Rev.P2	BLOCK D UNIT TYPE D25.PR - 3B5P ACCESSIBLE
PSK-CGL-052930 Rev.P1	BLOCK D UNIT TYPE D21.PR - 3B5P ACCESSIBLE
PSK-CGL-054000 Rev.P23	BLOCK FG GROUND FLOOR
PSK-CGL-054001 Rev.P18	BLOCK FG GA PLAN FIRST FLOOR

PSK-CGL-054002 Rev.P17	BLOCK FG GA PLAN SECOND FLOOR
PSK-CGL-054003 Rev.P16	BLOCK FG GA PLAN THIRD FLOOR
PSK-CGL-054004 Rev.P17	BLOCK FG GA PLAN FOURTH FLOOR
PSK-CGL-054005 Rev.P17	BLOCK FG GA PLAN FIFTH FLOOR
PSK-CGL-054006 Rev.P18	BLOCK FG GA PLAN SIXTH FLOOR
PSK-CGL-054007 Rev.P16	BLOCK FG GA PLAN SEVENTH FLOOR
PSK-CGL-054008 Rev.P16	BLOCK FG GA PLAN ROOF PLAN
PSK-CGL-054900 Rev.P8	BLOCK FG UNIT TYPE F1.PR - 1B2P ACCESSIBLE
PSK-CGL-054901 Rev.P8	BLOCK FG UNIT TYPE F2.PR - 1B2P ACCESSIBLE
PSK-CGL-054902 Rev.P4	BLOCK FG UNIT TYPE F3.SO - 2B4P
PSK-CGL-054903 Rev.P8	BLOCK FG UNIT TYPE F4.PR - 2B4P ACCESSIBLE
PSK-CGL-054904 Rev.P6	BLOCK FG UNIT TYPE F5.PR - 3B5P
PSK-CGL-054905 Rev.P6	BLOCK FG UNIT TYPE G1.PR - 1B2P
PSK-CGL-054906 Rev.P5	BLOCK FG UNIT TYPE G1.SO - 1B2P
PSK-CGL-054907 Rev.P5	BLOCK FG UNIT TYPE G2.PR - 1B2P
PSK-CGL-054908 Rev.P4	BLOCK FG UNIT TYPE G2.SO - 1B2P
PSK-CGL-054909 Rev.P3	BLOCK FG UNIT TYPE G3.SO - 1B2P
PSK-CGL-054910 Rev.P4	BLOCK FG UNIT TYPE G4.SO - 2B4P
PSK-CGL-054911 Rev.P9	BLOCK FG UNIT TYPE G4.PR - 2B4P
PSK-CGL-054912 Rev.P5	BLOCK FG UNIT TYPE G5.PR - 2B4P
PSK-CGL-054913 Rev.P4	BLOCK FG UNIT TYPE G5.SO - 2B4P
PSK-CGL-054914 Rev.P5	BLOCK FG UNIT TYPE G6.PR - 2B4P
PSK-CGL-054915 Rev.P4	BLOCK FG UNIT TYPE G6.SO - 2B4P
PSK-CGL-054916 Rev.P5	BLOCK FG UNIT TYPE G7.PR - 3B5P
PSK-CGL-054917 Rev.P7	BLOCK FG UNIT TYPE G8.SR - 3B5P ACCESSIBLE
PSK-CGL-060000 Rev.P12	BLOCK ABC SECTION A-A
PSK-CGL-060001 Rev.P11	BLOCK A SECTION B-B
PSK-CGL-060002 Rev.P11	BLOCK BC SECTION C-C
PSK-CGL-060003 Rev.P12	BLOCK A SECTION D-D
PSK-CGL-060004 Rev.P12	BLOCK BC SECTION E-E & F-F
PSK-CGL-061100 Rev.P15	BLOCK ABC ELEVATION EAST ELEVATION
PSK-CGL-061101 Rev.P13	BLOCK ABC ELEVATION NORTH ELEVATION
PSK-CGL-061102 Rev.P14	BLOCK ABC ELEVATION SOUTH ELEVATION
PSK-CGL-061103 Rev.P13	BLOCK ABC ELEVATION WEST ELEVATION
PSK-CGL-061200 Rev.P3	BLOCK ABC ELEVATION EAST ELEVATION - MATERIAL
PALETTE	
PSK-CGL-061201 Rev.P2	BLOCK ABC ELEVATION NORTH ELEVATION - MATERIAL
PALETTE	
PSK-CGL-061202 Rev.P2	BLOCK ABC ELEVATION SOUTH ELEVATION - MATERIAL
PALETTE	
PSK-CGL-061203 Rev.P2	BLOCK ABC ELEVATION WEST ELEVATION - MATERIAL
PALETTE	
PSK-CGL-062001 Rev.P11	BLOCK D SECTION A-A
PSK-CGL-062002 Rev.P11	BLOCK D SECTION B-B
PSK-CGL-062101 Rev.P13	BLOCK D ELEVATION SOUTH WEST ELEVATION
PSK-CGL-062102 Rev.P12	BLOCK D ELEVATION NORTH WEST ELEVATION
PSK-CGL-062103 Rev.P12	BLOCK D ELEVATION NORTH EAST ELEVATION
PSK-CGL-062105 Rev.P12	BLOCK D ELEVATION SOUTH EAST ELEVATION
PSK-CGL-062201 Rev.P2	BLOCK D ELEVATION SOUTH WEST ELEVATION -
MATERIAL PALETTE	
PSK-CGL-062202 Rev.P2	BLOCK D ELEVATION NORTH WEST ELEVATION -
MATERIAL PALETTE	
PSK-CGL-062203 Rev.P2	BLOCK D ELEVATION NORTH EAST ELEVATION -
MATERIAL PALETTE	
PSK-CGL-062204 Rev.P2	BLOCK D SOUTH EAST ELEVATION - MATERIAL PALETTE
PSK-CGL-064001 Rev.P11	BLOCK FG SECTION A-A
PSK-CGL-064002 Rev.P12	BLOCK FG SECTION B-B
PSK-CGL-064003 Rev.P11	BLOCK FG SECTION C-C
PSK-CGL-064010 Rev.P2	FACADE SECTIONS - BUILDING FG
PSK-CGL-064100 Rev.P13	BLOCK FG ELEVATION WEST ELEVATION PUBLIC
SQUARE	
PSK-CGL-064101 Rev.P11	BLOCK FG ELEVATION NORTH ELEVATION PUBLIC
SQUARE	

PSK-CGL-064102 Rev.P11	BLOCK FG ELEVATION WEST ELEVATION
PSK-CGL-064103 Rev.P12	BLOCK FG ELEVATION SOUTH ELEVATION
PSK-CGL-064104 Rev.P14	BLOCK FG ELEVATION EAST ELEVATION
PSK-CGL-064105 Rev.P14	BLOCK FG ELEVATION NORTH EAST ELEVATION
PSK-CGL-064106 Rev.P13	BLOCK FG ELEVATION NORTH WEST ELEVATION
PSK-CGL-064200 Rev.P5	BLOCK FG ELEVATION WEST ELEVATION PUBLIC
SQUARE	
PSK-CGL-064201 Rev.P3	BLOCK FG ELEVATION NORTH ELEVATION PUBLIC
SQUARE	
PSK-CGL-064202 Rev.P3	BLOCK FG ELEVATION WEST ELEVATION - MATERIAL
PALETTE	
PSK-CGL-064203 Rev.P3	BLOCK FG ELEVATION SOUTH ELEVATION - MATERIAL
PALETTE	
PSK-CGL-064204 Rev.P3	BLOCK FG ELEVATION EAST ELEVATION - MATERIAL
PALETTE	
PSK-CGL-064205 Rev.P5	BLOCK FG ELEVATION NORTH EAST ELEVATION -
MATERIAL PALETTE	
PSK-CGL-680001 Rev.P9	BLOCK ABC PROPOSED GROUND FLOOR PLAN - FIRE
STRATGEY	
PSK-CGL-682000 Rev.P8	BLOCK D PROPOSED GROUND FLOOR PLAN - FIRE
STRATEGY	
PSK-CGL-684000 Rev.P10	BLOCK FG PROPOSED GROUND FLOOR PLAN - FIRE
STRATEGY	
PSK-CGL-684001 Rev.P9	BLOCK FG PROPOSED FIRST FLOOR PLAN - FIRE
STRATEGY	
PSK-CGL-684002 Rev.P9	BLOCK FG PROPOSED SECOND FLOOR PLAN - FIRE
STRATEGY	
PSK-CGL-684003 Rev.P8	BLOCK FG PROPOSED THIRD FLOOR PLAN - FIRE
STRATEGY	
PSK-CGL-684004 Rev.P9	BLOCK FG PROPOSED FOURTH FLOOR PLAN - FIRE
STRATEGY	
PSK-CGL-684005 Rev.P7	BLOCK FG PROPOSED FIFTH FLOOR PLAN - FIRE
STRATEGY	
PSK-CGL-684006 Rev.P9	BLOCK FG PROPOSED SIXTH FLOOR PLAN - FIRE
STRATEGY	
PSK-CGL-910000 REV.P6	POSTAL/SERVICING STRATEGY
PSK-CGL-920000 Rev.P6	ACCESS STRATEGY
PSK-CGL-930000 REV.P3	FIRE STRATEGY
PSK-CGL-940000 REV.P5	REFUSE STRATEGY
PSK-CGL-950000 Rev.P5	CYCLE STRATEGY
PSK-CGL-961001 Rev.P4	BLOCK ABC AMENITY SCHEDULE
PSK-CGL-962002 Rev.P4	BLOCK D SCHEDULE AMENITY SCHEDULE
PSK-CGL-964002 Rev.P4	BLOCK FG SCHEDULE AMENITY SCHEDULE
PSK-CGL-PL0000 REV.P10	PROPOSED SITE PLAN
PSK-CGL-PL0001 Rev.P4	SITE PLAN GA LOWER GROUND FLOOR
PSK-CGL-PL0002 Rev.P13	SITE PLAN GA-GROUND FLOOR
PSK-CGL-PL0003 Rev.P7	SITE PLAN GA-FIRST FLOOR
PSK-CGL-PL0004 Rev.P7	SITE PLAN GA-SECOND FLOOR
PSK-CGL-PL0005 Rev.P8	SITE PLAN GA-THIRD FLOOR
PSK-CGL-PL0006 Rev.P7	SITE PLAN GA-FOURTH FLOOR
PSK-CGL-PL0007 Rev.P6	SITE PLAN GA-FIFTH FLOOR
PSK-CGL-PL0008 Rev.P7	SITE PLAN GA-SIXTH FLOOR
PSK-CGL-PL0009 Rev.P5	SITE PLAN GA-SEVENTH FLOOR
PSK-CGL-PL0010 Rev.P6	SITE PLAN GA-EIGHTH FLOOR
PSK-CGL-PL0011 Rev.P5	SITE PLAN GA-NINTH FLOOR
PSK-CGL-PL0012 Rev.P5	SITE PLAN GA-TENTH FLOOR
PSK-CGL-PL0013 Rev.P5	SITE PLAN GA-ELEVENTH FLOOR
PSK-CGL-PL0014 Rev.P5	SITE PLAN GA-TWELTH FLOOR
PSK-CGL-PL0015 Rev.P4	SITE PLAN GA-THIRTEENTH FLOOR
PSK-CGL-PL0016 Rev.P4	SITE PLAN GA-FOURTEENTH FLOOR
PSK-CGL-PL0017 Rev.P4	SITE PLAN GA-FIFTEENTH FLOOR
PSK-CGL-PL0018 Rev.P5	SITE PLAN GA-SIXTEENTH FLOOR
PSK-CGL-PL0020 Rev.P3	SITE SECTIONAL ELEVATIONS SHEET 1 OF 2

PSK-CGL-PL0021 Rev.P3	SITE SECTIONAL ELEVATIONS SHEET 2 OF 2
L-100 REV.P08	LANDSCAPE GENERAL ARRANGEMENT PLAN - GROUND FLOOR PLAN
L-110	LANDSCAPE GA PLAN - ROOF LEVELS
L-120	ILLUSTRATIVE LANDSCAPE MASTERPLAN
View 05A	Block F CGI
View 05A	Block F CGI Option Without Tree
View 05A	Block F CGI Option With Tree

AIR QUALITY ASSESSMENT
 BASEMENT CONSTRUCTION METHODOLOGY REPORT
 COVER LETTER
 DAYLIGHT AND SUNLIGHT REPORT 62482/16/DTO/SMM/CS
 DESIGN & ACCESS STATEMENT
 DRAWING ISSUE REGISTER
 ECONOMIC STATEMENT
 ENERGY STRATEGY
 FIRE STRATEGY REPORT ISSUE 3
 FLOOD RISK ASSESSMENT AND SUDS STRATEGY REPORT
 GIA COMPARISON SUMMARY
 GROUND INVESTIGATION
 HERITAGE TOWNSCAPE AND VISUAL IMPACT APPRAISAL
 LANDSCAPE DESIGN REPORT OUT-551-D-001 REV.9
 NOISE AND VIBRATION ASSESSMENT
 PLANNING STATEMENT
 PRELIMINARY ECOLOGICAL APPRAISAL
 SCHEDULE OF CHANGES
 STRUCTURAL AND CIVIL ENGINEERS REPORT - RIBA STAGE 3
 SUSTAINABILITY STATEMENT
 TRANSPORT STATEMENT
 TRAVEL PLAN
 TREE SURVEY AND CONSTRAINTS PLAN
 TREE SURVEY SCHEDULE
 UTILITIES STATEMENT
 VENTILATION STATEMENT
 WIND DESIGN NOTE

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

- 5 The development hereby permitted shall be carried out in the following Phasing Plan unless an alternative Phasing Plan is approved in writing by the Local Planning Authority pursuant to this condition:
- (i) Phase 1: Demolition of former Local Authority office unit and 16-24 & 25-33 Peel Precinct and erection of Block E and associated landscaping, private open space, associated car parking, cycle parking and servicing provision
 - (ii) Phase 2: Demolition of 1-7 & 15 Peel Precinct and 8-14 Neville Close and erection of Blocks A, B and C and associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision
 - (iii) Phase 3: Demolition of 34-57 Peel Precinct and erection of Blocks F & G and associated landscaping, private open space, highways and public realm improvements, cycle parking and servicing provision.
 - (iv) Phase 4: Demolition of 34-57 Peel Precinct, 97-112 Carlton House and remaining structures within the application site and erection of Block D and associated landscaping, private open space, associated car parking, cycle parking and servicing provision

Reason: In the interests of clarity and proper planning

- 6 The development shall provide the 85 shared ownership units and 42 social rented units (Class C3), as shown on the consented plans, in the following mix:
- Social Rented accommodation: 11 x 1 bedroom, 12 x 2-bedroom, 15 x 3-bedroom and 4 x

- 4-bedroom;
- Shared Ownership: 3x studio, 39 x 1-bedroom and 43 x 2-bedroom.

Reason: To ensure an appropriate mix of units having regard to the identified affordable housing needs of the Borough

- 7 The development shall provide 181 private sale units (Class C3), as shown on the consented plans, in the following mix: 18 x studio, 60x 1-bed, 60x 2-bed, 43x 3-bed.

Reason: To ensure an appropriate mix of units having regard to the identified housing needs of the Borough.

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

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

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the units identified on Drawing Nos.PSK-CGL-PL0002 Rev.P13, PSK-CGL-PL0003 Rev.P7, PSK-CGL-051001 Rev.P20, PSK-CGL-054001 Rev.P18, as "Retail" (including the Pharmacy), and "Flexible Retail" shall only be used for purposes within Use Classes A1/A3/B1 as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To safeguard the amenity of residents, to ensure an appropriate array of uses, and in the interest of ensuring appropriate access and servicing.

- 10 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the elements of the development permitted for "Medical" (Use Class D1) and "Gym" (Use Class D2) shall only be used for those purposes respectively and shall not be used for any other purpose within Use Classes D1 and D2 as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: in order to ensure that the uses have an acceptable impact on residential amenity and the surrounding highway network

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

- (i) the approved number of car parking spaces as shown on the approved plans which shall include the provision of at least 20% active and 20% passive electric vehicle charging points, and
- (ii) provision of disabled parking spaces as shown on the approved plans

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

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

- 12 The doors to the Health Centre on the Neville Close facade including entrance doors and refuse storage doors shall open inwards, unless for fire escape or operational reasons this is not feasible.

Reason: to prevent obstruction of the highway.

- 13 Prior to a Material Start on the relevant part of the Development being made, the developer

shall join, and for the period of construction, adhere to the requirements of the Considerate Constructors Scheme for the relevant part of the Development.

Reason: To ensure that throughout the construction process, appropriate regard is given to protecting neighbour amenity and the natural environment

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

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

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

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

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

- 15 No works at all including site clearance or demolition shall commence for each Phase of the development until a Construction Environmental Management Plan (CEMP) for the relevant Phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors including:

- (i) Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
- (ii) Working Hours: Standard construction hours (e.g. Monday to Friday 08:00 to 18:00 hours, Saturday 08:00 to 13:00 hours, with no working on Sundays or Bank Holidays);
- (iii) Access Routes: Routing construction traffic away from NSRs.
- (iv) Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
- (v) Screening: The use of site hoardings, enclosures, portable screens and/or screening nosier items of plant from NSRs, where reasonably practicable.
- (vi) Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.

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

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

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

- 16 Prior to commencement of a Phase, with the exception of site clearance and demolition, further details of all exterior materials including samples to be provided on site for inspection and/or manufacturer's literature for the relevant Phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

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

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

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

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

- (i) windows, doors, shop fronts and glazing systems including colour samples; and
- (ii) details of where advertisements would be applied notwithstanding that the advertisements themselves would require separate advertisement consent
- (iii) size and siting of any projecting box signs
- (iv) design, siting of any roller shutter (inclusive of the shutter box and guide rails)

At least 50% of the area of the windows on the non-residential frontages shall be kept free from anything that would obscure views through the window including but not limited to applied lettering and screens, posters, screens set behind the windows..

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

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

- 18 On commencement of the relevant Phase, further details of the hard and soft landscaping to serve that Phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include (but are not limited to):
- (i) Walls and fences: Details of proposed walls, fencing and other means of enclosure indicating materials and heights.
 - (ii) Trees: Details for all new tree planting across the site, with all new trees planted at a minimum girth of 12-14cm, with sizes to be agreed in writing.
 - (iii) Planting: Notwithstanding any details of landscape works referred to on the approved plans, a detailed scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes, locations and planting densities). Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the relevant Phase, or in accordance with a programme agreed in writing with the Local Planning Authority.
 - (iv) Physical separation: Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.
 - (v) Mounds existing contours and any alteration of the ground levels, such as earth mounding.
 - (x) Hard landscaping: Details of all areas of hard landscape works and proposed materials.
 - (xi) Cycle parking: Details of all external public cycle parking, including within Peel public square.
 - (vi) Signboards and seating: Other appropriate matters within the context of a landscaping scheme, such as details of signboards, seating, foot ways and other paved pedestrian and vehicle parking areas. Such details to also include further details of the 'PEEL' lettering within the public square
 - (vii) Other details to include: measures to mitigate against adverse wind conditions for those receptors identified as likely to experience adverse wind conditions in the XCO2, Wind Design Note (August 2019) .
 - (viii) A Landscape Management Plan including details of the proposed arrangements for the maintenance of the landscape works.

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

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

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

- 19 (a) Prior to commencement of any works except site clearance and demolition a site wide draft children's play space delivery plan shall be submitted and approved in writing by the Local Planning Authority; and
- (b) Prior to commencement of the relevant Phase detailed children's play space delivery plans to serve that Phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

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

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

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

- 20 On commencement of the relevant Phase, further details of the external lighting to serve that Phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

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

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

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

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

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

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

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

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

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

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

- 23 Prior to the installation of any mechanical plant within the relevant Phase further details of such mechanical plant, including but not limited to refrigeration, air-conditioning, ventilation system, air source heat pumps, combined heat and power units and kitchen extraction systems, to serve that Phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) detail the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
- (ii) details of any ducting in terms of its appearance and siting;
- (iii) demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the

typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and

- (iv) include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (ii)
- (v) include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
- (vi) include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

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

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

- 24 Prior to occupation of the relevant Phase a report which demonstrates that air quality mitigation measures have been complied with for that Phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include evidence that the mitigation measures set out in the approved Air Quality Assessment (XCO2 December 2019) relating to that Phase have been fully implemented and shall be retained for the lifetime of the Development.

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

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

Reason: in the interests of the amenity of local residents

- 26 (i) Prior to the occupation of the relevant Phase a Delivery and Servicing Plan (DSP) to serve that Phase shall be submitted to and approved in writing by the Local Planning Authority.

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

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

- 27 Prior to first occupation of a relevant Phase hereby approved, confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day for the residential elements within the relevant Phase and for the non-residential elements, water meters and leak detection systems, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with policy 5.15 of the London Plan, and DMP9b of the Development Management Policies

- 28 The Combined Heat and Power (CHP) unit installed shall meet or improve upon the emissions standards and technical details described in the Air Quality Impact Assessment (XCO2

December 2019). Prior to the commencement of the use of the CHP unit details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met shall be submitted to and approved in writing by the Local Planning Authority. The CHP unit shall thereafter be maintained in such a way as to ensure that these standards continue to be met.

Reason: To protect local air quality.

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

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

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

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

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

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

- 31 Prior to the commencement of above ground superstructure works for each Phase, but excluding demolition, details for the provision of a communal television system/satellite dish for the relevant Phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved detail.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the locality in general.

- 32 Prior to first use of the Market Square, details for the operational management of the Market Square shall be submitted to and approved in writing by the Local Planning Authority. The Operational Management Plan shall contain details of:

- (a) A site supervisor/supervision of the market stalls, controls and responsibilities
- (b) Litter control measures

- (c) Refuse plans, facilities locations and collection arrangements
- (d) Hours of operation - set up/opening
- (e) Noise control measures
- (f) Stall holder parking

The development shall only be undertaken in accordance with the approved details unless the prior written consent has first been granted by the Local Planning Authority.

Reason: To safeguard the amenity of residents and in the interest of highway safety.

- 33 A. Prior to commencement of above ground works on a Phase (excluding site clearance or demolition works), details of the design, number and siting of bat bricks/tiles and bird bricks/tubes/boxes designed into and around the new building(s) shall be submitted to the Local Planning Authority for approval in writing.
- B. The bricks/tiles/tubes/boxes shall only be fitted under the supervision of a suitably qualified ecologist and confirmation of installation prior to first occupation of the relevant part of the development in accordance with the agreed Phasing Plan together with accompanying photographic evidence shall be submitted to the Local Planning Authority.

Reason: To enhance the ecological value of the site.

- 34 Prior to the commencement of works on the relevant Phase (inclusive of site clearance and demolition), emergence surveys in accordance with the recommendations contained on page 30 of the Preliminary Ecological Survey (June 2019) shall be undertaken and reported on in accordance with the Bat Conservation Trust's "Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition"

Reason: The buildings and tree identified for removal have the potential to support roosting bats and to ensure that the Council fulfils its duties under the Conservation of Habitats and Species Regulations.

- 35 Prior to the commencement of works on the relevant Phase (inclusive of site clearance and demolition), a Methodology Statement for the eradication of invasive species shall be submitted to the Local Planning Authority for approval in writing. The Methodology shall include details of timescales for eradication, and, where the invasive plant species have not been eradicated at the time of commencement of works on the relevant Phase, details of the measures to be put in place to ensure that works do not cause its spread.

Reason: To ensure that biodiversity is not adversely affected by the proposed development through the spread of invasive species such as Japanese knotweed, cotoneaster, false acacia, buddleia, cherry laurel, or any other species listed on the London Invasive Species Initiative (LISI), or on Schedule 9 of the Wildlife and Countryside Act (1981 as amended).

- 36 Prior to commencement of development of the relevant phase/building (as applicable) (except for demolition and site clearance) hereby approved, a BREEAM pre-assessment relating to all non-residential floor space within the development, which targets a rating of 'excellent', or an alternative rating to be agreed in writing by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the Development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time.

- 37 Within the first 6 months of occupation of the commercial floorspace within each building (as applicable), a Post Construction Stage Review BRE Certificate shall be submitted to and approved in writing by the Local Planning Authority. The certificate shall demonstrate that the commercial floor space within the development has achieved BREEAM "Excellent" unless otherwise agreed in writing by the Local Planning Authority. The Development shall be maintained so that it continues to comply for the lifetime of the Development.

Reason: To ensure the Development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant is advised that with respect to Phase 1 (Block E only), the following conditions have been discharged in relation to "Permission 1" (ref: 16/4174) and the development shall only be carried out in accordance with the following discharged conditions unless permission is otherwise agreed in writing by the LPA:
 - Condition 9a (Site Investigation) discharged via application reference 18/4428
 - Condition 9b (Remediation Strategy) discharged via application reference 19/2275
 - Condition 11 (Construction Management Plan) discharged via application reference 18/4426
 - Condition 13 (Materials) discharged via application reference 19/0603
 - Condition 15 (Landscaping) discharged via application reference 19/2372
 - Condition 17 (external lighting) discharged via application reference 19/2438
 - Condition 19 (Drainage Strategy) discharged via application reference 18/4848
 - Condition 21 (Vehicular Crossover) discharged via application reference 19/0244
 - Condition 24 (Delivery & Servicing Plan) discharged via application reference 19/2350
 - Condition 29 (Tree Protection) discharged via application reference 19/0410
- 3 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to your duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 4 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 5 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 The applicant is reminded that nesting birds are protected under the Wildlife & Countryside Act, 1981 (as amended). All buildings and areas of trees, hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development approved, should only be cleared outside of the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the buildings and vegetation to be removed immediately prior to clearance and advise whether nesting birds are present.
- 8 The applicant is reminded to ensure that the appropriate Licenses have been granted for food and alcohol.
- 9 The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the

details of the piling method statement.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166