

Agenda Item 03

Supplementary Information

Planning Committee on 29 March, 2021 Case No.

20/0700

Location	Land adjacent to Northwick Park Hospital, Nightingale Avenue, London, HA1
Description	<p>Outline planning permission (with all matters reserved apart from the means of access) for demolition of existing buildings on site and provision of up to 1,600 homes and up to 51,749 sqm (GIA) of new land use floorspace within a series of buildings, with the maximum quantum as follows:</p> <ul style="list-style-type: none">-(Use Class C3) Residential: up to 1,600 homes;-up to 50,150m² floor space (GIA) of new student facilities including Student Accommodation, Teaching facilities, Sports facilities, and ancillary retail and commercial (Use Class A1, A2, A3)-up to 412sqm floorspace (GIA) of a replacement nursery (Use Class D1)-up to 1187sqm (GIA) of flexible new retail space (Use Class A1, A2, A3) <p>Together with energy centre, hard and soft landscaping, open space and associated highways improvements and infrastructure works</p> <p>This application is subject to an Environmental Statement</p>

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The applicants have drawn attention to the following points:

Recommendations section of report

Planning obligation No 10: "Hospital Energy Centre (LPA ref 20/3152): To be operational prior to commencement of works on Phase 2a" is to be removed from the Heads of Terms. It is not necessary or reasonable to secure this through the consent (if granted) as permission has been granted for the new hospital energy centre and the delivery of this centre is being driven by the NHS. The applicant has also advised that there is a separate lease agreement between the NHS Trust and Network Homes governing this issue. It places requirements on both parties, and obligates the NHS to deliver the new energy centre prior to 2023 with vacant possession of the boiler house facilities in Phase 2a then given to Network Homes.

Further representations received

Representations from Sudbury Court Residents Association were received on 25 March 2021. The following matters were raised:

1. Seeking assurances that developer traffic would not pass through the Sudbury Court Estates.
Officer response: It is not clear whether this refers to construction traffic or vehicle movements by future-occupiers of the development. However, in either case there would be no direct vehicular access into the site from the residential roads to the south of Northwick Park. The only vehicular access into the site would be from Watford Road.
2. Increased traffic and pollution during construction and following completion.
Officer response: The proposal aims to minimise additional traffic from the development by providing low levels of on-site parking. Construction traffic impacts would be managed through the submission and approval of a Construction Logistics Plan. These issues are covered in paragraphs 296 to 303 of the main report.
3. Transport plan is focused on spine road and new north and south access roads, with little mention of impact on Watford Road and surrounding residential areas.
Officer response: Traffic impacts on the wider highway network have been modelled as part of the application and the findings are summarised in paragraphs 297 to 303 of the main report. The proposal includes junction improvements to Watford Road that would improve highway efficiency and reduce traffic flows around Northwick Park roundabout, as noted in paragraphs 258 and 303. The proposal is not expected to impact significantly on neighbouring residential areas that do not provide direct vehicular access into the site.

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4. Ecological impact: loss of 387 trees with no details for replacement tree planting.
Officer response: It is not always possible to avoid the loss of some trees in bringing new developments forward, however Brent's policies allow for these to be compensated for by replacement tree planting of an appropriate scale and nature. The loss of 130 trees on the Hospital ring road has been accepted in the extant consent to construct the new spine road (reference 20/0677) whilst the loss of 44 trees has been accepted in Planning Committee's resolution to grant permission for the detailed application (reference 20/0701), however this is subject to the planting of 208 replacement trees secured by condition, resulting in a net uplift in the number of trees. The remaining 213 trees that would be lost as a result of the later phases of the outline development would also be replaced. Further details of tree planting would be submitted and approved as part of the landscaping scheme required under Condition 33, which requires at least 387 replacement trees to be planted across the outline site. The impact on trees is discussed in paragraphs 184 to 193 of the main report.
5. Ecological impact: removal of trees during bird nesting season and period of bat movement out of hibernation
Officer response: The applicant's Ecology Report recommends a number of precautionary measures to avoid or minimise impacts on protected species and other wildlife in the construction period. These include bat inspections prior to felling of any mature trees, measures to be taken if bats or other protected species are observed, vegetation and building removal to take place outside the bird nesting season or in the presence of an ecologist, and protection of active bird nests. These measures would be secured through a Construction Environmental Management Plan required under Condition 28, and the developer would also be subject to the requirements of protected species legislation. See paragraph 206.
6. Ecological impact: loss of bird and bat populations and other ecological benefits of trees (shelter, food and breeding opportunities for wildlife, clean air) due to loss of trees
Officer response: Although birds were observed on or close to the site, the site overall is very low in suitability for protected and rare bird species or other protected and priority species. No evidence of bat activity or bat roosts was found, and very low numbers of foraging and commuting bats were observed and detected in the area. The tree line along the boundary with Northwick Park would be retained and reinforced by new tree planting, however it is acknowledged that construction work and the removal of some trees near the boundary could result in a temporary loss of and disturbance to habitats, and a financial contribution to ecological enhancements in Northwick Park would be secured as compensation. The proposal would create new habitats of potential ecological value, including rain gardens, and further ecological appraisals would be required post-completion. Ecological impacts are discussed in paragraph 198 to 208 of the main report.
7. Ecological impact: Tree saplings will not compensate for loss of mature tree stock or well established wildlife foraging lines.
Officer response: The proposals for replacement tree planting are expected to include a mixture of semi-mature and younger trees.
8. Further measures requested to reduce increase in pollution and congestion.
Officer response: Traffic generation is covered in paragraphs 296 to 303 and 323 of the main report. Travel Plans would be required, to encourage and reinforce sustainable travel choices by occupiers of the development (see paragraphs 322 and 323). These measures are considered sufficient to minimise additional traffic caused by the development.
9. Details of plans to reduce congestion and pollution in surrounding roads requested, including Watford Road and Sudbury Court Estate.
Officer response: As set out in paragraph 303 of the main report, the proposals are expected to reduce congestion, and consequently pollution, on Watford Road. The proposal is unlikely to directly impact on Sudbury Court Estate, as there is no direct vehicular access. An Active Travel Zone Assessment was carried out by the applicants, identifying barriers to sustainable travel choices in the wider area, and this is summarised in paragraphs 324 to 326 of the main report.
10. Further details requested of how bat survey was carried out in line with current best practice.
Officer response: These details are set out in the Environmental Statement Volume 3: Appendix: Ecology, which is available on the Council's website. A bat assessment was carried out by an experienced and licensed ecologist, following English Nature Bat Mitigation Guidelines (2004) and Bat Conservation Trust Best Practice Guidelines (2016). The document sets out equipment used, inspection methods, and an assessment of the bat roosting potential of all buildings, trees and habitats on site. Some trees were identified as having moderate and above bat roosting potential, and the Social Club building as having low bat potential. Further surveys were carried out, comprising four dusk emergence / activity surveys and two dawn

re-entry / activity surveys in various locations around the site with potential for roosting, foraging or commuting. No evidence of bat activity was observed and no bat roosts were discovered. Ecological impacts are covered in paragraphs 198 to 208 of the main report.

11. Further details of replacement tree planting as soon as available.

Officer response: Further details of replacement tree planting would be secured under Condition 33.

12. Queries regarding use of £200,000 contribution to Controlled Parking Zones

Officer response: This funding is available solely for the implementation of a Controlled Parking Zone in the surrounding streets, including consultation and implementation. It cannot be used to make other improvements to the area. The extent of the CPZ would be subject to consultation undertaken at the time by Highways Service.

Affordable housing and housing mix section of report

Paragraph 76 of the committee report notes that the Council's independent assessor, BNP Paribas, have reached the same overarching conclusion as the applicant's viability consultants DS2, namely that the proposed affordable housing offer is the maximum reasonable amount that can be viably supported. The scheme has also been undergoing review by the GLA Viability Team, and their initial comments arrive at the same conclusion.

However, there are several areas in which agreement on the precise figures, including the Benchmark Land Value (BLV), has not yet been reached between the three parties. Therefore the BLV stated in paragraph 77 of the committee report is indicative at this stage and subject to further discussion between the parties. For example, Network Homes are committed to not charging Ground Rents, whereas BNP Paribas and the GLA Viability Team have assumed income from Ground Rent. This does not affect the conclusion that the scheme is delivering beyond the maximum reasonable amount of Affordable Housing and is policy compliant with respect to this. However, certain parameters, like BLV, are agreed prior to a consent being issued and captured within the legal agreement where these factors or assumptions are not expected to change between the date of consent and the date of delivery. If these rely on underlying assumptions (such as the approach to ground rents), these can also be captured within the legal agreement where necessary to ensure that the further viability reviews accurately reflect development surplus or deficit. Other factors are not normally specified within the legal agreement as they are tested using updated or real values at the time that the review is undertaken, such as build costs or sales values

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