

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

11 December, 2024
04
24/1804

SITE INFORMATION

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| RECEIVED | 28 June, 2024 |
| WARD | Roundwood |
| PLANNING AREA | Brent Connects Willesden |
| LOCATION | College of North West London Willesden, Dudden Hill Lane, London, NW10 2XD |
| PROPOSAL | <p>Hybrid planning application comprising: Full planning permission for the demolition of existing buildings and structures within 'Phase 1' and all site preparation works, and redevelopment with mixed-use buildings providing residential homes (Use Class C3), flexible commercial, retail and leisure space (Class E), workspace (Use Class E(g)), associated cycle and vehicle parking, new and altered vehicular accesses and other associated highways works, hard and soft landscaping including creation of new and upgrades to existing public open space, and all associated ancillary and engineering works; and</p> <p>Outline planning permission for the demolition of all existing buildings and structures within the rest of the Site, and redevelopment with a series of new mixed-use buildings accommodating residential homes (Use Class C3), flexible commercial, retail, workspace and leisure space (Class E), community space (Use Class F), and flexible nursery/community/medical floorspace (Use Classes F/E(e)/E(f)), associated cycle and vehicle parking, new and altered vehicular accesses and other associated highways works, hard and soft landscaping including creation of new and upgrades to existing public open space, and all associated ancillary and engineering works, with all matters reserved except for means of access.</p> <p><i>Further explanation (not forming part of the formal description of development set out above):</i></p> <p>The proposed development is formed of two phases: Phase 1 is applied for in detail, and includes the construction of 11 new blocks (Blocks C-H, J, K, V, W and Y) to provide 1,076 residential dwellings (Use Class C3), comprising heights of between 4, 5, 10, 11, 15, 17, 22, 24 and 28 storeys (up to 98.5 AODm). The development also proposes 3,354 sqm of flexible retail, commercial and leisure floorspace (Use Class E) (which includes 1,173 sqm of gym floorspace) at lower levels of these blocks.</p> <p>Phase 2 is applied for in outline, and includes the provision of up to 3,500 sqm (GIA) of new land use floorspace within 11 new blocks (Blocks A, B, L-N, and P-U) comprising heights of between 4, 5, 6, 11, 14, 16 and 17 storeys (up to 100.2 AODm), with the maximum quantum as follows:</p> <ul style="list-style-type: none">flexible retail, commercial and leisure floorspace (Use Class E): up to a maximum of 1,500sqmcommunity floorspace (Use Class F): up to a maximum of 1,000sqmnursery or local community/ medical floorspace (Use Class F/E(e)/E(f)): up to a maximum of 1,000sqm,C3 Residential: up to 57,500 sqm (approximately 551 homes). |

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| 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_169398</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 "24/1804" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab |

RECOMMENDATIONS

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

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of commencement 28 days prior to material start
3. Facilitating the delivery of the College's new permanent and purpose-built facility on Olympic Way
4. Provision of 69 affordable housing units, all at a social rent, within Phase 1, and a total of 18% affordable housing provision (on a habitable room basis) with a mix of social and intermediate homes across both phases. In addition, appropriate early, mid and late stage reviews to capture additional affordable housing on site within Phase 2
5. Provision of Community Centre within Phase 2 (including securing delivery of minimum sqm of Community Centre and Community Use Agreement)
6. Provision of publicly-accessible neighbourhood park including a minimum sqm provision
7. Management/ maintenance Dudden Hill Lane and Selbie Avenue POS including a minimum sqm
8. Training and Employment obligations:
 - a) to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
 - b) to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development, in line with Brent's Planning Obligation SPD;
 - c) financial contribution of £649,000 in accordance with Brent's Planning Obligations SPD to Brent Works for job brokerage services
9. S38/S278 highway works under the Highways act 1980 to provide:
 - a) Denzil Road / Cooper Road junction upgrade and new crossing and potential pavement/lighting improvements along route to Dollis Hill station;
 - b) new and restored vehicular crossovers on Dudden Hill Lane and Selbie Avenue
 - c) Other works to be confirmed by the Council's highways officers and TfL.
10. Parking permit restriction to be applied to all new residential units
11. Enhanced travel plan to be submitted, implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents.
12. Financial contribution towards Neasden Station improvements (circa £2.92m) and design/feasibility study for the proposed WLO station to the west of the site (£250k)

13. Contributions to local bus network improvements, as requested by TfL (£ TBC)
14. Submission and approval of Residential, Workplace and Retail Travel Plans for the development.
15. Carbon offset contribution to be paid (estimated to be £518,989 for Phase 1) – or an opportunity to resubmit an improved energy statement and reduce the offset payment.
16. Surveys of television and radio reception in surrounding area, submission of a TV and Radio Reception Impact Assessment, and undertaking to carry out any mitigation works identified within the assessment and agreed;
17. Indexation of contributions in line with inflation
18. Any other planning obligation(s) considered necessary by the Head of Planning

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

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

Conditions

Compliance

1. Three year rule
2. Approved drawings and documents
3. Use restriction of non-residential floorspace
5. Maximum number of residential dwellings
6. Compliance with Flood Risk Assessment and Drainage Strategy
7. Compliance with Preliminary Ecological Appraisal and Biodiversity Impact Assessment
8. Compliance with Construction Environmental Management Plan
9. Compliance with Fire Statement
10. Non Road Mobile Machinery
11. Water efficiency
12. Electric Vehicle Charging Points
13. Communal amenity space for social rent units
14. Revised Car Park Management Plan

Pre-commencement

15. Final Construction Logistics Plan
16. Construction Method Statement
17. Phasing Plan/CIL chargeable development plan

During construction

18. Contaminated land
19. Piling Method Statement
20. District heating network connection
21. Fibre connectivity
22. External materials
23. Design details
24. Microclimate mitigation measures
25. Wheelchair accessible homes

26. Hard and soft landscape works
27. Revised highways drawings
28. External lighting strategy

Pre-occupation

29. Whole Life Carbon Assessment
30. Circular Economy
31. Revised Delivery and Servicing Plan
32. Internal Noise levels
33. Sound insulation levels
34. Development and Infrastructure Plan - Foul Water
35. Plant noise
36. BREEAM requirements


Informatives

1. CIL liability
2. Party wall information
3. Building near boundary information
4. Noise and vibration control
5. Notify highways service of intent to commence works
6. Guidance notes from Thames Water
7. London Living Wage
8. Fire safety advisory note
9. Any other informative(s) considered necessary by the Head of Planning

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

That in the event that the Section 106 Agreement is not completed, that the Head of Planning is delegated authority to refuse the application due to the lack of a completed Section 106 Agreement.

SITE MAP

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|---|---|
|  | Planning Committee Map |
| Brent | Site address: College of North West London Willesden, Dudden Hill Lane, London, NW10 2XD |
| | © Crown copyright and database rights 2011 Ordnance Survey 100025260 |

This map is indicative only.

PROPOSAL IN DETAIL

The proposal is for the demolition of all buildings on the existing CNWL site and the re-development with 23 new blocks, varying in height and mass set within a significant amount of new public realm comprising hard and soft landscaping, play equipment and new walking routes, across two phases. The scheme would deliver a total of 1627 residential homes, Class E mixed commercial space including retail, gym and workspace, a community facility and nursery, as well as improvements to existing public open space on Dudden Hill Green and Selbie Avenue. A breakdown of the proposed floorspace by land use is provided in the table below:

| Land Use | Use Class | Phase 1 | Phase 2 Outline Min. | Phase 2 Outline Max. | Phase 2 Outline Illustrative | Illustrative Site-Wide Total | Maximum Site-Wide Total |
|--|-----------|----------------|----------------------------|----------------------------|------------------------------------|------------------------------------|-------------------------------|
| Residential (including plant / ancillary) | C3 | 100,008 | 47,000 | 57,500 | 52,187 | 152,195 | 157,508 |
| Flexible retail, commercial, and leisure | E | 3,354 | 500 | 1,500 | 974 | 4,328 | 4,854 |
| Community | F | 0 | 500 | 1,000 | 660 | 660 | 1,000 |
| Nursery or local community/ medica€(e | | 0 | 500 | 1,000 | 529 | 529 | 1,000 |
| Total | - | 103,362 | 48,500 | 61,000 | 54,350 | 157,712 | 164,362 |

Looking at the scheme in more detail, the two phases are summarised as follows:

Phase 1

Phase 1 comprises a total of 1076 homes across 11 buildings/ blocks ranging from 4 to 28 storeys.

Buildings C, D and E: These are the high-rise blocks to the northern end of the site, adjacent to the Jubilee/Metropolitan line. Building C is 24 storeys, with a 20-storey shoulder and provides a total of 187 homes for private sale/ rent. Building D is 28 storeys with a 24-storey shoulder, and would provide 223 homes on a Build to Rent basis. Building E, nearest to the eastern edge and sitting on the corner with Dudden Hill Lane, is a maximum of 22 storeys with 18 and 10-storey shoulders, and provides 196 Build to Rent homes. Commercial floorspace, including a restaurant and other Class E spaces, would be located at ground floor of these blocks, as well as cycle/ refuse storage and lobby entrances to the residential blocks. These buildings are joined by a one storey podium providing communal internal amenity at ground floor, and communal external space above between the buildings.

Buildings F and G: These are both 'mid-rise' blocks to the eastern edge of the site, looking onto the Dudden Hill Green open space. These buildings would both be 11 storeys each, and would provide a total of 162 homes for conventional rent/ sale. At ground floor level, commercial space in the form of a retail convenience store and Class E commercial space would be provided. Communal external amenity space would be provided in the form of the communal courtyard which sits to the immediate west of these blocks.

Buildings H, J and K: These are also mid-rise blocks which sit centrally within the site, with Buildings J and K looking onto the main east-west spine road through the site, and Buildings J and K looking onto the new central neighbourhood park which will be fully developed as part of Phase 2. Buildings H, J and K are 15, 17

and 11 storeys respectively, and would provide a total of 239 homes for conventional sale/ rent. Class E commercial floorspace, including a gym within Block H/J, would be provided at ground floor, as well as cycle/ refuse storage and lobby entrances to the residential blocks. Communal external amenity space would be provided in the form of the communal courtyard located to the south and east of these blocks.

Buildings V, W and Y: These are lower-rise blocks which are located to the south of the site, with residential entrances onto Denzil Road. These buildings are between 4 and 5 storeys, providing a total of 69 homes all for Social Rent, and would have access to the communal courtyard to the north of these blocks. A small retail/ Class E unit would be provided on the western edge of Block V at ground floor level, otherwise the ground floor would contain entrances to residential homes and cycle/ refuse storage.

Additionally, part of the central neighbourhood park (approximately 1,005sqm) would be provided in Phase 1, with 14 Blue Badge spaces also located centrally for Phase 1 purposes. Improvements to the Dudden Hill Open Space to the south-east corner of the site would also be provided in Phase 1.

Phase 2

Phase 2 is submitted in outline, with details to be provided at a later stage under Reserved Matters. However maximum parameters have been submitted for Phase 2 development in terms of plot footprints, layout and maximum heights, as well as a minimum and maximum quantum of floorspace for various land uses (as set out in the Table above). This is also supported by a Development Specification and Design Code which have been submitted with the application.

However an illustrative scheme has been submitted, and the details of this are summarised below:

Buildings A and B: These would be located to the north-western part of the site, again adjacent to the railway line. Building A would be 6-storeys, with Building B being a maximum of 17 storeys, with a 14-storey shoulder block. Building A would contain an indicative total of 30 homes, all as Shared Ownership homes, with Building B containing an indicative total of 128 homes, all for private rent/ sale. There would be some Class E commercial floorspace/ workspace at ground floor level, as well as cycle/refuse storage entrances and residential lobby entrances. A communal podium would sit between the two blocks. _ _

Buildings L, M and N: These would be mid-rise blocks sitting centrally within the site, with Blocks L and N looking onto the east-west spine road and Block M looking onto the neighbourhood park. Block N would be a maximum of 14 storeys, providing an indicative 91 homes, and Block L would be a maximum of 16 storeys, providing an indicative 90 homes all as Build to Rent units. Block M would be a maximum of 11 storeys, providing an indicative 67 homes, again as Build to Rent units. Flexible commercial floorspace/ workspace would be provided at ground floor level, with the proposed community use between Blocks M and U looking onto the neighbourhood park.

Buildings P, Q and R: These would be lower-rise blocks to the western edge of site, adjacent to Selbie Avenue and the improved landscaped area of POS. These blocks would be between 5 and 6 storeys, with Blocks P and Q both providing 35 homes each, all of which would be for intermediate sale (Shared Ownership). Building R would provide an indicative 15 homes, all of which would be for Social Rent. The proposed nursery would be located on the south-western corner at ground floor level, otherwise at ground floor would be cycle and refuse stores and residential entrances.

Buildings S, T and U: These would also be lower-rise blocks of between 4 and 5 storeys, with residential entrances facing onto Denzil Road. All three blocks would exclusively contain intermediate (Shared Ownership) homes, with Buildings S and T containing 22 homes each and Building U containing 16 homes. The proposed community use would be partly located on the corner of Block U, otherwise the ground floor would be used for cycle/ refuse storage and residential entrances.

Significant landscaping is proposed throughout the site which is publicly accessible and would also contain areas for play. The landscaped areas have also been designed to form a part of the surface water strategy given that the site is in a flood risk area. The proposal would include 54 Blue Badge parking spaces which would be largely located to the northern edge of the site, partly relocating some of the spaces from phase 1. Cycle parking has been proposed to meet London Plan standards.

EXISTING

The site is occupied by the College of North West London, a further education college (Class F1) which comprises a number of buildings of between three and five storeys in height. The site has a total area of just under 4ha and is located within a predominantly residential area comprising 2-3 storey dwellings, west of Willesden town centre.

In terms of its immediate surroundings, the site is bound to the north by the Jubilee and Metropolitan railway lines, with a Site of Importance for Nature Conservation (SINC) also running along the northern boundary. To the immediate south, there are a few parcels of limited height industrial buildings. To the east, the site is bound by Dudden Hill Lane (A4088) and to the south, by Denzil Road.

The site predominantly has a PTAL rating of 4 across the site, but this rating falls to 3 in the north-west portion. The site lies largely in Flood Zone 1, except for some small portions of the site which are in Flood Zone 3a, with a higher risk of surface water flooding. The site does not fall within or sit adjacent to any Conservation Areas or close to any listed buildings.

There are also areas of public open space - the main one being referred to as Dudden Hill Open Space, which sits to the south east of the campus and is located on the junction of Dudden Hill Lane and Denzil Road, as well as another smaller area of open space on Selbie Avenue. These are included in the red line application site, with improvements being made to these areas as part of the proposals.

SUMMARY OF KEY ISSUES

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

Representations received: Two letters commenting on the scheme were received. Further details of the comments received are discussed within the "consultation section" below.

Principle: The principle of the residential-led mixed use re-development of the site for residential purposes is acceptable, particularly given the site allocation requirements set out in the Neasden Stations Growth Area (NSGA) Masterplan SPD and Policy BEGA1 of the Local Plan. At 1627 homes, the site would provide significantly above the allocation's indicative capacity, but this is considered acceptable given officers conclude the scale, layout and density of the scheme is appropriate. The principle of the 'loss' of the education facility is acceptable given a replacement campus is to be provided in Wembley Park, and there is a commitment to this secured via section 106 agreement. The principle of retail and commercial uses is considered acceptable despite the out-of-town centre location, having been subject to a sequential assessment and retail impact testing. The proposed nursery and community facilities within Phase 2 are appropriate and contribute to meeting the site allocation objectives.

Design, layout and height: The site is located within the Neasden Tall Building Zone. At a maximum of 28 storeys, the tallest blocks would be higher than envisaged by the NSGA SPD. However, officers consider that the applicants have successfully demonstrated a logical and robust approach to the height and massing, with this maximised to the north nearest to the railway line, and steps down nearest to the more suburban, low-rise context. A comprehensive townscape and visual impact assessment has been submitted, which demonstrates that the buildings would meet a number of key criteria covering likely visual, functional and environmental impacts, and therefore meet the requirements of London Plan Policy D9. A development specification and Design Code have been submitted which, after some revision, are considered acceptable to ensure those blocks within Phase 2 (i.e. at outline stage) would be of a high quality.

Affordable Housing: Phase 1 would provide a total of 69 social rent homes (9.3% of the overall provision by habitable room), with Phase 2 proposed to deliver 34.8% affordable housing on a habitable room basis. On a site-wide basis, the scheme would provide 18.1% of affordable housing on a habitable room basis, albeit it is weighted approximately 64:36 in favour of intermediate (Shared Ownership) homes. When viability tested using the standard EUV+ methodology, this level of affordable housing provision would result in a surplus of approximately £6.8 m across the two CNWL sites. However, when taking into account the capital contribution that both this site and the other CNWL site at Crescent House must make in delivering the new college facility in Wembley Park (the delivery of which is a key Local Plan objective), the scheme would result in a significant (£43.2 m) deficit. Given the policy requirement which prevents the release of the two existing college sites unless the new college facility is delivered, and the funding shortfall for the college that needs to

be met through the capital contribution from these sites, officers place significant weight on the role that the funding associated with these sites play in the delivery of the college site. Therefore on balance, the offer of 18.1% affordable housing across this site is considered acceptable.

Unit mix: The proposal also includes 10.6% homes with at least three bedrooms, to be delivered within Phase 1 and an indicative 22.1% within Phase 2, which is acknowledged to be below the BH6 policy target of 1 in 4 homes. However, the proposals do include the provision of 4-bedroom homes within social rented tenure, which the Borough is in particularly acute need of. This, as well as the benefits from providing a significant overall proportion of this family accommodation within the affordable tenure, is considered to outweigh the shortfall in the policy requirement on a site-wide basis.

Quality of residential accommodation: The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers. The flats would have good outlook and light and the blocks within the site achieved good levels of separation distances between them. The amount of external private/communal space does not fully meet Brent's requirements as set out within policy BH13 (20sqm per home). However, the provision of amenity on site has been reasonably maximised for a location such as this and is of sufficient quality and provides a variety of external communal spaces (including new publicly accessible open space) and on-site play, for future occupiers.

Impact on neighbouring properties: The development would have some significant impacts on the neighbouring properties, largely in terms of loss of daylight and there would be some shortfalls against BRE guidelines, in particular to properties on Denzil Road, Selbie Avenue and Oberman Road. However, it should also be noted that BRE guidelines largely relate to a suburban context and in order to achieve the level of affordable housing and other benefits proposed, officers consider that shortfalls against BRE targets are unavoidable, particularly given the Growth Area context.

Transport: The development would be car-free with the exception of blue badge parking, which complies with London and Local Plan policies. Cycle parking has been proposed to meet London Plan standards. Transport for London (TfL) have raised an objection to the proposed loading bay on Dudden Hill Lane, however Brent officers are satisfied it would not harm pedestrian or highways safety following the submission of a Road Safety Audit. Contributions are also sought by TfL towards improvements to Neasden station, the new West London Orbital station, and local bus services. The applicants have stated that the payment of such contributions would compromise the viability of the scheme and ability to provide affordable housing on site, which officers accept although TfL's comments are set out in detail in the report for Members to view. The proposals are considered to be acceptable in relation to the potential transportation impacts subject to the conditions and obligations set out within the recommendation section of this report.

Landscape, ecology, biodiversity and flooding/drainage: There are approximately 88 existing trees on site, which would increase to 379 trees with the majority of these being planted within the new public space and ground floor communal spaces. The site is not within any designated ecological assets but there are SNIC sites in proximity to the site. It is not likely to form habitat for any protected species, given its extensive hard-surfacing and limited green components. A net gain in biodiversity is to be achieved as a result of development, as well as a significant improvement to the Urban Greening Factor score. Flood risk has been assessed, and no objections are raised by Thames Water or by the drainage consultants following submission of revised information. A range of SuDS measures are proposed to address surface water management, with further details of the drainage strategy to be secured by condition(s).

Environmental impact, sustainability and energy: The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, further clarification of some matters is sought by the GLA ahead of a Stage 2 referral. Subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to existing/future residential occupiers.

RELEVANT SITE HISTORY

Although there are a number of planning applications relating to development linked to the existing College facility, there are no previous applications connected to the strategic re-development of the site and therefore are not directly relevant to this application.

CONSULTATIONS

Public Consultation

In total, 678 nearby and neighbouring properties within Brenthurst Road, Burnley Road, Cooper Road, Denzil Road, Dudden Hill Lane, Grunwick Close, Neasden Lane, Oberman Road, Selbie Avenue and Severn Way have notified of the application by letter on 17/07/2024. The proposal has also been advertised within the local press (25/07/24) and site notices (22/07/24) were placed in various places outside of the site.

Objections summary

Following public consultation, two comments have been received which neither support nor object the proposal, however, raise the following concerns as summarised in the table below. Officer comments have also been added to the table in response.

| Summary of concerns | Officer comment |
|--|---|
| Loss of sunlight | This is addressed in detail in the impact on neighbouring amenity section of this report. |
| Loss of views/visual amenity impact | This is addressed in detail in the design and visual amenity section of this report. |
| Loss of privacy | This is addressed in detail in the impact on neighbouring amenity section of this report. |
| Increased traffic congestion | This is addressed in detail in the highways section of the report. |
| Excessive height | This is addressed in detail in the design and visual amenity section of this report. |
| Need for more GP surgeries | The proposal would help to meet an identified need for homes in the borough and is situated within a site allocated for development, within an identified Growth Area. This ensures that there are sufficient local services and amenities to support additional housing. |
| Need for pest control measures prior to demolition | This is not a material planning consideration and so will not be considered further in this report. These matters are dealt with by a separate pest control team within the council. |

Statutory/ External Consultees

Greater London Authority (Stage 1 response):

The GLA has commented on a number of strategic issues raised by the scheme, which are summarised as follows:

Land Use Principles:

The site forms part of a wider consolidation of CNWL facilities and would enable delivery of the new college campus at Fulton Road. The scheme is consistent with the local growth area vision and would deliver housing on a brownfield site. This is supported in land use terms.

Housing:

18.1% affordable housing (by habitable room) comprising 64% intermediate housing and 36% social rent is proposed subject to grant. The scheme must follow the Viability Tested Route. GLA Officers are scrutinising the Applicant's financial viability assessment to ensure the maximum quantum of affordable housing is delivered.

Transport:

Contributions towards bus service enhancements and station upgrades are sought with the amount to be finalised following receipt of additional information. Further information is required regarding the ATZ assessment; loading bays; trip generation; and cycle parking.

Other issues on urban design; heritage; sustainable development; and environmental issues also require resolution prior to the Mayor's decision making stage.

Officer comments: These issues are all addressed in more detail within relevant sections of the main report below.

Transport for London (TfL)

TfL have raised the following conclusive comments:

- Further work is required on the ATZ assessment and the walking and cycling strategy for the proposed development, including funding commitments and specific design/works on site
- The proposed on-street loading bay impacts on the pedestrian experience near a key walking and cycling entry point to the site, and should be removed and/or relocated within the site boundary
- Contributions towards bus service enhancements, Neasden Station and the proposed WLO station are sought in line with Policy T4
- Further work is needed on the trip generation assessment which would then enable determination of the appropriate level of s106 contribution to bus and rail travel.
- Concerns in regard to cycle parking should be addressed prior to the application being determined
- Phased CLP, DSP, PDMP and Travel Plans are required alongside a permit free agreement.

Officer comments: These issues are all addressed in more detail within relevant sections of the main report below.

Health and Safety Executive (Fire Safety)

Following a review of the submitted information, and the submission of revised information, HSE is content with the fire safety design, to the extent that it affects land use planning and raise no objection.

Thames Water

A piling method statement condition should be secured from the developer by condition, prior to the undertaking of piling operations. A condition is also recommended in relation to foul and surface water network infrastructure capacity. Otherwise, no objections raised.

Active Travel England

No detailed comments to make at this stage. Recommends TfL are consulted on the application.

Sport England

Would encourage contributions towards improved sports facilities to be secured via CIL funding or section 106 agreement.

London Underground

No objections in principle, however requested a number of conditions given the proximity of construction to the railway line to the immediate north.

Officer comment: The applicant has reviewed the comments and has accepted that the conditions requested are attached to the decision letter.

Network Rail

A number of detailed comments have been made by Network Rail relating to practical issues with construction close to Network Rail land. These have been reviewed by the applicants and noted by them, however there are no in principle objections raised by Network Rail to the proposed development.

Internal consultation

Environmental Health

Environmental health raises no objections to the application subject to a number of conditions relating to

internal noise levels, construction noise and dust and air quality impact, and contaminated land. See detailed considerations section of report for further comments on these issues.

Comments have also been raised by the Council's urban design, planning policy, heritage, green infrastructure, trees and transportation teams. The comments raised are set out and addressed in detail within the main considerations section of the report.

Statement of Community Involvement

A Statement of Community Involvement (SCI) has been submitted with the application, sets out the public consultation and level of engagement undertaken before submitting the application, as required through the Localism Act (2011).

The SCI details the range of consultation events and communications and activities entered into between October 2022 and January 2024.

The Applicant sought to consult a wide range of local stakeholders, including residents, community groups, and Ward Councillors within the London Borough of Brent, via door-knocking exercises, conference meetings held online and newsletter distribution.

Around 1500 local residents and businesses within an approximate 150m radius received a newsletter in October 2022 inviting them to the initial consultation event days on 20 and 22 October 2022, held at the College itself, to view proposals on exhibition boards and to have their questions answered by members of the project team, as well as provide feedback via physical forms. An advertisement was also published in the Brent and Kilburn Times notifying residents of the event. A total of 53 visitors attended the two public exhibitions in 2022, including ward councillors.

A second round of consultation was held in November 2023, with in-person events again held at the CNWL Willesden campus, on 9 and 11 November 2023, and approximately 3300 addresses notified via newsletter. A virtual exhibition and consultation event, via the consultation website www.collegegreenlondon.com, was also held between 6-19 November 2023, with draft plans made available to enable the local community to view proposals in detail and respond with views and comments. The website remained live and its address was also printed on the newsletter, linked on the exhibition boards via QR code and other correspondence.

A total of 46 people visited across the November 2023 exhibition days, with technical consultants from the applicant team available to answer queries. The website had 28 views at the time of application submission. The website also had a Google translate function to ensure non-English language users could view and understand the material.

A 'freepost' and project email address was also promoted to encourage and facilitate feedback and allow access to the team to directly answer any questions from residents, community groups and other interested parties.

Feedback received was generally positive to the principle of the redevelopment of the site. The overarching comments centred around concerns with traffic and parking, impact on the local area in terms of local infrastructure and pressures on the tube and bus network, safety concerns particularly for families and women, the height and massing of the proposed development, desire for more trees and green space to be included, drainage enquiries and waste management.

Overall, the level of consultation in terms of scope, variety of methods and timeframes, are considered appropriate to the scale of the development and reflect the recommended level of pre-application engagement set out in Brent's SCI, as well as the Mayor's Good Practice Guide.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the

- London Plan 2021
- Brent Local Plan 2019-2041

The key policies applicable to this proposal are:

London Plan

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
D12: Fire safety
D14: Noise
H1: Increasing housing supply
H4: Delivering affordable housing
H5: Threshold approach to applications
H6: Affordable housing tenure
H7: Monitoring of affordable housing
S4: Play and informal recreation
HC1: Heritage, conservation and growth
G5: Urban greening
G6: Biodiversity and access to nature
G7: Trees and woodlands
S11: Improving air quality
S12: Minimising greenhouse gas emissions
S14: Managing heat risk
S15: Water infrastructure
S16: Digital connectivity infrastructure
S17: Reducing waste and supporting the circular economy
S112: Flood risk management
S113: Sustainable drainage
T2: Healthy streets
T4: Assessing and mitigating transport impacts
T5: Cycling
T6: Car parking
T6.1: Residential parking
T6.3: Retail parking
T7: Deliveries, servicing and construction
T9: Funding transport infrastructure through planning

Brent Local Plan

DMP1: Development Management General Policy
BP2: East
BEGA1: Neasden Stations Growth Area
BD1: Leading the Way in Good Urban Design
BD2: Tall Buildings in Brent
BH1: Increasing Housing Supply in Brent
BH2: Priority Areas for Additional Housing Provision within Brent
BH5: Affordable Housing
BH6: Housing Size Mix
BH13: Residential Amenity Space
BE1: Economic Growth and Employment Opportunities for All
BHC1: Brent's heritage assets
BSI1: Social Infrastructure and Community Facilities
BSUI1: Creating a Resilient and Efficient Brent
BSUI2: Air Quality
BSUI3: Managing Flood Risk
BSUI4: On Site Water Management and Surface Water Attenuation
BGI1: Green and Blue Infrastructure in Brent
BGI2: Trees and Woodlands
BT1: Sustainable Travel Choice

BT2: Parking and Car Free Development
BT3: Freight and servicing
BT4: Forming an Access on to a Road

The following are also material planning considerations:

National Planning Policy Framework

National Planning Policy Guidance

Supplementary Planning Documents/Guidance (SPD/LPG):

Mayor of London's Circular Economy Statement LPG
Mayor of London's Whole Life-Cycle Carbon Assessments LPG
Mayor of London's 'Be Seen' Energy Monitoring Guidance LPG
Mayor of London's Urban Greening Factor draft LPG
Mayor of London's Sustainable Transport, Walking and Cycling draft LPG
Mayor of London's Control of dust and emissions during construction and demolition SPG
Mayor of London's Air Quality Neutral draft LPG
Mayor of London's Air Quality Positive draft LPG

Brent SPD1: Design Guide for New Development (2018)
Neasden Stations Growth Area Masterplan & Supplementary Planning Document (2023)
LB Brent S106 Planning Obligations SPD (2022)
LB Brent Residential Amenity Space and Place Quality SPD (2023)
LB Brent Sustainable Environment and Development SPD (2023)

DETAILED CONSIDERATIONS

Principle of development

Loss / replacement of education facility (Class F1)

1. Policy BS11 (Social Infrastructure and Community Facilities) of the Brent Local Plan states that such facilities, which include further education and learning colleges, will be protected and retained unless it can be demonstrated that:

a) The existing facility is not required in its current use and there is no demand for any other suitable community use on the site; and

b) The loss of social infrastructure would not result in a shortfall in provision of that use; or

c) A replacement facility that would better meet the needs of existing users is provided; or

d) Redevelopment is part of an agreed programme of social infrastructure re-provision to ensure continued delivery of social infrastructure and related services, as evidenced through a service delivery/estates strategy.

2. The applicant's planning statement and further narrative have been submitted to justify the loss of the existing education facility, which is still functioning. Firstly, it is clear from the Local Plan that the proposed development is part of a wider plan-led approach. The Local Plan allocates the site for "mixed-use residential-led development". The allocation states under 'planning considerations' that "the loss of the site to non-D1 educational uses is on the basis that the use is being re-provided elsewhere in the borough". As outlined in earlier sections of the report, a new college facility is being provided on a new campus in Wembley Park, with planning permission granted at 8 Fulton Road under planning ref. 23/0578, in March 2024. It has been indicated that construction of this new site is likely to start in Spring 2025. The provision of the new college building is linked to the scheme via the S106 agreement.

3. On this basis, this application would not result in a shortfall of provision (criteria b) and there would be a replacement facility provided (criteria c). It is accepted that the buildings at both College Green - and its sister site at Crescent House - are inefficient energy-wise and require maintenance, and the application site is characterised by a series of low-rise buildings with no coherent layout and access arrangements which are outdated. Officers also put some weight on the fact that it is energy intensive to operate and requires significant maintenance.

4. While officers do not necessarily agree that this “limits the educational offer that the College can provide” as stated by the applicant, it is clear that the needs of existing users would be better met by an up to date replacement facility, and therefore part c) of the policy would be met.

5. In considering criteria d), the Local Plan policy designation and site allocation within the NSGA Masterplan clearly demonstrate that the redevelopment is part of an agreed programme of social infrastructure provision, and the phasing of the scheme at College Green ensures there would be continued delivery, with students decanted to the Phase 2 buildings while the new campus is being constructed, allowing Phase 1 to begin here.

6. Therefore, officers conclude that the requirements of Policy BSI1 are fully met.

Neasden Stations Growth Area (NSGA) context and principle of residential-led re-development

7. CNWL forms the largest site within the Neasden Stations Growth Area (NSGA), as designated within the Masterplan which was formally adopted as an SPD by the Council in April 2022. The SPD sets out the vision and key urban design principles, as well as the policy framework, for NSGA to inform and assess future applications for development in the area. It backs up the core policy objectives for the Growth Area which are outlined in policy BEGA1 of the Local Plan (2019-41), and these form the policy framework on which all development proposals for the site should be assessed.

8. The SPD outlines the following indicative development amounts and key infrastructure requirements for the CNWL site (referred to as Site 3 within the SPD):

- 1,100 new homes (including affordable homes)
- 550sqm of commercial floorspace
- Creation of a district heating network, and provision of new health and multi-community facilities
- Contributions towards transport improvements at Neasden Station, and the proposed WLO station at Dudding Hill
- Improvements to junctions at Denzil Road/ Dudden Hill Lane and Denzil Road/ Neasden Lane to support safe walking and cycling
- Provision of two new 0.2ha pocket parks
- Retention and/or provision of new sport facilities including MUGA and outdoor gym
- Retention of the ecological status of existing SINC Grade I: Dudden Hill line and Jubilee/ Metropolitan line corridors
- Adoption of the sequential approach to location of uses and buildings through site-specific flood risk assessment and alignment with recommendations of Brent SFRA Level 2

9. London Plan Policy H1 sets out housing targets across London, with the target for Brent being 23,250 new homes over the ten-year plan period. Brent's Local Plan Policy BH1 responds to this by proposing plan-led growth concentrated in Growth Areas and site allocations.

10. As outlined in earlier sections, an indicative total of 1627 residential dwellings are proposed within the scheme, with 1076 of these homes secured within Phase 1. This is significantly more than the 1100 homes outlined within the Masterplan SPD, however officers are satisfied with the proposed layout and density of the scheme in principle. Key issues including housing mix, the need for appropriate levels of landscaping and other uses across the site are also considered in later sections of the report. However, clearly the proposal would make a significant contribution to Brent's overall housing targets, including the provision of affordable homes.

11. A detailed assessment of how the scheme meets the other key infrastructure requirements within the site allocation will be set out in relevant sections of the report. However officers are broadly satisfied that these requirements are met, or there is sufficient justification for not providing them where relevant.

Proposed flexible workspace (Class E(g))

12. The application proposes 'flexible workspace' within the scheme, which is referred to as 'office workspace' and 'workspace with potential for maker space' at various points through the applicant's planning statement and the design and access statement. The description of development and schedule of proposed floorspace refers to the Use Class as Class E(g), so an assessment is made on this basis.

13. The workspace would be located at ground floor level fronting Dudden Hill Lane (215.2sqm) and the

central neighbourhood park (approximately 246.5 sqm) – it would add a degree of activity to these more public spaces and is supported in principle. There are no policy grounds to provide industrial studios or makerspaces here, and no strict requirement within the objectives of the NSGA Masterplan, although this would be encouraged.

Provision of retail floorspace

14. Local Plan Policy BE4 states proposals involving 500 sqm or above gross retail or leisure floorspace, which are outside town centres and do not accord with the Local Plan, should be accompanied by an Impact Assessment. Also of relevance is London Plan Policy SD7, which states that boroughs apply the sequential test to applications for main town centre uses, requiring them to be located in town centres. If no suitable town centre sites are available or expected to become available within a reasonable period, consideration should be given to sites on the edge-of-centres that are, or can be, well integrated with the existing centre, local walking and cycle networks, and public transport. Out-of-centre sites should only be considered if it is demonstrated that no suitable sites are (or are expected to become) available within town centre or edge of centre locations.

15. Policy SD7 also requires an impact assessment on proposals for new, or extensions to existing, edge or out-of-centre development for retail, leisure and office uses that are not in accordance with the Development Plan.

16. The applicant has carried out a Retail Impact Assessment that has informed the proposal for flexible retail, commercial and leisure (Class E) floorspace of 4,416 sqm GIA across the site. This acknowledges that the site is defined as 'out-of-centre' in retail policy terms. It goes on to state that *'the mix and breadth of retail business is limited to being ancillary to the main land uses across the Site, designed to serve 'on-site' needs and to activate the public spaces.'*

17. It states that the floorspace has been designed to serve the local walk-in catchment area and not to attract people from further afield or travelling by car. The closest town centres to the Site are identified as:

- Church End Town Centre (c.300 metres / 4 minute walk) – a Local centre
- Willesden Green Town Centre (c.800 metres / 11 minute walk) – a District centre
- Neasden Town Centre (c.1,100 metres / 17 minute walk) - a District centre

18. The RIA highlights PPG advice on Town centres and retail, Paragraph 012, which states that the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case.

19. The Assessment makes the case that the proposed retail floorspace is integral but ancillary to the comprehensive development of the College Green site and it would only come forward as part of the wider redevelopment of the Site. The intention is to create a socially integrated community including active frontage across the main routes of connectivity. It concludes that in this instance, it is not necessary to consider the potential to accommodate the retail floorspace as a separate entity elsewhere including in nearby centres and that disaggregating the retail floorspace and relocating it to a different site would not achieve the development aspiration for this development.

20. Officers accept that the ground floor retail space would serve a specific role at this site in meeting the needs of the new community with additional benefits including activating frontages across the site. However, 4,854sqm floorspace in unfettered Class E use would open up risks for the future, because if a large proportion of this Class E space were used for Class E (a) and (b) floorspace, it would exceed the amount that could reasonably be considered necessary to meet the needs of the new community.

21. In order to reduce the risks of this amount of floorspace compromising nearby town centres, officers recommend a condition which restricts the amount of floorspace which can explicitly be used for Class E (a) and (b) uses within a phase, and across the development as a whole, so that the retail provision was proportionate to the needs generated by this development. On this basis, officers are satisfied that the requirements of the sequential test would be met.

Impact test

22. The Retail Impact Assessment report concludes that an impact assessment is not a requirement of

the planning application on the basis that the proposed retail and leisure floorspace is local in scale, and entirely consistent with the Development Plan. Nevertheless, an assessment of impact has been presented.

23. This sets out that Church End Local Centre has around 75-80 shop units and a twice weekly market providing everyday needs for the local catchment. Shops and services serving the Somali and Afghan communities provide a niche and differentiated ethnic retail role. It concludes that the proposed development is of a much smaller scale and would perform a very different function in a different location.

24. The report continues that Neasden and Willesden Green District Centres are substantially greater in scale, with 110 and 400 shop units respectively. They perform at a higher level in the retail hierarchy and offer a broad mix of retail services, shops, leisure services and key civic buildings. They have a strong customer base with people visiting for a variety of reasons driven by the ability to undertake linked trips. The impact on these larger centres is therefore concluded to be negligible.

25. A high-level economic analysis has also been undertaken, including a prediction of consumer expenditure from the new development. This found newly generated local residential expenditure along with an additional amount of on-site worker spend, neighbouring sites and passer-by spend would be more than sufficient to support the new floorspace. Equally, the remainder of newly generated expenditure would be additional expenditure potentially supporting nearby town centres, including Church End, Neasden District Centre and Willesden Green District Centres thereby having a positive impact locally.

26. As noted above, restricting the amount of Class E floorspace which can be used for retail and food and drink uses (Class E (a) and (b)), would assist in protecting the health of nearby town centres and therefore is conditioned.

Proposed social/ community and nursery uses

27. Policy BSI1 of the Local Plan supports redevelopment only if it is part of an agreed programme of social infrastructure re-provision to ensure continued delivery of social infrastructure. Given the need for significant cross-subsidy to deliver the college relocation, the allocation and SPD assumes a predominantly residential scheme, so on this occasion apart from ancillary social uses related to the growth area, compliance with part a) is not considered necessary.

28. The proposal provides an indicative 660sqm of community space and 529sqm nursery on the ground floor within Phase 2. While only at outline stage, the community centre is to be located looking onto the central neighbourhood park which is welcomed. While it is accepted that precise details of the community centre have not been provided at this stage, officers consider it is imperative that details including its floor area, ceiling height, funding sources and long-term management arrangements are secured as part of the S106 agreement. A Community Use Agreement is also to be secured by section 106 agreement to ensure that the space would continue to effectively serve the local community in the future.

29. With regard to the nursery, again while exact details are to be conditioned as part of Phase 2, it is proposed to be located at the lower density part of the development on the corner of Denzil Road and Selbie Avenue, where it has the opportunity of taking some of the available defensible green space as a private garden for play. This is welcomed by officers, and this will be included within the section 106 agreement again to ensure that precise details of the nursery use are secured once phase 2 of the development comes forward.

30. Officers are satisfied that the proposed social and community facilities, while only coming forward in Phase 2, would be acceptable and contribute to meeting the strategic objectives of the NSGA Masterplan, as outlined in the site allocation.

31. The Council has sought additional advice from healthcare providers on the potential need for additional GP/health provision on site, given the Growth Area location. The NHS have confirmed that there is existing space at Willesden Health Centre and a proposed clinic at Anson Road, which is sufficient to meet capacity, and therefore no need for a GP surgery or other health facility to be provided as part of the proposed development.

Provision of sport/ leisure facilities or MUGA

32. With regarding to sport/ leisure uses, the site allocation within the NSGA SPD outlines the need to retain and/or provide new sport facilities including MUGA and outdoor gym within the development. At pre-application stage, Sport England sought to clarify that any sports facilities linked to the existing college be

re-provided in the new college site, which has been confirmed by the applicant.

33. Sport England have commented that, given the provision of circa 1500 units on the site, consideration should be given to the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as the Council's Playing Pitch Strategy (PPS), Built Facility Strategy or another relevant robust and up-to-date needs assessment.

34. The applicant has stated verbally that the community centre could include a hall which is made available for casual sports use, including badminton and table tennis. Precise details of the community centre would be secured at detailed stage under Phase 2, but officers consider that a more robust commitment to some sports facility provision can be secured as part of the Community Use Agreement under the S106 agreement. Sport England also welcome the inclusion of a commercial gym within the development to provide a facility where the resultant local community could be active.

35. In terms of specific requirements to provide any formal sports facilities on site, Sport England have advised that they would encourage CIL funding to be directed towards new and improved sports facilities in the local area given the increased demand for these as a result of over 1500 homes being provided on the site.

Meanwhile Uses

36. Policy BE4 of the Council's Local Plan states that 'the use of vacant/under-utilised sites or buildings for occupation by temporary uses that will benefit a town centre or Growth Area's viability and vitality will be supported. All phased major developments within town centres or growth areas will be required to submit an appropriate Meanwhile Feasibility Study and if feasible, an appropriate Meanwhile Strategy. Proposals for workspace, new markets, including farmers' markets and street-food markets, will be encouraged as well as other seasonal/ temporary uses. Temporary entertainment and leisure uses will be supported, particularly those which enhance and promote Brent's heritage and culture.'

37. In light of this, a Meanwhile Use Study has been submitted demonstrating how the above policy would be taken into consideration, which the Council's regeneration officers would review and provide comments on. It is acknowledged that the site would be more complex in terms of its phasing due to the need for some college uses to continue on site while Phase 1 is developed, and that work on Phase 1 is expected to commence in Autumn 2025, once the decant to Phase 2 buildings has been completed.

38. The applicant has confirmed that the current college buildings on site which occupy Phase 1 (Brunel, Curie, Duncan and Fawcett) would be demolished for construction and logistics purposes as soon as they have taken vacant possession of this part of the site. The College would then fully occupy the remaining buildings within the Phase 2 demise (Austin, Telford, Gibbs and the Supported Studies block) as part of the phased decant strategy, until the new facility on Olympic Way is complete. Officers acknowledge the complexities in feasibly providing a meanwhile use on site, however in order to ensure potential opportunities are maximised, a condition is attached so that a drop-in application for a temporary planning permission could be made if any part of the site/ buildings become available.

Unit type and tenure

Affordable housing

39. London Plan affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and requires the following split of affordable housing provision to be applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.

40. Brent's Local Plan policy (BH5) echoes this while supporting the Mayor of London's Threshold Approach to applications (Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split.

41. Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the

low cost rented homes category, bringing Brent's target split across newly adopted policies as 70% for low cost rented homes (social rent or London Affordable Rent) and 30% for intermediate products.

| Policy context | Status | % Affordable Housing Required | Tenure Split | | |
|----------------------------|---------|-------------------------------|-------------------------------------|------------------|---------------------------|
| | | | 30% Social / London Affordable Rent | 30% Intermediate | 40% determined by borough |
| London Plan | Adopted | Maximum reasonable proportion | 30% Social / London Affordable Rent | 30% Intermediate | 40% determined by borough |
| Brent Local Plan 2019-2041 | Adopted | Maximum reasonable proportion | 70% Social / London Affordable Rent | 30% Intermediate | |

42. In assessing the proposed affordable housing offer, consideration is given to the cumulative approach which includes the re-development of the other existing College campus at Crescent House, and this is summarised in the table below:

43. With regard to the application site itself, a more detailed breakdown of the affordable housing offer by unit size and tenure over both Phase 1 and Phase 2 is set out below:

| | Affordable Housing commitment (habitable rooms) | AH tenure split by unit | %AH family homes (by unit) |
|-------------------------------------|---|--|---|
| College Green site-wide application | 18.1% | 64% intermediate 36% social rent | 50% (123 units) |
| Crescent House application | 30% | 100% social rent | 19% |
| Average across both sites | 20% | 51% social 49% intermediate | 42% |
| College Green Phase 1 | 9.3% | 100% social rent | 62% (43 homes) |
| College Green Phase 2 | 34.8% | 91% intermediate 9% social rent (illustrative scheme) | 45% (83 homes) within illustrative scheme |

Phase 1

| | Social Rent | Private Units | % by unit | %by habitable room |
|-----------------------|-------------|---------------|-----------|--------------------|
| Studio | - | 22 (22) | 2.0 | 0.8 |
| 1 Bed (2p) | 13 (26) | 486 (972) | 40.3 | 35.3 |
| 2 Bed (3p) | 13 (39) | 7 (21) | 1.9 | 2.1 |
| 2 Bed (4p) | - | 421 (1263) | 39.1 | 44.7 |
| 3 Bed (5p) | 38 (173) | 50 (200) | 8.2 | 13.2 |
| 3 Bed (6p) | 1 (4) | 21 (84) | 2.0 | 3.1 |
| 4 Bed (6p) | 4 (20) | - | 0.4 | 0.7 |
| Subtotal | 69 (262) | 1007 (2562) | 100% | 100% |
| Affordable Percentage | 9.3% | 90.7% | | |

| | | | | |
|---------------------------------|------|-------|--|--|
| (by habitable room) | | | | |
| Affordable Percentage (by unit) | 6.4% | 93.6% | | |

Phase 2 (indicative)

| | Affordable housing | | | % by unit | %by habitable room |
|---|--------------------|--------------------------------|---------------|-----------|--------------------|
| | Social Rent | Shared Ownership/ Intermediate | Private Units | | |
| Studio | - | - | - | - | - |
| 1 Bed (2p) | 4 (8) | 56 (112) | 135 (270) | 35.4 | 24.5 |
| 2 Bed (3p) | - | - | 13 (39) | 2.4 | 2.5 |
| 2 Bed (4p) | 4 (12) | 31 (93) | 186 (558) | 40.1 | 41.8 |
| 3 Bed (5p) | 7 (28) | 65 (260) | 42 (168) | 20.7 | 28.7 |
| 3 Bed (6p) | - | - | - | - | - |
| 4 Bed (6p) | - | 8 (40) | - | 1.4 | 2.5 |
| Subtotal | 15 (48) | 160 (505) | 376 (1035) | 100% | 100% |
| Affordable Percentage (by habitable room) | 3.0% | 31.8% | 65.2% | | |
| Affordable Percentage (by unit) | 2.7% | 29.1% | 68.2% | | |

44. The proposals would deliver 6.4% affordable housing (all Social Rent) on a unit basis in Phase 1 and 9.3% on a habitable room basis which reflects the number of family sized homes. A greater proportion of affordable housing would be provided in Phase 2 – 34.8% on a habitable room basis – although this would be weighted towards intermediate homes (31.8% by habitable room). This is below the 50% threshold for the fast track approach on public sector land which is set out in Policy BH5, at 18% on this site. The proportion of affordable housing is also weighted towards intermediate homes (shared ownership) – at 64%:36% across both phases - and therefore is in conflict with the 70:30 tenure split weighted towards lower cost homes (either social rent or London Affordable Rent) which is expected by both London Plan policy H5 and Policy BH5 of the Local Plan.

45. The applicant has stated that a number of factors have changed affecting development viability, most notably significant increases in construction costs and finance rates, together with new Building Regulations requirements to incorporate second staircases into all residential cores of 18m (7 storeys) or higher, which have come into force since early pre-application discussions.

46. Importantly, the applicants have also highlighted that the redevelopment of the two existing CNWL sites is contingent on the delivery of the new college facility in Wembley Park (with planning permission already granted) which is required through the Council's planning policies. As such, the applicant highlights that the development of the existing Dudden Hill and Wembley college sites for alternative uses would only accord with policy if the new college facility is delivered. This plan-led approach is indeed set out within the Council's planning policies, with the Fulton Road site identified as the location for the new college facility and the two existing college sites identified for residential led mixed use development contingent on the delivery of the new college facility. The Neasden Stations Growth Area SPD also highlighted the relationship between the sites and the challenges that this may place on development viability, noting that the "Development of the C N W L site would likely be subject to a viability appraisal at application stage as the delivery of the required amount of affordable housing could be challenging".

47. Due to the assessment involving the provision of a college, the Benchmark Land Value has been set as a combination of the EUV (plus premium) of £55m and the Capital contribution to college costs of £50m, for

the Financial Viability Assessment and review mechanism. Despite this, officers consider that the viability of the scheme must be tested on a conventional EUV+ basis in line with adopted policy and guidance, and as such a Financial Viability Assessment has been submitted which looks at both this site and the Crescent House scheme in the round. This has been independently assessed by external consultants, BNP Paribas (BNPP), who have been instructed directly by the Council.

48. The applicant's initial FVA concluded that, using a conventional EUV+ approach, the College Green scheme would be in a deficit, with the maximum viable amount of affordable housing able to be provided on the site being approximately 5.7% rather than the 18% offered. BNPP's review of this FVA disagreed with a number of the parameters, and initially concluded that the College Green scheme instead generated of approximately £39.2m using the conventional approach. BNPP stated that even when factoring in a deficit of approximately £12.05m on the Crescent House scheme, this would still generate a surplus of c. £27m on the combined sites which could be put towards affordable housing.

42. However, subsequent discussions between the applicants' viability consultants and BNPP have clarified a number of assumptions made, and sensitivity tests have been carried out on a number of key parameters, including residential and commercial rental values, finance rates and construction costs. More detailed estimates for S106 costs and CIL costs have also been accounted for. Following this, BNPP have concluded that the scheme (without capital contributions to college costs) would now experience a reduced surplus of £19.93 m.

49. Viability is normally considered on an application-by-application basis. However, in this instance, funding from both the Crescent House and Dudden Hill sites is required to deliver the new college facility, and the policy requirement discussed above applies to both sites. When evaluated on an EUV+ basis, BNPP considered that the Crescent House scheme would generate a deficit of £13.06 m, and the combined schemes (Crescent House and Dudden Hill) would therefore result in a surplus of £ 6.86 m on a traditional EUV+ basis

50. Notwithstanding the above, the applicants have also set out the costs involved in providing the new college facility, and set out the viability scenario where the receipts from the delivery of the two sites for residential purposes goes towards the delivery of the college. The FVA sets out that despite receiving funding from the GLA, Brent Council and the Department for Education, there would be a funding shortfall of £107m which would need to be made up by receipts from the proposed development. The applicants FVA states that if this is taken into account, the combined schemes at Crescent House and College Green are in a financial deficit of c. -£147,713,255.

51. BNPP, acting on behalf of the Council, consider that while the level of deficit for the combined schemes wouldn't be as high as initially stated by the applicants, a significant deficit of £43.2 m (across the two schemes) would be encountered when taking into account the college delivery. Therefore, BNPP have concluded that if taking this into account, the affordable housing offer would exceed the maximum viable amount of affordable housing that could be provided.

52. Officers have carefully weighed up the conclusions drawn by the viability assessment and the policy requirement for the delivery of the new college facility in order to enable the release of these two sites for development. Officers also have attached weight to the benefits associated with the delivery of the new college. Officers consider that the inter-relationship between these two schemes and the delivery of the new college facility is material to the consideration of this application, and a Section 106 obligation will prevent the implementation of these two applications unless the construction of the new college building is going ahead.

53. It is therefore considered reasonable and appropriate for the council to place weight on the financial contribution that the sale of these two sites will make towards the delivery of the new college building and officers have also evaluated the scheme on this basis. However, it is for the decision maker to determine what weight should be applied to the facilitating role that the sale of these sites play in the delivery of the new college facility.

54. Officers consider that this should be given substantial weight given that the new college facility cannot be delivered without the sale of these sites to the college, not only for financial reasons (as the sale is required to fund the college) but also for planning policy and legal reasons (as Section 106 obligations will prevent the implementation of these two applications, if approved, unless the new college facility is going ahead).

55. Overall, officers conclude that the 18.1% affordable housing offer across both phases and 20 % across the two sites is considered to represent the maximum reasonable level of affordable housing on the site at this stage, and therefore accords with Policy BH5 of the Local Plan and Policies H5 and H6 of the London Plan. As discussed above, the proportion of Social Rent falls below that set out within policy (70:30 in favour of Social Rent). However, given the proposal would deliver significantly beyond the maximum viable amount of Affordable Housing (with a deficit of £43.2 m), the scheme would provide a policy compliant proportion of affordable housing with additional intermediate homes provided beyond that. A section 106 agreement will be entered into to secure this housing in perpetuity, and will also secure early, mid and late-stage reviews to ensure further affordable housing can be captured if possible within the development process.

56. The review mechanism would be on the basis of the agreed inputs to include a Benchmark Land Value and capital contribution to college costs, together with developer profit rates of private sale (17.5%), Build to rent (15%), Affordable (6%) and commercial (15%).

Mix

57. Policy BH6 of the Local Plan outlines that 1 in 4 new homes within the borough should be family sized (3 bedrooms or more). In terms of family sized dwellings, 10.6% of the proposed homes within Phase 1 would have 3 bedrooms or more, with these generally weighted towards social rent homes (62%), and this includes 4-bedroom homes which are of particular need within LB Brent. An indicative 22.1% of homes within Phase 2 would be secured as family sized homes, which include a further 4 x 4-bedroom homes within shared ownership tenure.

58. The mix is below Policy BH6 requirements, however the fact these family-sized units are significantly weighted towards affordable homes (where there is acute need within the Borough) in the context of the wider viability arguments set out above, this shortfall in the overall proportion is considered acceptable on balance.

Urban design considerations

Policy background

61. London Plan Policy D3 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth by seeking development of the most appropriate form and land use, while Policy D5 seeks inclusive design without disabling barriers. Policy D9 sets out a framework for assessing proposals involving tall buildings including their visual impact, functional impact and environmental impact. The policy requires proposals to be justified with reference to existing and proposed long range, mid-range and immediate views, to demonstrate the impact of the proposal upon the surrounding streetscape.

62. Brent's Policy BD1 seeks the highest quality of architectural and urban design, whilst Policy BD2 directs tall buildings (defined as those of over 30m in height) towards designated Tall Building Zones and expects these to be of the highest architectural quality.

Layout and public realm

63. The overall masterplan proposal site is divided into 2 parts (Eastern and Western) and is proposed to be delivered in 2 phases (Phase 1: Eastern half, and Phase 2: western half). The overall site is broadly rectangular with the existing further education buildings to be demolished and replaced with the proposed development. The college site has a variety of existing buildings, ranging from 8m high sheds, 15m high academy buildings and the 21m high Telford House. The site also comprises of pockets of existing green spaces. There is a park on the corner of Dudden Hill Lane and Denzil Road (Eastern half) and a small area of public open space adjoining Selbie Avenue (Western Half).

64. The overall masterplan comprises of 22 buildings with a variety of architectural styles and massing. Each phase comprises 11 buildings. The eastern-half of the masterplan site, is subject to a detailed application, as this land parcel will be brought forward for development in phase 1. The proposals for phase 1 are set out below.

Phase 1

65. Denzil Road will be improved by the addition of new frontages, landscaping and street trees and 3no.

buildings (V, W and Y) to define the edge of the street.

66. Half of the central park is proposed in Phase 1, which is the space at the heart of the overall masterplan with 3 no. buildings (H, J K) forming its eastern boundary as well as the western boundary for the new Phase 1 residents courtyard which provides external amenity space. The eastern half of the east-west route runs across phase 1 and includes the arrival space from Dudden Hill Lane with 3 no. buildings (C, D and E) along the northern edge of the site defining the east-west route.

67. The existing corner park is proposed to be improved and extend and includes 2 no. buildings (F and G) to define the edge of this park. Significant landscaping is proposed throughout the site which is publicly accessible and would also contain areas for play.

Public Realm

68. At present many parts of the site and the surrounding footpaths are poorly overlooked, with the existing college site containing buildings of which none are of a high quality and merit adaptation or retention. Furthermore, the appearance of the surrounding streetscene lacks character. The proposal has been designed to significantly improve natural surveillance of the public spaces both within and outside of the site and is primarily informed by the masterplan within the Neasden Station Growth Area (NSGA) Supplementary Planning Document (2022) with a landscape-led approach. As well as the central park area and improvements to the existing corner park, the proposal includes active frontages at street level providing a variety of non-residential local amenities and flexible commercial uses for future occupants of the development as well as surrounding existing residents.

69. Lighting will be important to ensure that the public areas remain safe and secure, with details of lighting recommended to be secured through condition. CCTV will also help to act as a deterrent, and details of CCTV are also recommended to be secured through condition.

70. At present, given the nature of the education use, the site is cut off from the surrounding area, with fences surrounding the site and preventing access and thoroughfare. The proposal looks to open up the site to both the residents of the scheme and members of the public, with all of the areas outside of the buildings proposed to be publicly accessible. A number of desire lines and routes have been identified and are proposed within the scheme.

71. A new public "neighbourhood park" is proposed within the centre of the masterplan of which Phase 1 will deliver the eastern side, with courtyard and incidental spaces to dwell or play proposed throughout the site. The existing public green space to the south east corner of the site is proposed to be improved. A comprehensive soft landscaping scheme has been developed for the proposal which will result in significant improvements to the number of trees, amount of soft landscaping, visual interest and ecological value of the site.

72. Undulations in the hard and soft landscaping will help to create interest while providing a degree of separation from the routes through the site, encouraging people to dwell and play.

73. Formal and informal play equipment has been incorporated throughout the public realm while ensuring that primary routes (both through the site and to the building entrances) remain legible and pleasant. High quality materials are indicated for the public realm and landscaping, with final details recommended to be secured through condition.

74. Given the small pockets of flood risk associated with this site (also discussed in the flooding section of the report), the landscaping (including levels and features) and building footprints has been carefully designed to ensure that surface water is appropriately dealt with.

75. The proposed approach to public realm and landscaping is considered to be of very high quality and in addition to provide important access and amenity to future residents and occupiers, will result in significant benefits for the local community.

Height, massing and the approach to tall buildings

59. The wider masterplan site sits entirely within a designated tall building zone. Local Plan policy BD2 directs tall buildings to Tall Building Zones and requires them to be positive additions to the skyline that would enhance the overall character of the area and be of exceptional design quality, consistent with London Plan Policy D9. The site falls within the Neasden Tall Building Zone, within which building heights up to 60 metres

above ground level may be acceptable.

76. The proposal has been accompanied by an assessment of the scheme against the criteria set out within the London Plan Tall Buildings Policy (D9) together with a full Heritage, Townscape and Visual Impact Assessment (HTVIA).

77. The policy D9 assessment looks at the range of criteria that are referred to within this policy, including views from different distances, the spatial hierarchy, architectural quality and the potential for visual impact on heritage assets. Functional and environmental factors are also assessed together with potential cumulative impacts. The potential townscape impacts of the scheme (both positive and negative) from a number of viewpoints are assessed and discussed within the submitted HTVIA.

78. The submitted documents considers the baseline conditions of the site and surrounding area's (built heritage, townscape character areas and visibility). The baseline assessments discuss the sensitivity and/or significance of the site's and surrounding area's (built) heritage assets (both designated and non-designated), townscape character and visual receptors and their capacity to accommodate the proposed development. It also takes into consideration any potential mitigation measures included in the proposed development and the influence of any surrounding identified cumulative schemes which may affect these assessments.

Visual Impacts

79. The submission highlights that materials have been chosen according to four character areas defined within Phase 1. Elevations in each character area have a consistent and harmonious architectural language with a clearly defined primary material. Brickwork details, balcony designs and subtle changes in colour allow for visual interest to emerge as opposed to large scale gestures or a patchwork of contrasting colours, with the landscaping defining the areas between and around them.

80. The choice of materials and arrangement of those materials is discussed, with the format on the taller buildings (C, D, E – Located on the northern side adjacent to railway line) chosen to have slim stepped forms enhanced by the use of contrasting brickwork to give a vertical emphasis. The ground floor bases tie the buildings together. Whilst the southern buildings (V, W and Y) selected to address the domestic scale buildings to the south. The materiality of the eastern (F, G) buildings are intended to relate to the colour of the existing college building and the central buildings (H, J, K) are provided with lighter shades of brick chosen for these facades to provide a lighter feel adjacent to the proposed central neighbourhood park.

81. Within the HTVIA, a total of 30 viewpoints were evaluated from a range of locations surrounding the development.

82. The range of viewpoints that have been selected are considered to be appropriate, providing a robust analysis of the degree and nature of change and potential impact of the scheme in isolation and cumulatively with consented schemes and the outlining of Phase 2 of the overall masterplan.

83. The assessment on the townscape is divided into character areas that are directly affected and those that are indirectly affected. The application site is within the Dollis Hill townscape character area which will be directly affected by the application proposals. The application proposals would involve a substantive change in the built form of the site replacing the existing buildings of the site (which are of limited merit in themselves) with a development of a high design quality.

84. Whilst the change in scale would be substantive, the proposals would significantly improve the appearance of the area through the incorporation of the landscape led masterplan. This introduces high quality spaces into the townscape character area with uses that enhance the townscape character area. The grain of the character area is mixed, as such the proposal responds positively in improving the character area and the change of scale is supported by the local plan.

85. The site is adjacent or within the vicinity of a further 15 townscape character areas, of which the proposal would indirectly affect.

86. Many of the far and near views which provide some degree of visibility of the proposed development, are considered to be enhancements, either by way of the proposal's high quality architecture or the environmental values of the landscaping additions and enhancements.

87. The views are considered to assist in the legibility of the character area, helping to signify the location of

Neasden station, with the development of the site acting as a townscape node.

88. The proposals would have a major to moderate effect on the Willesden character area, which is considered to be beneficial and, through a high quality design, would preserve those elements that contribute to the character and appearance of the area. Nearby residential areas are considered to be preserved in terms of their character and appearances. In some instances the development would be obscured from view altogether and would therefore not affect the elements that contribute to the character and appearance of the area.

89. Nearby, light industrial character areas are considered to be preserved with regards to character and appearance.

90. To the north of the site, character areas such as Dudden Hill, would involve a noticeable yet positive change to the character of the area through the change in built form. From such character areas, the breaks between the building would help provide a proposal that has visual interest and also provides breaks in the built form.

91. Areas of open spaces comprising of various uses from allotments to playing fields naturally allow open views to the surrounding areas. From a distance the proposal sites vary in visibility depending on the viewpoint but would not affect the ability to appreciate those elements that contribute to the specific character and appearance of such areas.

92. Similarly, nearby open spaces use such as cemeteries, the allocation of the site within the local plan has been considered in the context of the cemeteries and the degree of expected change is shown on the views provided. There is an open character to the cemeteries which allows open views to the surrounding area and whilst the application proposals would be visible, the underlying character and appearance of the area would be preserved.

Functional impacts

93. In terms of functional impacts, this is primarily concern with “Fire safety” and “Transport” and are assessed in greater detail within the respective sections of this report.

Environmental impacts

94. The Applicant’s technical information on microclimate and environmental aspect is assesses the local impacts and identify whether additional mitigation measures are necessary to address these. This also includes the daylight and sunlight impacts to neighbouring sites.

Architecture and materiality

95. A range of different materials and architectural approaches have been applied for the different buildings in the site to ensure that they read as distinct buildings and do not result in the coalescence of built forms. A strong approach to materiality has been set out in the Design and Access Statement, with a language of brickwork carried through all buildings.-This language is broadly combined with elements of metal cladding and detailing.

96.—The Denzil Road Buildings (V, W, Y) are street facing residential buildings broken up with changes in height and set-backs to match the grain of buildings along Denzil Road. The simple brick buildings take reference from the local context with the addition of balcony forms that take reference from the bay windows of the Victorian houses opposite.

97.—The Courtyard Buildings (J, K, H) wrap around the central courtyard with the massing stepping up from Denzil Road. The facade is divided up into horizontal bands with vertical piers to form a module of contrasting brickwork. A single storey podium provides a link between these buildings.

98.—The Corner Park Buildings (F, G) provide an active edge to the south-east corner park. The primary brickwork matches that of the existing Shortcroft Mead Court of the CNWL. The top two storeys use a contrasting brickwork to give a light top. The link element is visually recessed and given a different treatment.

99.—The higher rise blocks (C, D, E) have slim stepped forms creating a well-proportioned width to height

ratio, further emphasised by the contrasting brickwork. The ground floor bases tie the buildings together.

400.—The Denzil Road Buildings (V, W, Y) are street facing residential buildings broken up with changes in height and set-backs to match the grain of buildings along Denzil Road. The simple brick buildings take reference from the local context with the addition of balcony forms that take reference from the bay windows of the Victorian houses opposite.

401.—There are 3 blocks which are 5 storeys high. These are separated by 4 storey link elements which are recessed back from the building line. The architecture comprises of an angled roof parapet wall to the taller elements which creates interest in the roofscape and responds to the style of the local context. The link blocks have flat roof forms and recessed balconies. The ground floor elements have a striped brickwork pattern which defines the base of the buildings. The buildings have a mixture of recessed and projecting balconies serving habitable rooms. Overall, these buildings are considered to be well designed and a clear improvement to the existing situation where the site is enclosed with fencing.

402.—The Courtyard Buildings (J, K, H) wrap around the central courtyard with the massing acting as a transition between the more domestic scale buildings facing onto Denzil Road and the taller buildings to the north. The facade is divided up into horizontal bands with vertical piers to form a module of contrasting brickwork. The clustered windows and balconies arrangements well-proportioned and create a balanced rhythm to the elevations.

403.—A single storey podium provides a link between these buildings. The base of the building has larger proportions for active shopfront glazing and to deal with the level changes across the site. Above the ground floor the residential units have a dark buff and grey framed facade which contrasts with the Denzil Road buildings and breaks up the building form.

404.—The Corner Park Buildings (F, G) are two symmetrical blocks with a central recess in a darker brick which breaks up the massing. They provide an active edge to the south-east corner park and creates a transition from the Denzil Road buildings to the arrival space on the east west route with the taller buildings beyond. The primary brickwork matches that of the existing Shortcroft Mead Court to the east of the site. The top two storeys use a contrasting brickwork to give a light top. The link element is visually recessed and given a different treatment.

405.—Large shopfront glazing provides a base and helps deal with level changes. Windows and balconies to the residential units above align with the openings to provide a rational facade division. A lighter brick is used on the upper two storeys to break up the massing further and give the buildings a legible top.

406.—The Taller Buildings (C, D, E) have slim stepped forms creating a well-proportioned width to height ratio, further emphasised by the contrasting brickwork. The ground floor bases tie the buildings together.

407.—Buildings C and D faces on to the east-west route with large lobby entrances for residents. Glazed bricks area would be used to form the base of the vertical piers and emphasise the entrance on building C. Building E faces on to the east west route and arrival square linking with building D via the single storey podium.

408.—There are piers between the windows to give a vertical emphasis. Windows have dark brickwork above and below to reinforce the vertical hierarchy. Corner balconies maximise views out and enhance the verticality on the building edges. Horizontal concrete bands every two/three storeys group the floors together and break up the massing.

409.—Along the eastern edge building E addresses Dudden Hill Lane with a lower element and creates a transition in scale down to the context. The architecture in this part relates to buildings F & G and helps form the entrance to the arrival square.

410.—Detailed bay studies are included within the application drawings, and indicative technical sections are provided illustrating how specific elements of the façade may be constructed, including typical windows, parapets, balconies and soffits; this gives confidence the scheme will deliver high quality and robust buildings.

411.—Overall, the proposal is considered to exhibit a high level of architectural quality supported a well-chosen palette of materials and an appropriate level of architectural detailing. To ensure that the quality of the proposal is carried through in the delivery of the scheme, the approval of final materials and key

construction details is recommended to be secured through condition.

Phase 2: Development Specification and Framework Design Code

112. A Framework Design Code has been submitted with this application which sets out the intended form, scale and character of the buildings and open spaces which would be brought forward within the Masterplan. The Design Code was informed by Design Reviews with the Council's Quality Review Panel as well as pre-application discussions with both the GLA and the Council. The Design Code sets out how the Masterplan has been centred around the provision of high quality open space and landscaping, with a series of interrelated but distinctive character areas within the masterplan, which have been identified by the opportunities and constraints created by the site and its wider context. The Design Code provides detail on how each of these character areas should be addressed in terms of land use, landscape and public realm, massing, materials, access and movement.

113.—116. This emphasis on designing the built form around the landscaping is an approach which is strongly supported by officers, and would continue to deliver a mixed use development that makes effective use of the site to deliver growth and a range of benefits to the local area as considered further below.

114. The Framework Design Code is supported by a Development Specification, and a set of Parameter Plans which provide details on the following

- Plot Maxima
- Max Heights
- Access Plan
- Open Space
- Ground level Uses
- Upper level Uses

115. Following revision of the Design Code, officers are satisfied that there is a robust commitment to ensuring the completed development would be of a high quality in terms of open space, public realm, active ground floor uses and the quality of built form in terms of materiality and detailing.

Protected views

116. Local Plan Policy BHC2 states that development must not be to the detriment of protected views of Wembley Stadium. In this regard, the proposed development will be near to but not within the viewing cone for the protected view from Neasden Station. The proposal is not considered to result in harm to this protected view to Wembley Stadium.

Heritage considerations

Policy background

117. Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 (as amended) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Furthermore, paragraph 195 of the NPPF recognises that heritage assets are an irreplaceable resource and seeks to conserve them in a manner appropriate significance. It is appropriate to consider the desirability of new development making a positive contribution to the local character and distinctiveness. This is reflected in Local Plan Policy BHC1.

118. The first step is for the decision-maker to consider each of the designated heritage assets, which would be affected by the proposed development in turn and assess whether the proposed development would result in any harm to the significance of such an asset.

119. The assessment of the nature and extent of harm to a designated heritage asset is a matter for the planning judgement of the decision-maker, looking at the facts of a particular case and taking into account the importance of the asset in question. Proposals that are in themselves minor could conceivably cause

substantial harm, depending on the specific context, or when viewed against the cumulative backdrop of earlier changes affecting the asset or its setting. Even minimal harm to the value of a designated heritage asset should be placed within the category of less than substantial harm.

120. The NPPF (paragraph 206) states that any harm to, or loss of, the significance of a designated heritage asset requires "clear and convincing justification". The NPPF expands on this by providing (paragraph 207) that planning permission should be refused where substantial harm or total loss of a designated heritage asset would occur, unless this is necessary to achieve substantial public benefits that outweigh that harm or loss, or unless all the four tests set out in paragraph 207 are satisfied in a case where the nature of the asset prevents all reasonable uses of the site. Where less than substantial harm arises, paragraph 208 of the NPPF directs the decision-maker to weigh this against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

121. In terms of what constitutes a public benefit, this can be anything that delivers economic, social or environmental objectives, which are the three overarching objectives of the planning system according to the NPPF. The Planning Practice Guidance advises that "public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit". The degree of weight to attach to any particular public benefit is a matter for the decision-maker, having regard to factors such as the nature and extent of the benefit and the likelihood of the benefit being enjoyed. Different benefits may attract different amounts of weight.

122. The decision-maker is directed therefore by the NPPF to balance any harm to the significance of a designated heritage asset against the public benefits that flow from the proposal by considering in the case of less than substantial harm whether this harm is outweighed by the public benefits of the proposal, or in the case of substantial harm whether the tests in paragraph 201 of the NPPF are met. Importantly, these balancing exercises are not simple unweighted exercises in which the decision-maker is free to give the harm whatever degree of weight they wish.

123. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker to have "special regard" to the desirability of preserving a listed building or its setting. In *Barnwell Manor* the Court of Appeal identified that the decision-maker needed to give "considerable importance and weight" to any finding of likely harm to a listed building or its setting in order properly to perform the section 66 duty. In the case of conservation areas, the parallel duty under section 72 of the same Act is to pay "special attention" to the desirability of preserving or enhancing the character or appearance of the conservation area. The courts have held that 'preserving' in this context means 'doing no harm'.

124. The NPPF at paragraph 199 provides that "great weight" should be given to the "conservation" of a designated heritage asset, and that "the more important the asset, the greater the weight should be". The High Court in *Field Forge* explained that "it does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognize, as the Court of Appeal emphasized in *Barnwell*, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering".

125. In *Bramshill*, the Court of Appeal (endorsing the Court's earlier decision in *Palmer*) observed that "the imperative of giving "considerable weight" to harm to the setting of a listed building does not mean that the weight to be given to the desirability of preserving it or its setting is "uniform". That would depend on the "extent of the assessed harm and the heritage value of the asset in question". These are questions for the decision-maker, heeding the basic principles in the case law."

126. It is important also to note that as the Court of Appeal stated in *Bramshill* (which concerned a listed building) "one must not forget that the balancing exercise under the policies in [...] the NPPF is not the whole decision-making process on an application for planning permission, only part of it. The whole process must be carried out within the parameters set by the statutory scheme, including those under section 38(6) of the Planning and Compulsory Purchase Act 2004 [...] and section 70(2) of the 1990 Act, as well as the duty under section 66(1) of the Listed Buildings Act. In that broader balancing exercise, every element of harm

and benefit must be given due weight by the decision-maker as material considerations, and the decision made in accordance with the development plan unless material considerations indicate otherwise...".

127. Where the significance of more than one designated heritage asset would be harmed by the proposed development, the decision-maker needs to account for the individual harms and to consider the level of harm arising when the assets are considered cumulatively.

128. As regards non-designated heritage assets, these are buildings, monuments, sites, places, areas, or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. For the most part, non-designated heritage assets will have been included on the Council's Local List, but it is not necessary for an asset to be included on the Local List in order for it to be treated as a non-designated heritage asset.

129. If there is harm to the significance of a non-designated heritage asset, paragraph 203 of the NPPF requires the decision-maker to arrive at a balanced judgement, having regard to the scale of any harm or loss and the significance of the asset.

130. What follows is an officer assessment of the extent of harm which would result from the proposed development to any designated and non-designated heritage assets that have been identified as potentially affected by the proposed development.

Assessment

131. The site is not located within a conservation area and does not contain any listed buildings or structures and there are no conservation areas or listed buildings within the immediate vicinity of the site. However, a number of heritage assets (which are appropriately identified and analysed in the HTVIA) have been considered in the document and are assessed to be significantly distantly located for the development to harm their settings.

132. In addition, as well as the distances, the presence of intervening buildings between the heritage assets and the proposed development also gives rises to no harm to their settings.-These include:

133. Church of St. Mary (Grade II* listed)
- Church of St. Francis (Grade II listed)
 - Kingsley Court (Grade II listed)
 - The Grange (Grade II listed)
 - Willesden 7th Day Adventist Church (Grade II)
 - Memorial Sculpture in Gladstone Park (Grade II listed)
 - Roundwood Park (Grade II Registered)
 - Neasden Village Conservation Area
 - Homestead Park Conservation Area
 - Willesden Green Conservation Area.

This also includes a number of locally listed buildings: Willesden Vestry Hall, Shortcroft Mead Court and 1&2 Church Cottages.

•The submitted Heritage Statement considers a number of views [Viewpoint 1 and 2] from Willesden Jewish Cemetery which is Grade II Registered and has a number of separately listed monuments including its central chapels.

134. Views 1 and 2 within the visual impact assessment section of this report give an indication of the degree of visibility of the Proposed Development from within the Cemetery. The phase 1 and 2 proposals would be visible and would be seen beyond the boundaries of the heritage asset, appearing on the skyline to the north. There is an expectation of a degree of change arising from the development of the site given its location within a growth area and the accompanying images illustrate this anticipated change.

135. It is evident that the new development will be in a direct sightline with a vista/view on the main pathways within the cemetery. Because of its height, it will be perceptibly forceful in nature in these views resulting in a degree of harm to the heritage asset.

136. The heritage assessment sets out that while there would be some visual intrusion into the extended setting of the cemetery, the character of the Cemetery is an introspective one rather than being one where individuals visit for views to

the surrounding urban area. The assessment concluded that overall, this is considered to cause a low, minor level of harm which would be "less than substantial" to the setting and significance of this heritage asset.

137. The GLA identified a very low level of less than substantial harm to the Homestead Park Conservation Area within their Stage 1 comments. In response, by way of supporting heritage comments, Homestead Park gains its significance from its existence as a set-piece residential development from the 1920s. The surrounding townscape is undergoing a period of change, and provides no contribution to the significance of the area. As such, further changes within the wider area, especially at the distance at which the application Site lies (1km), will have no impact on the significance of the character and appearance of the conservation area.

138. GLA Officers, within their Stage 1 report also stated they were unable to undertake a full assessment owing to lack of information owing to no views and/or information being provided:

139. The impacts on the settings of the Church of St Mary or Roundwood Park because no Winter views were provided.

- No views were provided to assess impacts on The Grange and the Church of St Francis
- The application takes no account of the 'Dudden Hill Conservation Area'

• The submitted heritage response addressed the GLA comments with photos and supporting commentary. It was concluded that the summer and winter view would not be too dissimilar owing to most of the trees being evergreen. With regards to impact on the Grand and Church of Saint Francis, the statement places weight being visual impact, and morseso on the significance of the heritage asset within the surround context, from which the professional view of the heritage consultant is sought to be considered. The Council's Heritage officer raised no concern in this regard.

140. With regards to the New Dudden Hill Conservation Area, the designation imposed by the Council is not as a Conservation Area, but an 'Area of Distinctive Residential Character. It does not carry the same weighting for assessment. In any case, this area is assessed within the townscape character areas and not considered to be adversely impacted by the proposed development.

141. Overall, officers agree that the degree of change and harm would be limited, and consider that this would be "less than substantial". It is considered that this harm is significantly outweighed by the benefits of the scheme which include the provision of homes (including Affordable Homes), new publicly accessible space and routes and significant improvements to the local streetscape and environment. It is also noted the Greater London Authority note within their Stage 1 response that the proposal would cause "less than substantial" harm to this heritage asset, and that this could be outweighed by the benefits of the scheme.

142. The heritage assessment concludes that there would be no harm to any of the other designated heritage assets, which officers concur with. In relation to non-designated heritage assets, the assessment concludes that there would be a negligible/neutral level impact to the Stonecroft Mead Court, 1&2 Church Cottages & Willesden Vestry Hall and the Willesden 7th Day Adventist Church. Officers consider the substantial benefits of the proposal significantly outweigh this harm.

143. The site is not in an Archaeological Priority Area (APA). However, a desktop Archaeology Assessment has been undertaken by an archaeological consultancy as part of the HTVIA. It has determined that there is evidence of settlement during the early Iron Age in the Dollis Hill area as well as within the nearby districts of Cricklewood, Neasden and Willesden. Archaeological excavations have further uncovered evidence of Roman structures and roads that would have been important routes into London for example Edgware Road. By the time of the Domesday Book of 1086, Willesden had an established settlement under the name 'Wellesdone'. However, the CNWL itself has no evidence of archeological significance, being used as open land and allotment gardens before the construction of Willesden Polytechnic on the site in 1898.

144. Given the known past impacts within the site boundary, the potential for the survival of significant or complex archaeological deposits from any period is assessed at most to be low, and officers agree with this assessment.

Impact on neighbouring properties

144. SPD1 provides guidance on how new development should be designed in order to minimise the

impact on neighbouring properties. The guidance states that the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property measured from a height of 2m above floor level. It goes on to state that where proposed development adjoins private amenity/garden areas then the height of the new development should normally be set below a line of 45 degrees at the garden edge measured from a height of 2m above ground level.

Daylight

145. The applicant has submitted a daylight, sunlight and overshadowing analysis of the impact of the development on surrounding properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2022)' document. Officers are satisfied that the report successfully identifies all neighbouring properties (both within the site and immediately adjoining it) which could be affected by the proposed development, which are summarised as follows:

- 145. 35-147 Denzil Road (odds)
- 146. 76 Dudden Hill Lane
 - 95-109 Dudden Hill Lane
 - 61, 68 Brenthurst Road
 - 1 Cooper Road
 - 46-54 Cooper Road (evens)
 - 62-70 Cooper Road (evens)
 - Albert House, Cooper Road
 - Shortcroft Mead Court, 55 Cooper Road
 - Brigantia House, Oberman Road
 - Baddiel House, Oberman Road
 - Josephine House, 10 Oberman Road
 - Mentor House, 11 Oberman Road
 - 1-7 Burnley Road (odds)
 - 2-12 Burnley Road (evens)
 - 32-38 Denzil Road (evens)
 - 1-35 Selbie Avenue (odds)
 - 1, 49, 55-65 Severn Way (odds)
 - 2 and 18 Severn Way

•For daylight, an assessment was undertaken using two tests, namely the Vertical Sky Component (VSC) and, where room layouts are known, Daylight Distribution (or No Sky Line) (NSL) in line with BRE guidelines. VSC is the measure of a direct skylight reaching a point from an overcast sky. The BRE guidelines state that if the VSC at the centre of a window is less than 27% or 0.8 times its former value, then the reduction in skylight will be noticeable and the existing building may be adversely affected.

•NSL is a measure of daylight distribution with a room, mapping out the region with a room where light can penetrate directly from the sky, and therefore accounts for the size of and number of windows using simple geometry. The BRE guidelines suggest that the area of working plane (set at 850mm above the floor) can receive direct skylight should not be reduced to less than 0.8 times its former value (i.e. the proportional reduction in area should not be greater than 20%).

146. In determining applications, the Mayors Housing SPD (2016) states that BRE guidance should be applied sensitively to higher density development in London, particularly central and urban settings, recognising the London Plan's strategic approach to optimise housing. It goes on to state that the guidance should not be applied rigidly without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London.

147. The report includes two sets of analysis in relation to daylight effects to neighbouring properties, with the main focus of the report being on the assessment of daylight impacts of the Phase 1 detailed scheme plus the maximum parameter scheme for Phase 2, which demonstrates a realistic 'worst-case' scenario. However, a supplementary assessment of the effects that the illustrative Phase 2 scheme will have on neighbouring properties (Phase 1 detailed + Phase 2 illustrative) has also been undertaken, denoting realistic effects that may occur as the design of the Phase 2 blocks evolves. Officers would expect a further daylight and sunlight assessment to be submitted specifically for Phase 2 as part of any reserved matters application.

Summary of results – Phase 1 Detailed + Phase 2 Maximum Parameter scheme

148. Overall, the scheme would achieve 51% of windows which pass BRE guidelines in terms of VSC

impacts (679 out of a total of 1,344 windows tested), with a 77% pass rate when assessing the number of rooms under NSL impacts, based on the 'worst-case' scenario with the maximum massing for Phase 2 as well as the detailed Phase 1 scheme.

149. The following properties fully meet BRE guidelines in terms of window pass rates, and therefore do not require further analysis:

- 150. 32-36 Denzil Road (evens)
- 151. 35-41 Denzil Road (odds)
 - 76, 95 and 97 Dudden Hill Lane
 - 1, 18, 49, and 55&57 Severn Way
 - Albert House, Cooper Road

• There are also a number of properties which experience isolated (no more than 1 window) VSC losses and which are considered to be minor reduction, i.e. where retained VSC levels are still within 0.7 of their former value. These properties are:

- 43-51 Denzil Road (odds)
- 152. 46-54 Cooper Road (block of flats)
 - 2 Severn Way
 - 36 Denzil Road

• Officers consider the overall pass rate of these properties would be very high, and given retained levels of VSC would still be within 0.7 of their former value to all, the impact of the proposed development would not be noticeable despite the technical breach of BRE guidelines. Therefore, further analysis of the results is not included.

• However, of the 665 total windows which do not comply with BRE guidelines in terms of VSC, 133 windows (10% of the total number of windows tested) would experience a medium level of reduction, and 369 windows (27%) would experience a high level of reduction. A more detailed breakdown of the results for the properties which are most affected is provided below:

43-89 Denzil Road

| Addresses | No. of windows tested | VSC (windows) | | | | |
|----------------|-----------------------|-------------------------------|--------------------------------|------------------|----------------|-------|
| | | No. windows inside guidelines | No. windows outside guidelines | | | |
| | | | Low reduction | Medium reduction | High reduction | Total |
| 89 Denzil Road | 5 | 0 | - | - | 5 | 5 |
| 87 Denzil Road | 5 | 0 | - | - | 5 | 5 |
| 85 Denzil Road | 5 | 0 | - | - | 5 | 5 |
| 81 Denzil Road | 7 | 2 | - | - | 5 | 5 |
| 79 Denzil Road | 4 | 0 | - | - | 4 | 4 |
| 77 Denzil Road | 5 | 0 | - | - | 5 | 5 |
| 75 Denzil Road | 5 | 0 | - | - | 5 | 5 |
| 73 Denzil Road | 7 | 2 | - | - | 5 | 5 |
| 71 Denzil Road | 15 | 2 | - | 1 | 12 | 13 |
| 69 Denzil Road | 7 | 0 | - | 1 | 6 | 7 |
| 67 Denzil Road | 7 | 0 | - | 1 | 6 | 7 |
| 65 Denzil Road | 7 | 0 | - | 2 | 5 | 7 |
| 63 Denzil Road | 7 | 0 | 2 | - | 5 | 7 |
| 61 Denzil Road | 7 | 2 | - | 3 | 2 | 5 |
| 59 Denzil Road | 5 | 1 | 2 | 1 | 1 | 4 |
| 57 Denzil Road | 5 | 1 | 3 | - | 1 | 4 |
| 55 Denzil Road | 7 | 5 | 1 | 1 | - | 2 |
| 53 Denzil Road | 5 | 4 | - | 1 | - | 1 |
| 51 Denzil Road | 5 | 4 | 1 | - | - | 1 |
| 49 Denzil Road | 5 | 4 | 1 | - | - | 1 |
| 47 Denzil Road | 5 | 4 | 1 | - | - | 1 |

| | | | | | | |
|----------------|---|---|---|---|---|---|
| 45 Denzil Road | 5 | 4 | 1 | - | - | 1 |
| 43 Denzil Road | 5 | 4 | 1 | - | - | 1 |

153. The south side of Denzil Road is characterised by two-storey terraced properties which are in use as single dwellings, and have front facing habitable rooms facing directly onto the proposed development. The VSC results above demonstrate that there would be 'high reductions' in VSC to a significant number of these windows, with a high reduction defined as one in which more than 40% of daylight levels are lost as a result of obstruction (typically referred to as a 'major adverse' impact).

154. In terms of NSL analysis, although there would be some improvements in terms of the overall number of rooms in the properties either complying with BRE guidelines or experiencing smaller reductions, there are still a number of properties which would experience high reductions in daylight as a result of the scheme. The applicants have stated that the majority of living rooms would still retain VSC levels of more than 15%, which has been considered reasonable and acceptable in urban locations. Officers also place weight on the Growth Area location and objectives set out in the NSGA Masterplan, with an expectation of a significant increase in height and massing through the site allocation.

155. It is also noted that the existing daylight received to many of the surrounding properties is high for the urban context, as the majority of windows face low levels of existing obstruction due to the limited height of the existing buildings on the site directly opposite. In that situation any meaningful increase in massing to achieve the desired densification for the area, will inevitably result in reductions beyond the BRE's recommended values.

101-107 Dudden Hill Lane (odds) and 1-3 Burnley Road (odds)

| Address | No. of windows tested | VSC (windows) | | | | |
|----------------------|-----------------------|-------------------------------|--------------------------------|------------------|----------------|-------|
| | | No. windows inside guidelines | No. windows outside guidelines | | | |
| | | | Low reduction | Medium reduction | High reduction | Total |
| 101 Dudden Hill Lane | 10 | 0 | 3 | - | 7 | 10 |
| 103 Dudden Hill Lane | 4 | 0 | - | - | 4 | 4 |
| 105 Dudden Hill Lane | 8 | 0 | - | - | 8 | 8 |
| 107 Dudden Hill Lane | 11 | 3 | - | - | 8 | 8 |
| 1 Burnley Road | 9 | 0 | - | - | 9 | 9 |
| 3 Burnley Road | 9 | 0 | - | 2 | 7 | 9 |

156. 101-107 Dudden Hill Lane are a terrace of single family homes to the north-east of the proposed development. 1 and 3 Burnley Road are single family dwellings to the north-east of the application site. The VSC results demonstrate that there would be high reductions to the vast majority of the windows serving habitable rooms of these properties as a result of the development. However, all main living rooms with the exception of 105 Dudden Hill Lane would retain VSC levels of more than 15%, which is considered reasonable in an urban location. Additionally, these properties fare better with NSL testing, with all rooms serving these properties either achieving BRE guidelines or experiencing low reductions (i.e retaining 0.7 or more of existing levels) apart from rooms at 107 Dudden Hill Lane.

157. Officers also place weight on the Growth Area location and objectives set out in the NSGA Masterplan, with an expectation of a significant increase in height and massing through the site allocation, particularly given the low levels of existing obstruction.

Oberman Road (Baddiel House, Mentor House, Josephine House)

| Address | No. of windows tested | VSC (windows) | | | | |
|-----------------|-----------------------|-------------------------------|--------------------------------|------------------|----------------|-------|
| | | No. windows inside guidelines | No. windows outside guidelines | | | |
| | | | Low reduction | Medium reduction | High reduction | Total |
| Baddiel House | 80 | 59 | 11 | 3 | 7 | 21 |
| Mentor House | 110 | 69 | 25 | 9 | 7 | 41 |
| Josephine House | 111 | 90 | 2 | 2 | 17 | 21 |

Baddiel House, Mentor House and Josephine House are flatted blocks of between 6 and 8 storeys, all located on Oberman Road to the north of the proposed development site, on the other side of the Metropolitan/ Jubilee railway line. They all have windows serving habitable rooms looking onto the proposed development. Although these blocks have relatively good levels of pass rate against the BRE guidelines, there are a number of windows which would experience high reductions in VSC to each of the blocks.

158. Further NSL analysis demonstrates that only 2 of the 140 rooms tested would experience a high reduction in NSL, with a very high overall pass rate of 82%. Given the height and scale of proposed buildings constructed closest to these properties, and the existing baseline conditions with single storey buildings causing a low level of obstruction, this is considered a very good level of compliance and the isolated higher reductions justified given the Growth Area location.

1-35 Selbie Avenue (odds) (incl.)

| Address | No. of windows tested | VSC (windows) | | | | |
|---------------------|-----------------------|-------------------------------|--------------------------------|------------------|----------------|-------|
| | | No. windows inside guidelines | No. windows outside guidelines | | | |
| | | | Low reduction | Medium reduction | High reduction | Total |
| 33&35 Selbie Avenue | 5 | 1 | - | 1 | 3 | 4 |
| 29&31 Selbie Avenue | 4 | 0 | - | 1 | 3 | 4 |
| 25&27 Selbie Avenue | 5 | 1 | - | 1 | 3 | 4 |
| 21&23 Selbie Avenue | 4 | 0 | - | - | 4 | 4 |
| 17&19 Selbie Avenue | 5 | 1 | - | - | 4 | 4 |
| 13&15 Selbie Avenue | 5 | 1 | - | - | 4 | 4 |
| 9&11 Selbie Avenue | 5 | 1 | - | 1 | 3 | 4 |
| 5&7 Selbie Avenue | 4 | 0 | - | - | 4 | 4 |
| 1-3 Selbie Avenue | 4 | 0 | - | 2 | 2 | 4 |

159. These two-storey, semi-detached pairs are in use as single family dwellings, located to the immediate west of the site and having windows serving habitable rooms looking directly onto the proposed development. The majority of windows serving these properties would experience high reductions in VSC, although all main living rooms serving these properties would retain VSC levels of more than 15%, which is considered reasonable in an urban location. Although there is an improvement in pass rates to these properties when testing for NSL, the majority of these properties still experience high reductions.

160. Given the proximity of these properties to the development site, there has to be a realistic expectation of daylight losses to these properties, which has been minimised as much as possible due to the approach to height and layout particularly within Phase 2. Officer again place weight on the Growth Area location and objectives set out in the NSGA Masterplan, with an expectation of a significant increase in height and massing through the site allocation, particularly given the low levels of existing obstruction.

Summary of daylight results – maximum parameter scheme

161. Overall, officers acknowledge that there would be some significant reductions in daylight to a number of properties within the immediate vicinity of the site, most notably along Denzil Road and Selbie Avenue. Given the proximity of these low-rise homes and the scale of development being proposed, this is not unexpected. These impacts as a result of the development must be weighed against the regeneration benefits of the scheme, which includes provision of additional housing generally, much needed affordable housing and family homes, new community facilities, a new neighbourhood park and improved public realm.

162. National planning policy supports making efficient use of land when proposing development. Paragraph 129 (c) of the National Planning Policy Framework (NPPF), states that that "when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)", applications which fail to make efficient use of the land it says, should be refused.

163. The site allocation designation which applies to this location, which expects significant housing growth within the locality of the site, is given significant weight. The expectation for significant development

within this site allocation and within a Growth Area, as well as the expected high-density nature of development, would naturally reduce the expectations for full compliance with the daylight and sunlight guidance for new development in this location.

164. It is also noted that this is the 'maximum parameter' scheme and therefore provides a 'worst-case' scenario in terms of height and massing, and therefore the maximum potential daylight impacts. The results from the assessment of the illustrative Phase 2 scheme are set out in more detail below.

Phase 1 Detailed + Phase 2 Illustrative Scheme Scenario

Overall, the Phase 1 detailed + illustrative Phase 2 scheme would achieve a slightly higher overall level of compliance, with 54% of windows passing BRE guidelines in terms of VSC impacts (726 out of a total of 1,344 windows tested), with an 84% pass rate when assessing the number of rooms under NSL impacts. The number of windows/ rooms experiencing high reductions would be greatly reduced in this more refined scenario, with 17% of windows experiencing losses of more than 40% on existing VSC, and 4% of rooms experiencing high reductions in terms of NSL.

165. The results of the Phase 1 & Phase 2 illustrative scheme are slightly improved upon when compared to the maximum parameter scheme, however, the results are largely comparable. The areas of improvement are focused on those properties on Selbie Avenue and Denzil Road which are closer to the Phase 2 blocks, demonstrating demonstrates that the refined massing will result in a lesser degree of daylight effect to neighbouring properties. A detailed daylight and sunlight analysis would need to be undertaken and assessed as part of a Reserved Matters application.

Sunlight

166. With regard to sunlight, the assessment sets out how relevant neighbouring properties would be affected, using likely changes to the number of Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH), which is in line with BRE guidance. An assessment of the baseline figures has been provided (i.e. without any development in place). A total of 348 rooms within relevant adjoining residential properties have been assessed for impact on sunlight amenity.

Summary of results – Phase 1 Detailed + Phase 2 Maximum Parameter scheme

167. The assessment demonstrates that 82% of rooms (285 out of 348) tested would meet the recommended levels of the BRE Guidelines, which is considered to be a good level of compliance overall. The report goes on to outline that there are a number of adjoining residential properties which would retain fully BRE compliant alterations to respective rooms, and therefore the report concludes that there would be negligible permanent impacts to these properties in terms of sunlight. These properties include:

- 34, 71, 73, 81, 123, 125, 129, 131, 147 Denzil Road
- 61 and 68 Brenthurst Road
- 95, 97 and 109 Dudden Hill Lane
- 1, 18, 49, and 55&57 Severn Way
- 1, 46-54 and 62-70 Cooper Road
- Shortcroft Mead Court, 55 Cooper Road
- Albert House, Cooper Road
- 2-12 Burnley Road (evens)
- 18, 49 and 55&57 Severn Way
- 1, 2 and 18 Severn Way

168. Where there are significant effects, the rooms affected would broadly retain levels in excess of 20% APSH. There are some properties where rooms would reduce below 20% APSH, which are Brigantia House, Baddiel House, Mentor House, 63&65 Severn Way, 59&61 Severn Way, 33&35, 29&31, 25&27, 21&23, 13&15, 9&11, 5&7, 1&3 Selbie Avenue and 38 Denzil Road). This is resulting from their close proximity to the proposed massing and the fact that many currently look onto a partially or completely cleared site, and therefore the existing baseline scenario is relatively unobstructed.

169. Adjoining properties would still enjoy access to sunlight which is difficult to achieve based upon the constraints posed such as the existing low rise site, and the fact that the majority of properties included within the sunlight assessment face west and east and therefore, are already limited to the amount of available sunlight hours in the existing condition. Overall, officers are satisfied that the overall good level of compliance and the Growth Area location where development of this scale is to be expected, means that some shortfalls

are justified.

Summary of sunlight results - Phase 1 Detailed + Phase 2 Illustrative Scheme Scenario

170. In terms of the cumulative sunlight impacts from Phase 1 and the illustrative Phase 2 scenario, as expected there would be a slight improvement in the overall compliance rate with APSH and WPSH, with 84% (293 out of 348 rooms) meeting BRE guidelines. As with the maximum parameter scheme, most affected properties are the blocks to the north where the tallest blocks and highest density is proposed, and properties in closest proximity to Phase 2 on Selbie Avenue. However, again officers are satisfied with the overall compliance rate, with 11% of rooms tested experiencing high reductions both in terms of APSH and WPSH. On balance given the Growth Area location and the benefits arising from the proposed scheme, these isolated reductions are considered justified.

Overshadowing to adjoining amenity spaces

171. With regard to potential overshadowing impacts, the assessment has identified all private gardens and amenity spaces which are sensitive to overshadowing impacts using the sun on ground hours assessment (SHoG). The BRE overshadowing assessment is passed where at least 50% of the garden area/ amenity space would retain exposure to at least 2 hours of direct sunlight on 21st March.

Phase 1 Detailed + Phase 2 Maximum Parameter scheme

172. The assessment demonstrates that 20 of the 22 amenity spaces assessed (91%) would be fully compliant with the BRE criteria. The main amenity area affected would be to 63&65 Severn Way, which would experience a reduction from 49% existing SHOG to 38% of its area receiving greater than 2 hours of direct sunlight. This is considered to be a marginal shortfall below BRE guidelines, since 0.76 of existing ratio would be maintained. The other areas affected are the SINC/ natural green buffers to the north and south of the railway line, which although important because of their ecological value, are not private gardens or amenity spaces.

173. Overall given the high density, urban context, the development is considered to achieve a very good degree of compliance with regard to overshadowing when assessed against BRE guidance.

Phase 1 Detailed + Phase 2 Illustrative Scheme Scenario

174. Based on the illustrative scheme, 21 of the 22 amenity spaces assessed would be fully compliant with BRE guidelines, with 63&65 Severn Way less affected and retaining 94% of its area with greater than 2 hours of direct sunlight. The only area affected in the illustrative scheme would be the SINC/ wildlife corridor directly to the north of the site adjacent to the railway line.

Sense of enclosure

175. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge of an affected property private amenity space. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height at the nearest habitable room windows within neighbouring properties that face towards the proposed buildings.

176. Given the proximity of properties on Selbie Avenue and Denzil Road to the western and southern boundaries of the development respectively, and the heights of buildings proposed (even at 5 and 6 storeys), there would be a breach of both the 30-degree and 45-degree lines to habitable rooms and private amenity spaces. It should be noted however that rear gardens of these properties would not be affected due to the orientation of these spaces away from the development.

177. In relation to the 30 degree rule, the development would breach this in relation to a number of properties to the immediate east, west and south of the site. However as explained in earlier sections, this is to be expected given the scale of proposed development in this site allocation and given the surrounding low rise context. The step down in heights minimises this impact as much as possible, and the impact on neighbouring windows has been assessed in detail within the daylight and sunlight considerations above.

Privacy

178. SPD1 states that development should ensure a good level of privacy inside buildings and within

private outdoor space. Directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies. Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy as well as high quality design and solutions which can sometimes mitigate impacts and allow for efficient use of land.

179. At least 18m is maintained between the proposed blocks and the front facing habitable windows serving properties on Selbie Avenue and Denzil Road, ensuring there would be no overlooking impacts from the development. Similarly, a distance of at least 25m would be maintained between blocks to the east and the nearest facing windows on Dudden Hill Lane and Cooper Road. The parameter plans for Phase 2 show adequate minimum separation distances would be maintained for the future blocks which will come forward at a later stage.

Quality of accommodation

180. 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 D6 and the Mayor's Housing SPG. It goes on to say that all new homes should be provided with adequate levels of outlook, daylight and natural ventilation, which is supported by Council's Design guide SPD 1 (2018).

Phase 1

181. All units proposed within the detailed phase of the application are within blocks C, D, E, F, G, H, J, K, V, W & Y and would be single storey.

Internal layout

Block C

182. Block C consists of a 24-storey development with a 20-storey shoulder and contains 187 apartments all of which would be for traditional sale/rent. The block consists of the following dwelling mix:

- 1x studio unit
- 98x 1bed 2-person units- 37 are wheelchair accessible (WCA) units
- 69x 2bed 4-person units
- 19x 2bed 3-person WCA units

183. All of the units proposed in this block would be for traditional sale/rent. In some cases, the block would consist of more than 8 homes per core which would exceed this maximum allowed in the Housing Standards LPG. However, the submitted floor plans demonstrate that in these cases the units would be divided on both sides of the core and there would be some intermediate doors to create sub-clusters. Therefore, it is expected that circulation levels will still be good in these instances.

184. The London Plan highlights that where single aspect dwellings are proposed, they should be restricted to homes with one or two bedspaces; should not face north; and must demonstrate that the units will: have adequate passive ventilation, daylight, and privacy; and not overheat (particularly relevant for south or west-facing single aspect units). The proposal would consist of around 15% single-aspect units which would all be 1-bedroom units facing typically in a west and eastern orientation. When also considering the separation distances to neighbouring blocks proposed which is at least 18m in all cases, overall, the outlook afforded to these units is considered to be acceptable.

185. Each of the homes would exceed the minimum space standards set in policy D6, with bedroom sizes meeting or exceeding the minimum 7.5 sqm for a single bedroom and 11.5 sqm for a double bedroom. The homes would all achieve a minimum ceiling height of 2.5 m for at least 75% of the gross internal area of each dwelling.

Blocks D and E

186. Block D consists of a 28 storeys building containing 223 build-to-rent apartments and block E consists of a 22 storey building with 18 and 10-storey shoulders, providing 196 build-to-rent apartments. The blocks contain the following dwelling mixes:

- 20x Studio unit
- 248x1bed 2-person units- 32 are WCA units
- 130x2bed 4-person units
- 21x 3-bed 6-person units

187. All proposed units within these blocks would be build-to-rent. Blocks D and E are linked together by a one-storey podium which provides build-to-rent communal internal amenity space at ground floor. Each of the homes would exceed the minimum space standards set in policy D6, with bedroom sizes meeting or exceeding the minimum 7.5 sqm for a single bedroom and 11.5 sqm for a double bedroom. The homes would all achieve a minimum ceiling height of 2.5 m for at least 75% of the gross internal area of each dwelling.

188. Similar to Block C, while some floors have greater than 8 homes per core, the units would be divided on both sides of the core and there would be some intermediate doors to create sub-clusters. Therefore, it is expected that circulation levels will still be good in these instances.

189. The proposal would consist of approx. 33% single aspect units and some of these would be family sized units which are mostly north-facing and so would typically benefit from lower levels of daylight and sunlight levels and outlook. However, given each of these units would comfortably exceed the minimum GIA standards and the outlook provided would be largely unobstructed between blocks, on balance this is considered to compensate for issues relating to light and outlook. Further comment on daylight and sunlight is set out in the separate sub-section below.

Blocks F and G

190. Blocks F and G contain 162 units within an 11 storey building. Each unit is for traditional sale/rent and contains the following dwelling mix:

- 51x 2b4p
- 84x 1b2p units- 4 are WCA units
- 20x 3b5p units
- 7x 2b3p units

191. Both blocks would be connected by a joint central lobby at ground-floor and would have a clear separation from the commercial uses at this level. Each of the homes would exceed the minimum space standards set in policy D6, with bedroom sizes meeting or exceeding the minimum 7.5 sqm for a single bedroom and 11.5 sqm for a double bedroom. The homes would all achieve a minimum ceiling height of 2.5 m for at least 75% of the gross internal area of each dwelling.

192. These blocks would have a high number of single aspect-dwellings with 72% in total being single aspect, however, would not include north facing family units in the upper-floors. Most single-aspect units proposed in these blocks are 1-bedroom units and are typically south-facing with clear outlook levels given the minimum 18m separation distance between blocks.

Blocks H, J and K

193. Block H, J and K contains 233 units in total. Block H would be a 15 storey building, Block J would be a 17-storey building and Block K would be an 11-storey building respectively for traditional sale/rent.

- 150x2bed 4-person
- 1xstudio unit
- 28x 3b5person
- 54x1b2person

194. All units would be for traditional sale and rent. The blocks all benefit from units which face into a shared external courtyard area and ensure 18m separation distance between blocks. Approx 50% of the units are single-aspect, however the majority of these are 1-bedroom units and are not north-facing while family sized units are dual-aspect.

195. Each of the homes would exceed the minimum space standards set in policy D6, with bedroom sizes meeting or exceeding the minimum 7.5 sqm for a single bedroom and 11.5 sqm for a double bedroom. The homes would all achieve a minimum ceiling height of 2.5 m for at least 75% of the gross internal area of each dwelling.

Blocks V, W, Y

196. Blocks V, W, Y consists of 69 units Y are 4-5 storeys and are to be affordable apartments all of which are (100%) offered at social rent.

- 13x1b2p units
- 8x2b4p
- 5x2b3p (3 are WCA)
- 33x 3b5p units (4 are WCA)
- 1x 3b4p unit
- 5x 3b6p units
- 4x4b6p units

197. All units are offered at social rent. A majority of these units (74%) would be single aspect with some family-sized units being single aspect and north-facing in the upper-floors, however the majority of family units at ground-floor would be spacious dual-aspect units.

198. The blocks are all linked at ground-floor level and generally have a distance of at least 15m separation between blocks. In some instances, such as at fourth-floor level there are some side windows within blocks V which face into W and W into Y which have less than an 18m separation distance. However typically these are smaller secondary windows which can be obscure-glazed and this to be secured by condition.

199. Each of the homes would exceed the minimum space standards set in policy D6, with bedroom sizes meeting or exceeding the minimum 7.5 sqm for a single bedroom and 11.5 sqm for a double bedroom. The homes would all achieve a minimum ceiling height of 2.5 m for at least 75% of the gross internal area of each dwelling.

Internal daylight and sunlight

200. The application has been accompanied by an internal daylight analysis as part of the daylight, sunlight and overshadowing report. This has been correctly undertaken in line with the updated BRE guidance (2022), is now used, and this involves using climatic data for the location of the site (via the use of an appropriate, typical or average year, weather file) to calculate the illuminance from daylight at each point on an assessment grid on the reference plane at an at least hourly interval for a typical year.

201. A target illuminance (ET) is the illuminance from daylight that should be achieved for at least half of annual daylight hours across a specified fraction of the reference plane in a daylight space. Daylight Autonomy (DA) is the percentage of occupied hours that each sensor receives more than the illuminance threshold, and Spatial Daylight Autonomy (SDA) is an annual daylighting metric that quantifies the fraction of the area within a space for which the daylight autonomy exceeds a specified value.

202. The UK National Annex gives specific minimum recommendations for habitable rooms in dwellings in the United Kingdom. These are intended for 'hard to light' dwellings, for example in basements or with significant external obstructions or with tall trees outside, or for existing buildings being refurbished or converted into dwellings. The National Annex, therefore, provides the UK guidance on minimum daylight provision in all UK dwellings.

203. The UK National Annex gives illuminance recommendations of 100 lux in bedrooms, 150 lux in living rooms and 200 lux in kitchens. These are the median illuminances, to be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours. A median illuminance target of 150 Lux has been applied for living, kitchen, and dining spaces as the BRE Guidelines state that the target for a living

room could be used for a combined Living Kitchen Dining room (LKD) if the kitchens are not treated as habitable spaces, as it may avoid small separate kitchens in a design which have been avoided across the scheme.

204. The submitted daylight and sunlight assessment has considered the impact to light to habitable rooms using two scenarios; a worse-than-worst case scenario using the Phase 2 maximum parameter massing, and a more likely scenario using the Phase 2 illustrative masterplan. The report stipulates that 69% of proposed rooms in Phase 1 satisfy the BRE criteria for daylight in the maximum parameters scenario, rising to 71% based on the more likely illustrative scenario. 54% of the rooms satisfy the BRE criteria for sunlight in the maximum parameters scenario, rising to 56% for the illustrative scenario. 83% of proposed external amenity areas assessed would meet the 2-hour time in sun target.

Summary

205. The levels of daylight and sunlight received by the new homes and amenity spaces within the development are considered to be appropriate for a scheme of this density, with the provision of private external amenity space (in the form of balconies and winter gardens, where appropriate) considered to adequately compensate for the associated reduction in daylight received by rooms.

206. A good degree of compliance with minimum sunlight levels to amenity spaces is achieved. It is also noted that residents will be able to access a variety of amenity spaces throughout the site, with the majority of these meeting BRE guidance levels for sunlight. The proposal is considered to be acceptable in relation to the levels of internal daylight and sunlight.

207. The GLA expressed concern with the high proportion of single aspect north-facing units proposed, and in some cases, this includes family sized north-facing housing. However in these cases, these units exceed the required GIA and benefit from unobstructed levels of outlook to primary windows and thus the overall quality of accommodation is considered to be acceptable.

Accessible homes

208. Policy D7 of the London Plan requires that at least 10% of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings.'

209. 130 dwellings have been shown as Wheelchair accessible dwellings with phase 1 which meet the 10% requirements as stipulated in this policy. These units would be M4(3) compliant and typical detailed layouts for these homes have been provided.

210. Officers consider that that it would be appropriate to have a condition requiring precise details of accessible homes within the site to provide a minimum of 31 M4(3) homes are provided before first occupation of any of the residential elements of the development, with the remainder shown as M4(2) homes.

Privacy between new homes within the development

211. Separation distances between habitable room windows within the development are typically 18 m or greater between all blocks which is in accordance with SPD1 guidance. This would ensure that there would be no significant loss of privacy/overlooking impact between habitable rooms.

212. The ground-floors of blocks V, W & Y contain habitable room windows which face out onto Denzil road. However, where habitable rooms are proposed at this level, typically these face into a planted hedge buffer to mitigate against direct overlooking into these spaces. Where planting is not proposed here, there is some concern in relation to the separation distances between the south-facing bedroom windows of the 3b6person unit at this level and the 2b3p corner plot dwelling where the separation distance to the site boundary would only be approx. 2m given the tapered plot. However additional planting could be secured by way of condition to mitigate against this impact.

213. Otherwise, all other ground floor residential uses which face into the communal amenity areas within the main courtyard benefit from sufficient defensible space and planting to mitigate overlooking concerns. A clear distinction has also been shown on the ground-floor plans between commercial and residential uses to avoid conflict and loss of privacy concerns that could arise from use and operation of the commercial spaces to future residents.

External Amenity Space

214. Policy BH13 of the Brent Local Plan states that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 50sqm per home for family housing (3 bedrooms or more) situated at ground floor level and 20 sqm for all other housing.

215. The BH13 requirement for external private amenity space is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that 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". It goes on to state that where there is not strict compliance with these requirements, factors such as accessibility of dwellings to their own amenity space and its quality, the amount and quality of communal space, proximity to other areas of open space nearby and internal amenity spaces. With regard to quality of the space, Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.

216. Furthermore, more recently the Council adopted its Residential Amenity Space and Place Quality (RASPQ) SPD in June 2023. For major developments, the SPD sets out a qualitative framework and toolkit, to assess the quality of communal amenity spaces, where a scheme is showing a shortfall in provision on site against policy BH13.

217. In meeting the above requirements, it is expected that at least a part of each flat's required amenity space will be private space and as such, all units should be provided with a London Plan compliant balcony/terrace. Within dense residential developments in a Growth Area setting there is an expectation that a shortfall in private amenity space provision can acceptably be made up through communal garden space as much as is reasonably possible, which would be a secondary form of amenity space beyond the flats' private balconies/terrace.

218. The table below summarises the private and communal amenity provision within Phase 1 of the development on a block-by-block basis:

| Private space | BH13 requirement | Private balconies (total sqm) | Shortfall |
|---|------------------|-------------------------------|----------------|
| Block C | 3770 | 1149 | 2621 |
| Block D | 4460 | 1024 | 3436 |
| Block E | 4550 | 1310.4 | 3239.6 |
| Block F/G | 3840 | 1117 | 2723 |
| Block H | 1580 | 601 | 979 |
| Block J | 2520 | 614 | 1906 |
| Block K | 1400 | 356 | 1014 |
| Block V w Y | 2530 | 464 | 2066 |
| Total private space | 24650 | 6635.4 | 17984.6 |
| Communal space (including internal amenity to Block D/E) | | 5998 | |
| Public open space | | 923 (3891)* | |
| Existing public open space being improved | | 2985 | |
| Cumulative shortfall | | 8078 (5110)*sqm | |
| % amenity shortfall below policy requirement | | 32.7% (20.7%) | |

219. The above calculations are for Phase 1 only, and include provision of internal amenity for the proposed BtR units in Blocks D/E, which is considered appropriate. Otherwise, communal external amenity is provided to all blocks in the form of podium courtyards and roof terraces. A condition is attached to ensure that the social rent units in Blocks V, W and Y are given adequate access to the communal courtyard, and that this is not provided solely for the private units. Although a significant shortfall in external amenity is shown, and

areas of public open space are existing rather than proposed in the case of Dudden Hill Green and Selbie Avenue, officers place weight on the new 3,890 sqm neighbourhood park which would be provided in full in Phase 2, and the improvements to the other public open space which would also be secured via section 106 agreement.

220. Given the quality of communal external amenity provision, as well as the other benefits from additional internal amenity to the affected homes, officers consider the shortfall of approximately 534sqm (around 11%) below BH13 requirements to be acceptable. However some mitigation is also provided in the form of a financial contribution towards open space improvements in the local area, as outlined in para. 199 below.

221. The applicants have submitted an Amenity Space Quality Statement as part of the landscape strategy which, along with the design and access and landscape statements, sets out how the development has been shaped by the key principles of the RASPQ SPD in terms of ensuring space which is vibrant and inclusive, promote health and wellbeing, and how it will enhance a strong sense of community and belonging to future residents. Although not detailed, it does set out the minimum baseline requirements for a scheme of this scale.

222. With regard to Phase 2, the applicant's development specification sets out that a minimum of 0.44ha of communal courtyards or podiums/roof terraces will be provided as part of the development coming forward at this stage. The specification states that there is also the opportunity for additional public open space and/or additional private balcony space to be provided in lieu of any deficit towards the 0.44ha of communal external space. However, precise details would be secured at reserved matters stage, which is considered acceptable by officers.

223. Additionally, the revised Design Code outlines in more detail the approach to the different types of public and private external spaces throughout the development, and officers are satisfied that this provides a commitment to a high-quality external environment for future occupiers at later phases of the scheme. Nevertheless, a full assessment of Phase 2 blocks against Policy BH13 requirements would need to be carried out at reserved matters stage.

224. On balance, officers consider the proposed external amenity space would be acceptable in terms of quantity and would also be of a good quality which would be to the benefit of future residents, therefore meeting the requirements of BH13 of the Local Plan and the RASPQ SPD.

Playspace

225. Policy S4 of the London Plan states that development proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation and incorporate good quality play space. Further detail is provided in the Mayor's 'Shaping Neighbourhoods: Play and Information Recreation' Supplementary Planning Guidance (SPG), which sets a benchmark of 10sqm of usable child place space to be provided per child and makes clear that playspace must not be segregated by tenure.

226. The child yield for Phase 1 of the development is summarised in the table below:

GLA Population Yield Calculator

| | 1 bed | 2 bed | 3 bed | 4 bed |
|-------------------------------|-------|-------|-------|-------|
| Market and Intermediate Units | 524 | 418 | 69 | 0 |
| Social Units | 13 | 13 | 39 | 4 |

| | |
|-------------|------|
| Total Units | 1080 |
|-------------|------|

| | |
|------------------------|--------|
| Geographic Aggregation | London |
|------------------------|--------|

| | |
|------|----------|
| PTAL | PTAL 3-4 |
|------|----------|

Play Space Calculator

| | |
|----------------|-------|
| Total Children | 268.9 |
|----------------|-------|

| | Benchmark (m ²) | Total play space (m ²) |
|------------------------|-----------------------------|------------------------------------|
| Play space requirement | 10 | 2689.1 |



227. Overall, the proposals would provide a total of 2690sqm of playspace in Phase 1, meeting the requirements overall. The applicant's landscape statement outlines where this is located, and does show a variety of play spaces for 0-5 and 5-12 age groups within the main communal courtyard in Phase 1 and to the main podium levels. Some of this play space is provided in the existing open space at Dudden Hill Green, however given this is an enhancement of the open space, officers consider this acceptable. A condition is attached to ensure the social rented units have access to the play space within the communal courtyard, in order to ensure adequate access for all tenures and promote social inclusion.

228. It is unclear how older children in the 12+ age group would be catered for, although it is noted that there are number of open spaces within 800m of the site which include Learie Constantine Open Space, which is within 6 mins walk. There are other larger open spaces such as Roundwood Park and Gladstone Park (just over 800m away) which although slightly further away, are still within a 10-20 minute walk of the site but include sports pitches and larger recreational areas.

229. As well as the improvements to the existing public open spaces within the application site, a further contribution of £TBA is to be secured within the section 106 agreement to mitigate the overall shortfall in external amenity and play space for older children. On the above basis, it is considered that the play space provision of the scheme is acceptable, despite not fully providing all play space on site in line with policy S4.

230. With regard to Phase 2, the indicative proposals show a provision of 2,700 sqm of play space which would meet the illustrative child yield calculator. Exact details would need to be assessed as part of the reserved matters application, once exact unit numbers and therefore child yield is known, however the design code and development specification demonstrate how the quantum and quality of play space can be achieved on site.

Transport and highways

Policy background

231. London Plan Policy T6 seeks to restrict car parking in line with existing and future public transport accessibility and connectivity, and maximum parking allowances for residential development are set out in Policy T6.1. Brent's Policy BT2 sets out parking allowances to align with those of the London Plan.

232. Cycle parking spaces must be provided in compliance with London Plan Policy T5 in a secure weatherproof location and in accordance with design guidance set out in the London Cycling Design Standards. Bin storage should allow for collection within a 20m carrying distance (or 10m for larger Eurobins), and more detailed guidance on bin storage requirements is given in the Waste Planning Guide.

233. London Plan Policy T2 expects new development proposals to follow a Healthy Streets Approach and include an Active Travel Zone (ATZ) assessment, and Policy T4 requires Transport Assessments to be

submitted.

Existing provision

234. Dudden Hill Lane to the east of the site is a London distributor road and bus routes, with parking prohibited completely along Dudden Hill Lane and restrictions in place between 8am-6.30pm Monday to Saturday, and loading prohibited 8-9.30am and 4.30-6.30pm on Weekdays. Denzil Road (to the south) and Selbie Avenue (to the west) are local residential access roads in CPZ "GD" which is active 8.30am-6.30pm weekdays. The site has a Public Transport Accessibility Level (PTAL) of 3-4, which is classified as between moderate and good.

Car parking

Car parking allowances for Brent are set out in Appendix 4 of the adopted Local Plan and for the proposed residential and retail uses, this requires compliance with standards in Tables 10.3 and 10.5 of the London Plan respectively. Standards for community uses are set out at paragraph 8.4.9 of the Local Plan. In all cases, allowances are dependent upon the PTAL rating of the site. In this case, the majority of the site (particularly Phase 1 at its eastern end) has a PTAL rating of 4, but the western end has a lower rating of 3.

235. Although new pedestrian routes will be created across the site as part of its redevelopment, the PTAL rating of the western end of the site will not change significantly. Nevertheless, the London Plan states that the highest PTAL rating of the site should be used to assess parking provision, with 'car-free' development being the starting point.

236. As the site is located in the well-connected south of the Borough, up to 0.5 spaces would be allowed per flat, whilst up to one space per 75m² would be allowed for any retail floorspace. Any parking for the community space would need to be justified through the Transport Assessment. Nevertheless, no general parking is proposed within the site for either the residential units or the non-residential floorspace, so maximum standards will be complied with. To ensure the development remains genuinely 'car-free' and does not lead to extensive overspill parking in the surrounding streets, a 'permit-free' agreement will be required to withdraw the right of future residents to on-street parking permits. This has been accepted by the applicant.

237. Parking is required for Blue Badge holders though, with the London Plan requiring initial provision for 3% of residential units, potentially rising to 10% in future. This would amount to 49 initial spaces in this case for both phases of the development, so the overall provision of 54 spaces across the site would meet requirements, with some extra provision along the spine road for the commercial uses.

238. The site layout concentrates the majority (38) of the spaces along the northern edge of the site behind Blocks A-E. As over half of the proposed residential units and the majority of the accessible units are to be located in these five blocks, this is reasonable. However, to ensure other blocks also have reasonable access to these spaces, pre-application advice emphasised the need to ensure that plenty of good quality pedestrian access routes are provided at ground floor level through Blocks A-E, allowing Blue Badge holders to pass through these blocks rather than around them.

239. The detailed plans for Blocks C, D and E do show three pedestrian routes through the blocks, but they are quite convoluted, passing along long corridors, around 90° bends, through numerous sets of doors and using a platform lift (due to level differences), in order to reach the back of the entrance lobbies to these blocks. The routes are not therefore of the quality that was originally sought and to make them as welcoming and usable as possible, it is essential that residents of all other nearby blocks have unfettered access through the building at all times of day and night and that the entrances from the rear car park are clearly marked and lit as entrances to and through the blocks (not simply appearing as back entrance doors). Further detail is therefore sought as a condition of any approval.

240. The additional disabled parking spaces are proposed alongside the central spine road and these are fine. As the disabled parking spaces to the rear of Blocks A-E will not be able to be accessed until completion of Phase 2 is underway, 14 temporary disabled spaces are proposed for Phase 1 along the eastern side of the proposed central park, accessed via a temporary routeing of the spine road onto Denzil Road. The location and layout of these temporary spaces is fine.

241. A Car Park Management Plan has been provided, which confirms that access to spaces will be controlled using the rising bollards and entrance gates, with on-site enforcement to ensure parking takes place only in marked bays. Spaces will only be provided on monthly or annual rental contracts, which is welcomed as a means of keeping their use flexible over time. Please note that even allowing for the spaces

along the central spine road, the housing blocks fronting Denzil Road (Blocks R-Y) would be remote from any disabled parking spaces.

242. Nevertheless, Blue Badge holders would be exempt from the 'car-free' agreement, so could purchase permits to park on-street along Denzil Road. Brent Council can also mark allocated disabled parking spaces on demand for any resident that has a need for a marked space close to their property. Please note that electric vehicle charging points will be required for all spaces (at least 20% active provision from the outset and the remainder passive provision) and the applicant confirms that this requirement will be met.

Cycle parking

243. In terms of bicycle parking, the 1,076 residential units in Phase 1 of the development would require 1,851 long-stay and 27 short-stay spaces. Secure stores are shown on the lower floors of each block to accommodate more than sufficient parking on a mixture of two-tier stands and 'Sheffield' stands in accordance with London Cycling Design Standards, with suitably sized lifts provided where stores are on the lower ground or mezzanine floors.

244. As with the comments for the disabled parking above, the stores for Blocks C-E are entered at the rear of the building, so good quality access into the building from the rear is essential. No details of long-stay parking for staff of the commercial units are shown at present though, so further details will be sought for each commercial and community unit as a condition of any approval. Long-stay bicycle parking details for Phase 2 will also need to be agreed through the reserved matters applications.

245. For visitor parking, a total of 38 external bicycle stands are shown within the Phase 1 landscaping scheme, with a further 18 shown within the Phase 2 area, providing 112 spaces in total. This would be sufficient to meet the short-stay requirement for the residential units (41 spaces) and commercial floorspace (~66 spaces). Some redistribution of spaces onto the Denzil Road frontage should be considered though to better serve Blocks R-Y.

Servicing and deliveries

246. With regard to servicing, most deliveries to the residential and commercial units are proposed to take place from four parallel loading bays marked along the proposed spine road through the development, with delivery vehicles entering the site from Dudden Hill Lane and exiting via Selbie Avenue and Denzil Road. The road itself is shown to a 4m width with the loading bays measuring 3m width, which will allow one-way movement along the street and contraflow movement by cyclists.

247. Access will be restricted to authorised vehicles only through the use of rising bollards, with only rigid vehicles up to 10m in length permitted access. In general, the road and footways (minimum 2m width) are shown surfaced in the same block paved material, which will help to signify that the street is a shared surface area along which drivers need to proceed slowly and with care.

248. The kerbs along either site will require an upstand of at least 25mm to help guide partially sighted people. Further details of road construction (levels, gradients and crossfalls), kerbs, lighting, signing and drainage should be submitted as a condition of any approval, as the landscaping plan shows only the general arrangement at present. Nevertheless, it is not anticipated that the road will be offered for adoption.

Refuse stores

249. Waste and recycling stores are shown within each block with sufficient capacity to satisfy Brent Council's standards. All stores can be directly accessed from either the spine road through the site or Denzil Road, allowing easy access for collection. The exception to this is Block K and to address this, extra capacity is built into the store for Block H to allow bins to be moved closer to the access road on refuse collection days.

250. Although most deliveries will make use of the road through the site, an exception applies to the proposed convenience store at the eastern end of the site, which is anticipated to require deliveries by articulated lorries. As it is not considered desirable for such large vehicles to travel through the residential development, a full-size loading bay (16.5m x 3m) is proposed within the footway of Dudden Hill Lane fronting the site, with the highway widened behind it to retain a clear 2.4m wide footway.

251. To accommodate the bay, the carriageway of Dudden Hill Lane is also proposed to be reduced to

6.5m in width, but this will still accommodate two-way flow on this major road, as long as no parking takes place on the carriageway. The road layout in this area has also been amended to include a pedestrian crossing on a raised table between the new site access road and Cooper Road opposite. This is very much welcomed, providing a safe crossing facility on the principal desire line between the development and Dollis Hill Underground station.

252. To accommodate the crossing, the northern arm of Cooper Road is to be amended to operate one-way eastwards, with a contraflow cycle lane at the junction. As it is a through road that emerges back onto Dudden Hill Lane to the south, this is fine in principle, but will be subject to public consultation.

253. 'No entry' signs are therefore proposed at the junction between the two arms of the street, so that only the northern arm of the street is one-way. Nevertheless, consideration could also be given to making the whole street one-way anti-clockwise.

254. A Road Safety Audit has been submitted with the application in relation to the crossing and loading bay, as requested by Brent highways officers during the course of the pre-application discussions. This has been reviewed by officers who are satisfied that the concerns raised by the audit would be addressed through design changes to the exit splays from the loading bay, or via improvement works (i.e. a kerb upstand alongside the speed table, cyclists signage and bollards for the loading bay) which would be secured via the S38/S78 highway design package (included in the S106 Agreement for completeness). Transport for London have continued to raise concerns about the loading bay on-street, and have asked the applicants to consider moving this on-site. The applicants consider that bringing this within the site would result in issues to the public realm and cause strain on pedestrian and cycle routes off Dudden Hill Lane onto the new spine road. Given Brent highways officers are satisfied with the findings of the road safety audit, on balance this is considered acceptable.

255. The amendments to the existing access junction from Dudden Hill Lane incorporate a 6m kerb radius on its southern side and a contraflow cycle lane on its northern side, which will accommodate the required turning movements of delivery vehicles which have been tracked. The egress onto Selbie Avenue is shown with a 4m kerb radius on its southern side and a 1m radius on its northern side, which is fine as delivery vehicles are not expected to turn right out of the site because it leads to a dead-end.

256. Tracking for delivery vehicles suggests that about seven parking bays in Selbie Avenue will need to be removed to accommodate the swept path of refuse vehicles turning out of the site. However, as surveys show that the parking bays in Selbie Avenue are generally less than 50% occupied, this does not cause concern. If objections are received regarding the removal of spaces, then the southern kerb radius might be increased to 6m to ease the turning movement.

257. A further access is proposed to the disabled parking area from Selbie Avenue, shown to a width of 5m with gates set 7.5m from the highway boundary, allowing sufficient width for two-way traffic and space for cars to stand whilst the gates are opened and closed. Beyond the gates, the road narrows to single-width with signal controls, rising on a 10% gradient around a 90° bend to access the parking spaces, which is fine. The existing access to Selbie Avenue sits between the two proposed new access junctions, so will need to be removed and reinstated to footway. The spine road through the site will allow emergency vehicle access around the perimeter of most blocks.

258. However, emergency vehicle access will need to be accommodated along the north-south pedestrian routes along either side of the central park, in order to reach Blocks K and M in particular. This will in turn require two new crossovers onto Denzil Road for use by emergency vehicles only. Please also note that the road along the eastern side of the park will also be used temporarily as the spine road for Phase 1 of the development, pending the completion of the western half of the spine road in Phase 2. The junction onto Denzil Road will therefore need to be designed accordingly for general use including radius kerbs, until such time as the final spine road alignment is completed, when it can be downgraded to a simple crossover with dropped kerbs and bollard control.

259. The new access arrangements will leave two redundant crossovers onto Denzil Road and one onto Dudden Hill Lane and these all need to be removed and returned to footway with full-height kerbs at the developer's expense. The existing parking bays along Denzil Road will also need to be amended to suit the new access arrangements. The site layout plan also proposes setting the site boundary back by about 500mm along the majority of the Denzil Road and Selbie Avenue frontages of the site, allowing the adjoining footways to be widened. This is welcomed and should be accompanied by the resurfacing of the footways (incl. street trees) and removal of the partial footway parking from Denzil Road (the reduction in traffic flow from the site allowing any retained parking to be provided on the carriageway).

260. Alternatively, consideration could be given to removing parking from the northern side of the street altogether to provide more space for cyclists. All of the above works to the highway will need to be secured through an agreement under S38/278 of the Highways Act 1980.

261. Otherwise, the new east-west spine road through the site and the central park area between the spine road and Denzil Road will improve pedestrian permeability through the area and this is very much welcomed. The pedestrian/cycle routes should be secured as permissive rights of way for the general public. Officers have secured this via section 106 agreement.

Transport Assessment

262. To estimate future trips to and from the site, reference has been made to the TRICS database for each of the separate land uses proposed across the site. This is in line with advice provided by Brent and TfL during the scoping of the Transport Assessment. For the commercial uses, adjustments have been made to reflect the fact that many of the facilities (shops, cafes, gym, nursery etc.) will be used by residents of the development and by other local residents that will divert existing trips away from other shops, cafes nurseries etc. in the wider area to this development instead.

263. Once aggregated together, the development is anticipated to generate 175 arrivals/742 departures in the morning peak hour (8-9am) and 534 arrivals/397 departures in the evening peak hour (5- 6pm) by all modes of transport. Although Census data has then been examined to derive likely modal share, a major adjustment has had to be made to reflect the lack of parking on the site, which means that residential trips are estimated to make up just 1% of journeys, with no car trips at all made for the commercial uses. The proportion of active travel (walking and cycling) and public transport trips has thus been amended accordingly, with approximately 55% of trips estimated to use public transport. In terms of servicing trips, reference is again made to data on the TRICS database. This may overestimate trips in practice, as the scale of this development allows a greater amount of consolidation, particularly for parcel deliveries for online shopping.

264. In terms of modal split, increased use of cargo bikes is also expected once the development is built out, in line with TfL predictions. For the commercial units, deliveries will have greater scope to be pre-planned through a delivery booking system, as proposed in the Delivery & Servicing Plan. This is welcomed, but the Delivery and Servicing Plan that has been submitted should include more targets around avoiding peak hour deliveries, using smaller and greener vehicles (incl. cargo bikes) and reviewing and modifying the plan over time in light of the survey data that is gathered. A revised version is therefore sought as a condition of any approval.

265. Otherwise, most of the units are expected to require one delivery per day, aside from the convenience store which would require up to about five deliveries per day. Once aggregated together, the development is estimated to generate about 120 deliveries per day, with 2-3 in the morning peak hour (8-9am) and 7-10 in the evening peak hour (5-6pm). In terms of impact on the highway network, the 'car-free' nature of the development means that it is predicted to generate just 4 arrivals/9 departures in the morning peak hour and 12 arrivals/13 departures in the evening peak hour by vehicles (incl. deliveries).

266. This level of traffic is insufficient to have any noticeable impact on the local highway network and furthermore, is far lower than the level of traffic generated by the existing college with its 300 or so parking spaces. The proposal is therefore likely to have a positive impact on highway conditions, particularly along Denzil Road.

267. In terms of public transport trips, the development is estimated to generate 194 bus trips in the morning peak hour and 196 in the evening peak hour. This amounts to 1-2 extra passengers per bus passing through the area on average, but the assessment contains no detailed breakdown of the expected impact on individual routes. TfL, as overseer of bus routes in London, will need to consider the impact further and it is anticipated that they will require a financial contribution towards bus service enhancements in the area.

268. For rail trips, the development is expected to generate 308 trips in the morning peak hour and 314 in the evening peak hour, which would equate to an average of about 8 passengers per train. Again, no analysis has been undertaken on routeing, with most trips are expected to be tidal into Central London in the morning and vice versa in the evening. Given that Dollis Hill station would be expected to accommodate almost all rail trips at the current time, consideration of station gateline capacity also needs to be considered.

269. In the longer term, there are unfunded proposals for a West London Orbital Overground line, with a

nearby station proposed at Neasden. Improvements to Neasden Underground station are also proposed. Financial contributions towards this are also expected and again, TfL will need to advise on the appropriate level of contributions.

270. For walking and cycling trips, an Active Travel Zone assessment has been undertaken for eight routes to key destinations in the area. This makes several recommendations for improvements, some of which are to be addressed through the proposed pedestrian crossing between the main site access and Cooper Road and the widening and improvements to Denzil Road.

271. Other recommended improvements include improved footway surfacing along Dudden Hill Lane, improved lighting in Gladstone Park and access improvements where stairs exist at Griffin Close and the bridge over the railway line at Lancaster Road, clearance of litter and overhanging vegetation in the area and a pedestrian crossing in Neasden Lane. Some of the recommended measures are some distance from the site and some would fall under routine maintenance.

272. Works in Neasden Lane would also be expected to be covered by development closer to Neasden station. As such, it is not considered necessary to fund those improvements to make the scheme acceptable. However, the Active Travel Zone study did not consider the adequacy of the pedestrian crossing facilities between Denzil Road and Cooper Road (eastern arm) in any detail, despite requests for this to be examined during the pre-application discussions.

273. The concern at present is that the pedestrian crossing near Denzil Road sits 25m north of the junction and thus requires a significant deviation from the natural pedestrian desire line when crossing between Denzil Road and Cooper Road. A site observation over a one-hour period by Brent officers suggested that only one-third of pedestrians crossing between Denzil Road and Cooper Road actually use the crossing at present, with the majority crossing directly between the two junctions despite the absence of formal crossing facilities. This is a road safety concern.

274. To relocate the crossing into the space between Denzil Road and Cooper Road would provide a safer and more direct route between the southern side of the site and Dollis Hill station, as well as a more even spacing of crossings along Dudden Hill Lane between the other new crossings proposed close to the main site access and outside the recently approved major redevelopment at 54-68 Dudden Hill Lane. An initial sketch suggests that there is sufficient space to safely site the crossing with suitable highway visibility splays, particularly if the whole length of Cooper Road is made one-way anti-clockwise.

275. On the other hand, it is accepted that there is a cost involved in moving an existing crossing a relatively short distance, whilst the concentration of development along the northern side of this site does also mean that comparatively few residents would be likely to use Denzil Road, which may serve to reduce the existing pedestrian movement between Denzil Road and Cooper Road compared with the existing college.

276. Nevertheless, further consideration of future pedestrian movement in the area and the adequacy of the crossing facilities is still required and as this was not done in advance of the planning submission, it is recommended that a sum is provided to undertake a study and to thereafter implement any recommended mitigation measures arising from the study. An initial sum of £25,000 is therefore sought for the study, with any recommended measures to then be included in the future S278 highway works.

Travel Plan

277. To help to facilitate travel to and from the site by residents, staff and visitors by active and sustainable transport modes, a Framework Travel Plan has been prepared. This is welcomed, although the lack of parking will by itself limit the number of vehicular trips to the site. As a Framework Travel Plan, it would be overarching and it is expected that individual specific Travel Plans are then developed for the residential flats, the commercial floorspace, the gym and the nursery, based upon the final agreed Framework Plan.

278. The submitted framework plan has set out targets for reducing modal share over three and five year periods. Whilst this is in line with standard practice, the starting baseline position has been set according to current modal share in the area, rather than the adjusted modal share of 1% of residential journeys being made by car as forecast in the Transport Assessment to reflect the car-free nature of the development. As such, the targets in Tables 4.1 and 4.2 need to be amended.

279. In terms of measures, these have been grouped together for all uses, which is fine as long as each individual travel plan is then able to select from the menu the measures that are relevant to them. As such,

the menu of measures needs to be more comprehensive. For example, one employment measure that would be expected is making employers aware of the benefits of offering interest-free season-ticket loans to staff.

280. A site-wide Travel Plan Co-ordinator will be required and an interim contact has been provided for the time being. They can then oversee individual Travel Plans for each business. Please also note that it is important that Travel Plan information is provided in all marketing and sales materials for the site, so earlier involvement of the Travel Plan Co-ordinator is sought. The timeframe for the Travel Plan is set at five years, but as a phased development with 22 blocks that will take seven years to construct, this would be insufficient and the Travel Plan should be monitored from six months following first occupation to five years following completion.

281. One measure set out in the Travel Plan is a Car Club, with the developer having liaised with a potential operator regarding the setting up of a Car Club at the site. The proposal that has been submitted would provide an initial 2-3 cars in the area for Phase 1, expanding to 3-5 cars upon completion of Phase 2. The proposal guarantees a Car Club presence for five years and includes three years' free membership for all incoming households.

282. To make access to Car Club vehicles available to the wider community, it is proposed that dedicated spaces are provided on Denzil Road and this is supported. The cost of providing the bays (lining, signing and Traffic Management Orders) will need to be included in the scope of the S278 works.

283. Finally, an outline Construction Logistics Plan has been submitted. This confirms that all construction activity, including loading, will take place within the site, with bankspeople employed to manage safe movements into and out of the site. All traffic will be routed to and from the A406 at Neasden via Dudden Hill Lane and this is wholly appropriate, with deliveries to be scheduled only between 10am-4.30pm to avoid network peak hours. Road sweeping and wheel washing will be provided to keep the surrounding streets clean.

284. Construction works are currently anticipated to extend from May 2025 until November 2032, with standard working hours of 8am-6pm on weekdays and 8am-1pm on Saturdays. In terms of vehicle movements, the peak period of activity (March 2027) is anticipated to see 35 daily delivery vehicle movements (17 deliveries), which equates to four movements per hour over a 10-hour day (six per hour if peak hours are avoided). This is considered to be acceptable in highway capacity terms, as long as vehicles adhere to the approved route via Dudden Hill Lane. The outline CLP is considered to be a good quality document and would be reviewed again once a principal contractor is appointed.

Trees and Landscaping

285. Policy BGI2 (Trees and Woodlands) of the Local Plan 2019-2041 stipulates that development that could affect either existing trees on site or adjoining trees will require the submission of a BS5837 or an equivalent tree survey detailing all tree(s) that are on, or adjoining the development site.

286. The need to meet the Brent Local Plan Policy BGI1 Green and Blue Infrastructure in Brent and the London Plan's Policy G5 Urban Greening Factor of 0.4 must also be considered. Policy BH4 requires all minor development proposals to achieve an UGF score of 0.4 on site. This score needs to be demonstrated through a landscape masterplan that incorporates green cover into the design proposal. It should be accompanied by a score table measuring the UGF leading to better quality green cover on site.

287. An arboricultural method statement has been submitted with the application. An assessment of all existing trees on site has been undertaken to assess the extent of tree loss as a result of the proposals. The initial tree survey covered 61 individual trees and five groups of trees. G17 was a significant group and further surveyed in January 2023 recording these tree numbers as T67-T103. Offsite trees T92, T93 and T103 (Sycamore) have been categorised as B, alongside T9, T15, G16 T37, G38, T40, T65 and H91. Most other trees were categorised as C trees with the exception of four onsite category U (T2, T4, T11 and T18).

288. Of these existing trees, five trees are proposed to be retained, one category C tree (T69) and four category B trees (T29, T30, T31 and T32) all within the proposed open space. A total of 379 trees would be planted, including 18 trees which would potentially be re-located. The majority of those would be planted at ground floor level, with the remainder within the communal podiums. The species and types of trees are well considered and offer a good variety of trees throughout the development, complementing the character areas throughout the development and would be secured during both phases. The planting at podium level and as part of the roof gardens are more likely to be private access and so the public benefit of these will be less; they will however provide amenity space for residents.

289. The indicative location of the proposed trees is considered to add value both in terms of biodiversity and visual amenity for occupiers within the site as well as the sites overall appearance. A condition is recommended in final detailed landscaping drawings to be submitted and approved by the LPA, which will include full details of type and species of tree planting throughout the site.

Ecology and biodiversity

Ecological impact assessment findings

290. The application site does not lie within a Site of Importance for Nature Conservation (SINC) nor a Site of Special Scientific Interest (SSSI). However, the site lies less than 1km south of a Site of Importance for Nature Conservation (SINC), which is a large, vegetated plot of land lying (BrBI06B) adjacent to the Metropolitan line between Kilburn and Neasden. The site is adjacent to the northern boundary of the application site.

291. London Plan Policy G6 sets out that SINC's should be protected, and development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This policy position is also reinforced in the Local Plan with policy BGI1 setting out that all development should achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area.

292. An ecological impact assessment has been submitted as part of this application. The ecological impact assessment comprises a desk study, preliminary ecological impact assessment, phase 1 habitat survey, bat surveys and a habitat survey and condition assessment. The purpose of the report is to establish baseline ecological conditions at the site, detail mitigation measures to be put in place to minimise effects on important ecological features, identify residual effects and their significance including cumulative effects.

293. The report identifies that the site is approximately 4.485ha, however the site area in phase 1 encompasses an area of 2ha. The site contains a number of existing buildings used by the College, car parking and surrounding hard standing. The site also includes the existing green spaces on Dudden Hill Lane and Selbie Avenue, which are owned by LB Brent, and will be retained and relandscaped.

294. The report concludes that when considering the mitigation and avoidance measures there will be no residual effects on designated sites, and residual effects on reptiles, bats, hedgehog, and badger will be negligible. Nevertheless, a construction environmental management plan will include details of mitigation measures such as avoiding bird nesting seasons when clearing vegetation and demolition of existing buildings and to ensure a plan is put in place to remove cotoneaster from areas of planting/wildlife areas and dispose of offsite at a licensed waste management facility.

295. The proposal would result in some loss of trees within the SINC along the northern boundary of the site to facilitate the development and the removal of scrub from within the site adjacent to the SINC. In total the proposal would result in the loss of 83 trees with 5 retained across both phases of the development- the loss of these trees is considered unavoidable in order to facilitate the construction of the development. To address this, the proposal would involve replanting to significantly increase the number of trees from 88 to 379 on the site across both phases of the development (as outlined in earlier sections and secured by condition).

296. Furthermore, an arboricultural method statement has been set-out to protect trees throughout all stages of construction and a construction environmental management plan would also be implemented which would provide details of environmental controls to prevent dust pollution, run-off pollution, escape of chemicals or other wastes from the construction site, and to avoid light pollution onto the SINC.

297. Overall, it is considered that the submitted ecological impact assessment has set-out adequate measures to mitigate against harm to the SINC and local protected species. The construction environmental management plan will be secured by way of planning condition.

Biodiversity net gain (BNG) and urban greening

298. A net gain in biodiversity should be delivered across the site in line with policy requirements, which is required as 10% in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

299. The applicant has provided information in the submitted BNG planning report setting out that the proposal would not meet 10% BNG on-site but would instead achieve BNG from both onsite habitat creation and offsite habitat compensation to achieve the 10% BNG. The BNG assessment states that 7.17 off-site units would be purchased to achieve the targeted biodiversity net-gain in phase 1 of 10%. To deliver a biodiversity net gain for phase 1 only, trading rule deficits of 2.99 habitat units for scrub of medium distinctiveness, and 3.61 habitat units for trees of medium distinctiveness must be satisfied before a net gain can be achieved. Once trading rules are satisfied, another 0.58 biodiversity units attributable to any habitat would be required to achieve 10% biodiversity net gain.

300. While the delivery of 10% BNG would not be met on-site, the proposal has sought to maximise the delivery of residential units on-site and this would be compromised if large plots of the site were left to be vacant. However, the site forms a key Site Allocation (BEGA1) within the Brent Local Plan as a residential-led proposal that will deliver much needed new homes which contribute to Brent's housing needs. The proposal would create a significant enhancement in regard to public realm benefits and urban greening, including replanting with new trees resulting in a significant increase from the existing. Thus, when considering the planning balance and overall benefits of the scheme, these merits are considered to outweigh the shortfall of 10% BNG on-site delivery and the LPA accepts the alternative to deliver meet the 10% requirement via both on and off-site biodiversity units.

301. Furthermore, the proposal would deliver a UGF score of 0.577 as a whole site (when considering phase 1 and 2 developments) and 0.417 for phase 1 only, which exceeds the target of 0.4 as required in policy BH4 of the Local Plan and G5 of the London Plan.

302. Overall, in this instance the delivery of the 10% BNG requirement through on and off-site measures is considered acceptable given the wider public benefits of the scheme to facilitate the delivery of a large quantity of good quality homes which address Brent's housing needs, as well as improved landscaping and placemaking. A construction environmental management plan will be secured by way of planning condition.

Environmental health considerations

Air quality

303. The site is located within an Air Quality Management Area (AQMA). In accordance with London Plan Policy S11 and Local Plan Policy BSUI2, an Air Quality Assessment and Air Quality Positive Assessment has been submitted with the application, as the site is located within a Growth Area. The assessment should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development.

304. The report considers the suitability of the site for introducing new residential occupants. The assessment demonstrates that there will be no impact to future residents or existing residents in terms of air quality. The development will be car free and there will be no combustion plant, as such there is no requirement for any conditions relating to air quality neutral. There will be an emergency generator on site and the impacts of emissions from testing and maintenance have been considered. On that basis, future occupants of the proposed development are unlikely to be exposed to unacceptable air quality and the site is deemed suitable for its proposed future use in this respect, without the need for mitigation measures.

305. The report has also considered the impacts during construction including dust generation and plant vehicle emission. It is recommended that conditions are secured within a Construction Management Plan (CMS) to include an Air Quality and Dust Management Plan (AQDMP) and compliance with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards. In relation to the operational impact of the proposed development on the surrounding area, detailed atmospheric dispersion modelling has been undertaken particularly given the proximity of the development to road traffic. However, the report concludes that this impact is predicted to be 'not significant' taking into account the changes in pollutant concentrations and absolute levels.

306. As there is a potential for restaurants/takeaways, internal commercial buildings should be designed to accommodate the inclusion of a robust extraction system with adequate outlets. Vertical extraction at a high elevation is highly recommended to ensure that end users are not affected by odour, and officers recommend precise details are secured by condition.

307. In addition, the application has been accompanied by an Air Quality Positive Assessment, as required by Local Plan policies given this is a Growth Area location. This highlights that in relation to building emissions, as the heat and power demand would be met by electrically powered air source heat pumps and

there will be no centralised combustion source, building emissions has been scoped out.

308. In relation to Transport Emissions, the maximum predicted annual mean concentrations within the site in 2025 are:

- NO₂ – 29.2 µg/m³;
- PM₁₀ – 23.3 µg/m³; and
- PM_{2.5} – 12.3 µg/m³.

These predicted concentrations are below the respective objectives and will remain below the objectives by the time the proposed development is operational. The predicted maximum PM_{2.5} concentration is marginally above the GLA target; the GLA's aspiration is to meet the target of 10 µg/m³ by 2030. The predicted value presented above is the maximum within the site boundary, immediately adjacent to the A4088; at the location of proposed buildings, the maximum in 2025 is 10.8 µg/m³ and by 2030 (the target year), this falls to 9.8 µg/m³.

309. Officers in the Council's Environmental Health team have reviewed the air quality information and raised no objections subject to conditions relating to a CMS and NRMM. The GLA have also confirmed, subject to conditions, that the scheme would be acceptable and would meet air quality positive requirements subject to appropriate conditions.

Construction noise and nuisance

310. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore have the potential to contribute to background air pollution levels and cause nuisance to neighbours.

311. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and a planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Method Statement to be submitted for approval before works start. This would need to include management of dust through wheel washing and other mitigation measures, such as noise restrictions.

312. A further condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan.

Contaminated Land

313. The college has been on site since the 1950s with changes in the footprint of the building over the years. Due to the age of the building, asbestos is likely to be present. There are also two sub stations on site which could pose a risk due to Polychlorinated Biphenyls (PCB's).

314. The Council's environmental health team has therefore recommended conditions requiring a site investigation and verification reports to be submitted for approval, with remediation and mitigation measures required being fully implemented before the relevant part of the works is carried out. These have been attached to the draft decision notice.

Noise

315. The application has been accompanied by a Noise and Vibration Impact Assessment (prepared by Cass Allen dated 1st May 2024). This includes details of the assessment methodology; the baseline conditions at the site and surroundings; the likely environmental noise and vibration effects; and the mitigation measures required to reduce and minimise any adverse effects.

316. The report has identified that the proposed development site is in an urban location with the principal noise sources being road traffic from both Dudden Hill Lane and surrounding streets, as well as the railway line to the north. The assessment also scrutinises potential levels of noise generated by the proposed commercial and industrial uses, in accordance with Agent of Change principles set out in policy D13 of the London Plan.

317. In response to these noise sources, high specification acoustic glazing and acoustic ventilation opening solutions are likely to be required to achieve the required internal noise levels. The scheme is proposing to use Mechanical Ventilation Heat Recovery (MVHR) throughout the development for the whole

dwelling ventilation, so ventilation openings in the facade (i.e. trickle vents) would not be required.

318. The proposals also include enhanced sound insulation for façades close to entrances to commercial uses, which is welcomed.

319. In relation to mitigation measures for the construction phase of the development, the report sets out that demolition and construction works would follow Best Practicable Means (BPM) outlined in Section 72 of the Control of Pollution Act 1974 (as amended) to minimise noise and vibration effects. This would be secured within the CMS and CEMP via planning conditions.

320. The information has been reviewed by Environmental Health who have advised that the report provides details of the noise mitigation measures by way of glazing, ventilation and building construction/sound insulation between floors specification to ensure that the recommended internal rooms noise levels can be achieved. Provided these mitigation measures are installed then no further conditions are recommended in terms of the design of the buildings.

Lighting

321. No specific lighting strategy has been submitted with the application, although it is discussed at various points of the applicant's design and access statement and in relation to transport matters. The Council's highways team has requested further details are secured by condition in relation to lighting within the spine road, car parks and footpaths within the site.

Energy and sustainability

Policy background

322. Planning applications for major development are required to be supported by proposals for sustainable design that accord with various policies in the Brent Local Plan and the London Plan. This is designed to demonstrate, at the design stage, how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per day (SI 5) and the use of sustainable drainage (BSUI4).

323. Major residential and non-residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2021 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy SI2. Policy SI2 also sets out more detailed requirements, including the 'Be Seen' requirement for energy monitoring and reporting and (for proposals referable to the Mayor) a Whole Life Cycle Carbon Assessment). Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.

324. Any shortfall in achieving the target emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £95, or through off-site measures to be agreed with the Council. Policy BSUI1 also requires any proposal for commercial floorspace of over 1,000 sqm to demonstrate that it achieves BREEAM Excellent standards.

325. For the residential parts of the development, the policy also requires at least 10 percentage points of the minimum 35 percentage point reduction to be attributable to energy efficiency measures (known as 'be lean' measures) and for the commercial parts of the development, the policy requires at least 15 percentage points of the reduction to be attributable to 'be lean' measures. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.

326. The Council also adopted the Sustainable Environment and Development Supplementary Planning Document on 12 of June 2023 which provides guidance on range of sustainable development issues.

Carbon emissions

327. A sustainability statement has been submitted in support of this application which sets out how the London Plan energy hierarchy has been applied.

328. At the 'be lean' stage of the hierarchy, applicants must achieve carbon emissions savings through passive energy saving measures. For this proposal, the applicants have used high specification fabric which minimises heat loss through air infiltration, reducing reliance on artificial lighting, utilising low energy lighting,

and ensuring adequate levels of ventilation are maintained whilst reducing heat loss through the specification of Mechanical Ventilation with Heat Recovery (MVHR).

329. Further evidencing of energy efficiency measures for the domestic and non-domestic element through modelling documentation and carbon reporting spreadsheet, as well as which cooling hierarchy has been followed (including testing of lower g-value), should be explored ahead of GLA stage 2 referral.

330. For the 'be clean' stage, the applicants explored the potential to connect to a district heat network (DHN), however as the site is more than 2km away from the closest district heating network it would not be viable to connect the site to a DHN. The supporting sustainability statement does state however that there will be provision for a single point of connection to a district heating network if one becomes available in the near future and that the energy centres will host a heating strategy based on centralised communal air source heat pumps to supply heating and hot water for the residential portion of the development. Further exploration of a singular energy centre approach and this district heating network approach should be explored ahead of GLA stage 2 referral.

331. For the 'be green' stage, applicants are required to maximise the use of onsite renewable technologies in further reducing carbon emissions. The applicants propose to incorporate air source heat pumps (ASHP's) to provide space heating, cooling, and a proportion of domestic hot water requirements (with the remainder topped up using direct electricity) together with Photovoltaic Panels (PVs). However further demonstration that renewable energy has been maximised, including roof layouts showing the extent of PV provision and details of the proposed air source heat pumps; should be explored ahead of GLA stage 2 referral.

332. For the 'be seen' stage, applicants are required to monitor, verify, and report on energy performance and the applicant has stated that a monitoring strategy would be put in place to monitor the energy performance of the development and reported post-occupation. This should be secured within an agreed S106 agreement.

333. For the detailed element of the scheme, the development is estimated to achieve an 84% reduction in CO2 emissions compared to 2021 Building Regulations for the domestic element and a 43% reduction for the non-domestic element. For the outline element, the development is estimated to achieve a 46% reduction in CO2 emissions for the domestic element and a 14% reduction for the non-domestic element. The below table shows the cumulative on-site savings made under this development which would comply with Part L 2021 of building regulations:

| Cumulative Regulated CO 2 Savings (SAP10.2) | | | | |
|--|------------------|--------|--------------------------|---------|
| | Detailed Phase 1 | | Site-Wide (Phases 1 & 2) | |
| | % | t/yr | % | t/yr |
| Domestic | 83.8 | 878.64 | 83.8 | 1357.98 |
| Non-Domestic | 43.3 | 9.58 | 43 | 13.32 |
| Phase 1 | 83 | 888.21 | - | - |
| Site-wide (Phases 1 & 2) | - | - | 83.1 | 1371.3 |

334. The supporting energy statement demonstrates that the proposal complies with the London Plan CO2 savings target of 35% overall as set-out in policy SI 2 of the London Plan. However, the development would fall short of the net zero-carbon target in Policy SI 2.

335. As such, a carbon offset payment is required to be secured and this will be done so via a S106 agreement. A carbon offsetting payment of £95 per year for 30 years for each tonne of emitted regulated carbon is to be secured from the developer in line with London Plan policy. A detailed energy strategy would be secured within the s106 agreement with the need to pay any contribution should the scheme not achieve zero carbon, which is calculated as £797,024 at this stage.

336. A commitment has been provided that the development will be designed to enable post construction monitoring and that the information set out in the 'be seen' guidance is submitted to the GLA's portal at the appropriate reporting stages. This will be secured through the s106 Agreement.

337. The GLA have confirmed that the development's energy strategy is in general compliance with the London Plan policies, although to ensure that the projected and (where possible) additional savings are achieved, further information or clarifications relating to the Be Lean target for the non-residential element, overheating, photovoltaics (demonstrate that delivery is being maximised), futureproofing, air source heat pumps and on-site heat network are required. This would be provided ahead of the stage 2 referral.

338. The GLA have also requested a commitment that the development will be designed to enable post construction monitoring and that the information set out in the 'Be Seen' guidance is submitted to the GLA's portal at the appropriate reporting stages is to be secured via the Section 106 agreement, as well as the carbon offset contribution.

339. The application is accompanied by a BREEAM pre-assessment, contained within the Sustainability Statement, which sets out that the applicant is provisionally targeting the achievement of an 'Excellent' (83%) rating within the commercial elements of the scheme at both detailed Phase 1 stage, and on a site-wide basis. The pre-assessment sets out that there is also the potential for this to be improved to above 80% on both elements, subject to further consideration during the construction process. This will be secured via the section 106 agreement.

Whole Life Carbon and Circular Economy

340. The application has been supported by a whole life cycle Carbon Assessment as required by London Plan policy SI2, demonstrating whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrating actions taken to reduce life-cycle carbon emissions. By undertaking a WLC, the development has demonstrated (subject to further Stage 2 consideration by the GLA) that options for reducing carbon emissions have been considered and implemented where feasible.

341. A Circular Economy (CE) statement has been submitted; however, this does not yet comply with the requirements of policy SI 7 of the London Plan with further information required on pre-redevelopment audit; prioritisation of reuse and recycling; and provision of an operational waste management plan. While the principles of this statement are generally supported, further details will require a review from the GLA as part of the stage 2 referral.

342. Suitable planning conditions (where relevant) relating to the WLC and CE Statement will be incorporated following consideration of GLA feedback at the Stage 2 referral stage.

Water consumption

343. London Plan Policy SI 5 Water infrastructure and Policy BSUI4 (On Site Water Management and Surface Water Attenuation) requires proposals to minimise the use of mains water achieving water consumption of 105 litres or less per head per day. A condition is attached to this application to ensure the water consumption is within the limits, in line with this policy requirement, and in response to the GLA Stage 1 comments.

Sustainable design and construction

344. With regard to sustainable design and construction, the applicant's supporting documents (mainly within the submitted Sustainability Strategy) outline the key sustainability benefits which would be incorporated into both the residential and non-residential components of the scheme.

345. The application is accompanied by four BREEAM pre-assessment studies- one for the nursery, one for the gym, one for retail and one for residential, contained within the Sustainability statement. Each show that the applicant is provisionally targeting a score of above 75% which would equal a BREEAM 'excellent' score.

346. With regard to overheating, London Plan Policy SI 4 states that major development proposals should demonstrate through an energy strategy how they will reduce the potential for overheating and reliance on air conditioning systems in accordance with a cooling hierarchy.

347. An overheating risk assessment has been provided within the submitted energy statement setting out a number of measures being used to help eliminate or reduce overheating risk. This sets out that several design measures have been included such as:

- High efficiency lighting installations (LED) to all spaces to minimise internal heat generation.

- External shading from balconies and internal shading via opaque blinds
- Natural ventilation opening in all residential and communal spaces.
- MVHR
- Active mechanical comfort cooling in the form of a VRF system to non-domestic units with cooling capacity limited to 125 W/sqm
- Solar control glazing on all windows to achieve g-value 0.5 for the domestic portion of the scheme and 0.3 for the non-domestic portion.

348. The results show that that all modelled flats and non-residential spaces assessed are expected to achieve compliance with Part O and CIBSE TM59 for London Weather Centre DSY1 weather data, provided that these adequate design considerations are taken into account.

Flood Risk and Drainage

Policy background

349. Paragraph 167 of the NPPF sets out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

350. The above position is reinforced within policy BSUI3 of Brent's Local Plan which highlights that proposals that require a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a Flood Risk Assessment must contribute to flood risk management and reduction and:

- a) minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
- b) wherever possible, reduce flood risk overall;
- c) ensure a dry means of escape;
- d) achieve appropriate finished floor levels which should be at least 300 mm above the modelled 1 in 100 year plus climate change flood level; and
- e) not create new basement dwellings in areas of high flood risk.

351. The policy goes on to say that proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Assessment of sequential and exception tests

352. A Flood Risk Assessment (FRA) has been submitted in support of the application. This report confirms that the site lies within Flood Zone 1 in terms of fluvial or tidal flooding. However, the report concludes there is a low to medium potential for surface water flooding, and the West London Strategic Flood Risk Assessment confirms that large parts of the site are within Flood Zone 3a for surface water flooding.

353. On this basis, only certain types of development are acceptable, as set out within the Flood Risk Vulnerability Classification table set out within the NPPF. Residential uses are classed as 'More Vulnerable' whereby such uses would not be supported in Flood Zone 3a where the sequential and exception test has not been met. The commercial uses are classed as 'Less Vulnerable' and are considered acceptable subject to appropriate mitigation measures, set out in the Environment Agency's standing advice.

354. In this case, as noted above the site does form part of the wider Neasden Stations Growth Area site allocation within the Local Plan. As part of the evidence base to support the Local Plan, the site was included as part of the Brent Flood Risk Sequential and Exception Test documentation. The document sets out that the Sequential Test had been passed as "It is necessary to identify the site to address longer term housing needs as there are insufficient alternative sites in fluvial zones 1 or 2".

355. The document also set out that it was 'probable' that the exception test could be passed on this site, but states that "a site specific flood risk assessment would need to demonstrate this with reference to the Level 2 SFRA".

356. The FRA demonstrates that the site has a low to medium risk of surface water flooding, with some pockets of flooding within isolated parts of the existing site. There is a major flow route to the south of the site along Denzil Road. However, this is ponding associated with topographical lows and as such will be mitigated through the implementation of a drainage strategy, details of which are outlined below.

357. The FRA adequately assesses the risk of flooding from fluvial/tidal, groundwater, and reservoir flooding, which is considered to be low. On this basis, officers consider that the exception test has been adequately passed and the proposed development meets the requirements of paragraph 167 of the NPPF outlined above.

Sustainable drainage

358. Policy SI13 of London Plan sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the drainage hierarchy.

359. Policy BSUI4 relates to on site water management and surface water attenuation. It requires major developments to:

- a) use appropriate sustainable drainage measures to control the rate and volume of surface water run-off;
- b) ensure where feasible separation of surface and foul water systems;
- c) make reasonable provision for the safe storage and passage of flood water in excessive events; and
- d) demonstrate adequate arrangements for the management and maintenance of the measures used.

360. The application has been accompanied by a drainage strategy. It notes that achieving Greenfield runoff rates for the development are acceptable, with a run off rate of 16 l/s. A vortex flow control will be installed to restrict flows to the maximum discharge rate set for the 1 in 100-year storm, plus an allowance of 40% for climate change. This proposal will ensure that the development does not lead to an increase of flood risk elsewhere through a significant reduction in discharge rates compared to the existing scenario, which is approximately 395.08 l/s over a 1 in 100-year period (with the 40% allowance). Therefore, this betterment is a vast improvement.

361. Attenuation is provided via a minimum depth of permeable paving system of 600mm depth, which is sufficient to contain rainfall events up to 1 in 100-year return period (including a climate change allowance of 40%). This permeable paving system would work together with more superficial measures including intensive and extensive green roofs and soft landscaped areas, with this all connecting to the public sewer with a controlled discharge.

362. Confirmation has been provided the surface and foul water would be separated, and that the sustainable drainage measures would managed and maintained for the lifetime of the development by an appropriate managing body. It is considered that the sustainable drainage measures are acceptable and in accordance with policy BSUI4. Such details are recommended to be conditioned to any forthcoming consent.

363. While the GLA are disappointed that rainwater harvesting has not been included within the scheme, the reuse of water within the site for the irrigation of green roofs is welcomed. The GLA have requested further information on the drainage strategy to ensure that it achieves run off rates as close to greenfield rates as possible. This would be addressed ahead of stage 2 referral.

364. Thames Water were consulted during the course of the application and confirmed that they require further information in relation to both foul and surface water drainage to ensure that there is sufficient network infrastructure to accommodate the needs of this development. They recommend that further information is conditioned, and this has been included on the draft decision notice. They also recommend a condition in relation to piling as the development is located within 15 m of a strategic sewer.

Wind microclimate

365. Policy D8 requires amongst other considerations that development proposals should ensure that appropriate shade, shelter, seating and, where possible, areas of direct sunlight are provided, with other microclimatic considerations, including temperature and wind, taken into account in order to encourage people to spend time in a place. It goes onto say within policy D9 that wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building.

366. To support the above requirements, a 'Pedestrian Level Wind Microclimate Assessment' prepared by RWDI, dated 29th April 2024 has been submitted, and makes assessment of the likely significant effects arising from the proposed development upon wind microclimate. The wind assessment considers the effect of the surrounding context and pays particular attention to wind effects in open amenity spaces, building entrances and pedestrian routes to determine the level of adherence to the recommended standards for sitting, standing and leisure walking. The extent of the study area covered a 360m radius from the centre of the site in line with best practice guidance.

367. The assessment of the wind microclimate impact comprise four stages:

- a. Measure the wind speeds at pedestrian level in the wind tunnel relative to a reference wind speed;
 - b. Adjust standard meteorological data to account for conditions at the Site;
 - c. Combine these to obtain the expected frequency and magnitude of wind speeds at pedestrian level;
- and
- d. Compare the results with the Criteria to 'grade' conditions around the Site.

368. The methodology adopted for the study of Wind speed measurements were made using Irwin probes. For pedestrian comfort studies, both the mean wind speed and the peak wind speed are measured at selected locations at the site and surrounding area to represent sensitive receptors, such as entrances, amenity areas and thoroughfares, at a scaled height of 1.5m above ground level. The assessment of the wind conditions uses the Lawson Comfort Criteria for drawing comparisons.

369. The results of the assessments identified with the inclusion of the Proposed Phase 1 Development the majority of locations on-site and all locations off-site would have wind conditions suitable and safe for their intended use. However, there would be one on-site thoroughfare and one entrance location which would experience strong winds which would exceed the safety threshold.

370. Exceeded comfort levels would be present at several thoroughfares and entrances between Blocks D/E and J/H. There would also be amenity spaces at ground and terrace levels which would also be windier than required for the intended use without any landscaping in situ.

371. The inclusion of Phase 2 would provide beneficial shelter such that unsafe wind conditions would be alleviated. However, wind comfort exceedances would still occur at ground and elevated levels meaning wind mitigation measures would need to be retained.

372. The addition of Cumulative schemes would largely not materially change the wind conditions at or around the Proposed Development. There would be one exception at an entrance location at Phase 1 which would improve such that the wind conditions would be suitable for the intended use.

373. The need for mitigation measures was identified to limit the adverse effects of the proposed development and achieve the required wind conditions for the designated uses. The preliminary mitigation at street level comprised of provision of specific trees of type, size, quantity and layout, within strategic locations of the proposed site while at elevated level, the addition of a pergola on the podium level between blocks B and C were considered.

374. With the developed wind mitigation measures, the majority of the areas would have safe and suitable wind conditions for both only Phase 1 in situ and the site-wide scheme. Strolling conditions at the northern entrance to Building J would be one category windier than suitable for any potential entrance use when Phase 1 is in place. However, these conditions would be temporary as this area would become suitable when the full scheme is completed. When the full scheme is in place wind conditions at the Block J western entrance would have strolling conditions (marginally above the suitable standing threshold). The northern lobby entrance would have suitable standing conditions during the windiest season.

375. It is expected that with final mitigation measures in place, there would be no remaining adverse significant effects requiring mitigation. Officers therefore recommend that details of mitigation measures are conditioned to any forthcoming consent, and these are included within relevant landscaping details (including the proposed pergola to the podium of blocks B/C). On this basis, the scheme is considered to be acceptable with regard to wind microclimate impacts.

Fire Safety

376. Policy D12 of the London Plan states that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor and requires the statement to demonstrate how consideration has been given to such matters as fire appliance access and features which reduce the risk to life.

377. Further to the above, Policy D5 (B5) of the London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users, with fire evacuation lifts suitable to be used to evacuate people who require level access from the buildings.

378. A Fire Statement prepared by FDS Consult UK. Key measures which are to be implemented in the proposed blocks include the following:

- All of the residential blocks will include the provision of at least a single firefighting shaft, featuring a firefighting stair, firefighting lift and dry rising fire main. Blocks C, D, E and J/K will feature a wet rising fire main as it serves a floor more than 50m above the fire service entry level. Buildings serving a floor more than 18m above the fire service vehicle parking location will be provided with a second stair for access / egress. The second stair will feature an associated evacuation lift.
- Fire resistant materials to all external balconies/ terraces and external walls
- Unless advised by the Fire and Rescue Service, a stay-put evacuation strategy to be put in place for each residential block, as these floors will be protected by fire resisting construction
- Commercial and ancillary areas to be simultaneously evacuated on activation of the relevant alarm system
- A sprinkler system will be provided throughout the development and within habitable rooms of all apartments, as well as to ancillary accommodation and plant

379. The Health and Safety Executive (HSE) has been consulted on the scheme, both in terms of the detailed application (Phase 1) and the outline application (Phase 2). Following a review of the information provided with this consultation, HSE is 'content' with the fire safety design, to the extent that it affects land use planning. Within their response, the HSE had identified matters that the applicant should try to address in advance of later regulatory stages, specifically pertaining to fire service access, Qualitative Design Review, Computational fluid dynamics (CFD) – Smoke control, Green Roof, Photovoltaic Panels, and Hydrants.

380. Following the submission of further information and clarification by the applicants, a further consultation response was received by the HSE, in regards to the fire service access matters raised in the previous HSE response. The HSE welcomed the clarifications and the applicant's intention to update/upgrade the design, providing suitable firefighting shaft access. It will be for the applicant to demonstrate compliance at later regulatory stages.

381. London Fire Brigade have also recommended that a site-wide fire strategy report with individual as-built fire strategy reports for each block to assist the end user in understanding, managing and maintaining the as-built fire safety/fire engineering provisions on-site. Comments were raised in regard to the number of firefighting lift shafts within the taller towers (over 50m), typically requiring two. However many of the blocks only have one. It is the Fire Brigade's view that the benefits of two firefighting shafts and the options these give attending fire crews may not be met in this instance, particularly in regard to the buildings over 30m in height.

382. The buildings' footprints appear to allow for the second staircases to be designed for dual use (e.g. as both firefighting shafts and evacuation lobbies), and the Fire Brigade highlight the additional resilience and redundancy this adds to this design. Further technical guidance on specifications for firefighting shafts and protected escape routes on the ground floor, fire resistance of smoke shafts, emergency evacuation alert systems, access and facilities for the fire and rescue service, electric vehicles and cycle stores, fire separation strategies on balconies/terraces and podiums, and solar panels have also been detailed. As per the HSE comments, it will be for the applicant to demonstrate compliance at later regulatory stages with regards to the Fire Brigade comments.

383. The report concludes that once the design is finalised, a detailed fire safety strategy report will be

developed for the buildings which will be submitted for Building Control approval as part of the future design process. An informative is attached to the permission advising that this is undertaken. On the basis of the above, the submitted Fire Statement and fire safety design are suitable to meet the requirements of D12.

Utilities

384. The applicants have submitted a report setting out the existing and required utilities / statutory services for the scheme, including clean water supply, sewer connection, gas, electricity and internet connection. The details of the report are not considered to contravene any relevant planning policies.

385. The statutory services report indicates that fibre internet is proposed to be made available to all apartments, which would accord with the aims of London Plan policy SI6. A condition is attached ensuring that high-speed broadband is secured for all future dwellings, in line with this policy.

Equalities

386. 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 also been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

387. The proposals would result in the mixed-use re-development of the existing college which is an allocated site within the Local Plan and forms part of the Neasden Stations Growth Area. It would accord with the key policy objectives of the site allocation including the provision of 1627 homes over two phases, new commercial uses, community and nursery facilities. This site, together with the Crescent House site in Wembley Park, would facilitate the delivery of a new college campus in Wembley and this would be secured via section 106 agreement.

388. The new homes would include 18.1% affordable homes over the two phases, with a significant proportion of these being family sized homes for Social Rent, which is a significant benefit. Although not policy compliant, weight has been given to the inter-linkage between this site and the Crescent House scheme in providing a significant financial contribution to the delivery of the new college campus. Therefore, officers consider that the amount of Affordable Housing proposed is the maximum amount that the scheme could viably deliver. Early, mid and late-stage review mechanisms are recommended to ensure that any uplift in viability is captured.

389. In terms of housing size mix, the overall proportion of family sized homes is below council policy targets, with the applicant citing the impact of the delivery of more family sized private homes on development viability and therefore Affordable Housing. The proportion of family sized affordable homes is above targets. In this instance, officers weigh the benefits of providing more Affordable homes above the deficit of private family sized homes in the scheme.

390. The proposal will result in the provision of a high quality public realm, with a new east-west spine road improving legibility through to Dollis Hill station, and other routes and spaces proposed at ground level which are publicly accessible. The proposal would deliver a central neighbourhood park during Phase 2, a key objective of the site allocation and the wider NSGA Masterplan, as well as improvements to public open space at Dudden Hill Green and Selbie Avenue. The architectural quality of the buildings is considered to be high, and the approach to building height, massing and composition is well considered. Although heights are in conflict with the NSGA Masterplan, the site is within a tall building zone and it has been successfully demonstrated that the design approach is suitable and meets the key criteria of London Plan policy D9.

391. The quality of the homes is considered to be good, with homes meeting internal space standards and other quality factors considered and discussed in this report. Officers acknowledge that the proposal will result in some significant daylight and sunlight impacts, some of which will go beyond targets within BRE guidance. However, the level of impact is not considered to be excessive given the policy allocations and designations, the existing open nature of the site and the benefits of the scheme are considered to outweigh the harm.

392. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the Development Plan, and having regard to all material planning

considerations, should be approved subject to conditions and completion of a Section 106 Agreement.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 24/1804

To: Mr Messenger
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

I refer to your application dated **28/06/2024** proposing the following:

Hybrid planning application comprising: Full planning permission for the demolition of existing buildings and structures within 'Phase 1' and all site preparation works, and redevelopment with mixed-use buildings providing residential homes (Use Class C3), flexible commercial, retail and leisure space (Class E), workspace (Use Class E(g)), associated cycle and vehicle parking, new and altered vehicular accesses and other associated highways works, hard and soft landscaping including creation of new and upgrades to existing public open space, and all associated ancillary and engineering works; and

Outline planning permission for the demolition of all existing buildings and structures within the rest of the Site, and redevelopment with a series of new mixed-use buildings accommodating residential homes (Use Class C3), flexible commercial, retail, workspace and leisure space (Class E), community space (Use Class F), and flexible nursery/community/medical floorspace (Use Classes F/E(e)/E(f)), associated cycle and vehicle parking, new and altered vehicular accesses and other associated highways works, hard and soft landscaping including creation of new and upgrades to existing public open space, and all associated ancillary and engineering works, with all matters reserved except for means of access.

Further explanation (not forming part of the formal description of development set out above):

The proposed development is formed of two phases: Phase 1 is applied for in detail, and includes the construction of 11 new blocks (Blocks C-H, J, K, V, W and Y) to provide 1,076 residential dwellings (Use Class C3), comprising heights of between 4, 5, 10, 11, 15, 17, 22, 24 and 28 storeys (up to 98.5 AODm). The development also proposes 3,354 sqm of flexible retail, commercial and leisure floorspace (Use Class E) (which includes 1,173 sqm of gym floorspace) at lower levels of these blocks.

Phase 2 is applied for in outline, and includes the provision of up to 3,500 sqm (GIA) of new land use floorspace within 11 new blocks (Blocks A, B, L-N, and P-U) comprising heights of between 4, 5, 6, 11, 14, 16 and 17 storeys (up to 100.2 AODm), with the maximum quantum as follows:

- flexible retail, commercial and leisure floorspace (Use Class E): up to a maximum of 1,500sqm
- community floorspace (Use Class F): up to a maximum of 1,000sqm
- nursery or local community/ medical floorspace (Use Class F/E(e)/E(f)): up to a maximum of 1,000sqm,
- C3 Residential: up to 57,500 sqm (approximately 551 homes).

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

at **College of North West London Willesden, Dudden Hill Lane, London, NW10 2XD**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the

reasons and subject to the conditions set out on the attached Schedule B.

Date: 03/12/2024

Signature:

David Glover

Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2023
The London Plan 2021
Brent's Local Plan 2019 – 2041

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

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

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

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

DOL GRD ZZ 00 DR A PL001 Site Location Plan
DOL GRD ZZ 00 DR A PL002 Existing Site Plan
DOL GRD ZZ 00 DR A PL003 Demolition Plan
DOL GRD ZZ 00 DR A PL004 Proposed Site Plan
DOL GRD ZZ 00 DR A PL005 Proposed Site Plan Phase 1 Landscape Design

Site-Wide Plans

DOL GRD ZZ LG DR A PL006 Site Plan at Lower Ground Floor Phase 1 Landscape Design
DOL GRD ZZ 00 DR A PL007 Site Plan at Ground Floor Phase 1 Landscape Design
DOL GRD ZZ M0 DR A PL008 Site Plan at Mezzanine Floor Phase 1 Landscape Design
DOL GRD ZZ LG DR A PL009 Site Plan at Lower Ground Floor
DOL GRD ZZ 00 DR A PL010 Site Plan at Ground Floor
DOL GRD ZZ M0 DR A PL011 Site Plan at Mezzanine Floor
DOL GRD ZZ 01 DR A PL012 Site Plan at First Floor
DOL GRD ZZ 02 DR A PL013 Site Plan at Second Floor
DOL GRD ZZ 03 DR A PL014 Site Plan at Third Floor
DOL GRD ZZ 04 DR A PL015 Site Plan at Fourth Floor
DOL GRD ZZ 05 DR A PL016 Site Plan at Fifth Floor
DOL GRD ZZ 06 DR A PL017 Site Plan at Sixth Floor
DOL GRD ZZ 07 DR A PL018 Site Plan at Seventh Floor
DOL GRD ZZ 08 DR A PL019 Site Plan at Eighth Floor
DOL GRD ZZ 09 DR A PL020 Site Plan at Ninth Floor
DOL GRD ZZ 10 DR A PL021 Site Plan at Tenth Floor
DOL GRD ZZ 11 DR A PL022 Site Plan at Eleventh Floor
DOL GRD ZZ 12 DR A PL023 Site Plan at Twelfth Floor
DOL GRD ZZ 13 DR A PL024 Site Plan at Thirteenth Floor
DOL GRD ZZ 14 DR A PL025 Site Plan at Fourteenth Floor

DOL GRD ZZ 15 DR A PL026 Site Plan at Fifteenth Floor
DOL GRD ZZ 16 DR A PL027 Site Plan at Sixteenth Floor
DOL GRD ZZ 17 DR A PL028 Site Plan at Seventeenth Floor
DOL GRD ZZ 18 DR A PL029 Site Plan at Eighteenth Floor
DOL GRD ZZ 19 DR A PL030 Site Plan at Nineteenth Floor
DOL GRD ZZ 20 DR A PL031 Site Plan at Twentieth Floor
DOL GRD ZZ 21 DR A PL032 Site Plan at Twenty-first Floor
DOL GRD ZZ 22 DR A PL033 Site Plan at Twenty-second Floor
DOL GRD ZZ 23 DR A PL034 Site Plan at Twenty-third Floor
DOL GRD ZZ 24 DR A PL035 Site Plan at Twenty-fourth Floor
DOL GRD ZZ 25 DR A PL036 Site Plan at Twenty-fifth Floor
DOL GRD ZZ 26 DR A PL037 Site Plan at Twenty-sixth Floor
DOL GRD ZZ 27 DR A PL038 Site Plan at Twenty-seventh Floor
DOL GRD ZZ 28 DR A PL039 Site Plan at Twenty-eighth Floor
DOL GRD ZZ 29 DR A PL040 Site Plan at Twenty-ninth Floor
DOL GRD ZZ 30 DR A PL041 Site Roof Plan

PL100 GA Plans

DOL GRD CC 00 DR A PL100 GA Plan at Ground Floor Block C
DOL GRD CC M0 DR A PL101 GA Plan at Ground Floor Mezzanine Block C
DOL GRD CC 01 DR A PL102 GA Plan at First Floor Block C
DOL GRD CC 02 DR A PL103 GA Plan Typical Second to Nineteenth Floor Block C
DOL GRD CC 20 DR A PL104 GA Plan at Twentieth Floor Block C
DOL GRD CC 21 DR A PL105 GA Plan Typical Twenty First to Twenty Third Floor Block C
DOL GRD CC 22 DR A PL106 GA Plan at Roof Level Block C
DOL GRD CC 23 DR A PL107 GA Roof Plan Block C
DOL GRD DE 00 DR A PL110 GA Plan at Ground Floor Blocks D & E
DOL GRD DE M0 DR A PL111 GA Plan at Ground Floor Mezzanine Blocks D & E
DOL GRD DE 01 DR A PL112 GA Plan at First Floor Blocks D & E
DOL GRD DE 02 DR A PL113 GA Plan Typical Second to Ninth Floor Blocks D & E
DOL GRD DE 10 DR A PL114 GA Plan at Tenth Floor Blocks D & E
DOL GRD DE 11 DR A PL115 GA Plan Typical Eleventh to Seventeenth Floor Blocks D & E
DOL GRD DE 18 DR A PL116 GA Plan at Eighteenth Floor Blocks D & E
DOL GRD DE 19 DR A PL117 GA Plan Typical Nineteenth to Twenty First Floor Blocks D & E
DOL GRD DE 22 DR A PL118 GA Plan Typical TwentySecond to Twenty Third Floor
DOL GRD DE 24 DR A PL119 GA Plan at Twenty Fourth Floor Blocks D & E
DOL GRD DE 25 DR A PL120 GA Plan Typical Twenty Fifth to Twenty Seventh Floor Blocks D & E
DOL GRD DE 28 DR A PL121 GA Plan at Roof Level Blocks D & E
DOL GRD DE 29 DR A PL122 GA Roof Plan Blocks D & E
DOL GRD FG LG DR A PL130 GA Plan at Ground Floor Blocks F & G
DOL GRD FG 00 DR A PL131 GA Plan at Upper Ground Floor Blocks F & G
DOL GRD FG 01 DR A PL132 GA Plan First to Third Floor Blocks F & G
DOL GRD FG 04 DR A PL133 GA Plan Fourth to Tenth Floor Blocks F & G
DOL GRD FG 11 DR A PL134 GA Plan at Roof Level Blocks F & G
DOL GRD FG 12 DR A PL135 GA Roof Plan Blocks F & G
DOL GRD HK 00 DR A PL140 GA Plan at Lower Ground Floor Blocks H J & K
DOL GRD HK LG DR A PL141 GA Plan at Ground Floor Blocks H J & K
DOL GRD HK 01 DR A PL142 GA Plan at First Floor Blocks H J & K
DOL GRD HK 02 DR A PL143 GA Plan Typical Second to Nineth Blocks H J & K
DOL GRD HK 10 DR A PL144 GA Plan Tenth Floor Blocks H J & K
DOL GRD HK 14 DR A PL145 GA Plan Typical Eleveth to Thirteenth Floor Blocks H J & K
DOL GRD HK 14 DR A PL146 GA Plan Fourteenth Floor Blocks H J & K
DOL GRD HK 17 DR A PL147 GA at Roof Level Blocks H J & K
DOL GRD HK 17 DR A PL148 GA Roof Plan Blocks H J & K
DOL GRD VY 00 DR A PL150 GA Plan at Ground Floor Blocks V W Y
DOL GRD VY 01 DR A PL151 GA Plan Typical First to Third Floor Blocks V W Y
DOL GRD VY 03 DR A PL152 GA Plan at Fourth Floor Blocks V W Y
DOL GRD VY 04 DR A PL153 GA Roof Plan Blocks V W Y

PL300 Site Wide General

DOL GRD ZZ 00 DR A PL300 Site Wide Elevations 1-2 - North and East
DOL GRD ZZ 00 DR A PL301 Site Wide Elevations 3-4 - Central Spine North and South

DOL GRD ZZ 00 DR A PL302 Site Wide Elevations 5-8 - South and West

PL310 GA Elevations

DOL GRD CC 00 DR A PL310 Block C North Elevation
DOL GRD CC 00 DR A PL311 Block C East Elevation
DOL GRD CC 00 DR A PL312 Block C South Elevation
DOL GRD CC 00 DR A PL313 Block C West Elevation
DOL GRD DD 00 DR A PL320 Block D North Elevation
DOL GRD DD 00 DR A PL321 Block D East Elevation
DOL GRD DD 00 DR A PL322 Block D South Elevation
DOL GRD DD 00 DR A PL323 Block D West Elevation
DOL GRD EE 00 DR A PL326 Block E North Elevation
DOL GRD EE 00 DR A PL327 Block E East Elevation
DOL GRD EE 00 DR A PL328 Block E South Elevation
DOL GRD EE 00 DR A PL329 Block E West Elevation
DOL GRD ZZ 00 DR A PL330 Block F & G North and South Elevation
DOL GRD ZZ 00 DR A PL331 Block F & G East Elevation
DOL GRD ZZ 00 DR A PL332 Block F & G West Elevation
DOL GRD HH 00 DR A PL336 Block H-J North Elevation
DOL GRD HH 00 DR A PL337 Block H East Elevation
DOL GRD HH 00 DR A PL338 Block H-J South Elevation
DOL GRD HH 00 DR A PL339 Block H West Elevation
DOL GRD ZZ 00 DR A PL341 Block J & K East Elevation
DOL GRD ZZ 00 DR A PL342 Block J & K South Elevation
DOL GRD ZZ 00 DR A PL343 Block J & K West Elevation
DOL GRD ZZ 00 DR A PL368 Block V,W & Y North & South Elevations
DOL GRD ZZ 00 DR A PL369 Block V,W & Y East & West Elevations

PL400 Bay study

DOL GRD CC 00 DR A PL400 Block C Bay Study
DOL GRD DD 00 DR A PL401 Block D Bay Study
DOL GRD EE 00 DR A PL402 Block E Bay Study
DOL GRD ZZ 00 DR A PL403 Block F & G Bay Study
DOL GRD ZZ 00 DR A PL404 Block H, J,& K Bay Study
DOL-GRD-ZZ-00-DR-A-PL405 Block V,W & Y Bay Study

Supporting Documents

- Design and Access Statement, prepared by GRID;
- Accessibility Statement, prepared by Buro Happold;
- Landscape Strategy, prepared by Outerspace;
- Landscape Plans, prepared by Outerspace;
- UGF Calculation, prepared by Outerspace;
- Retail Impact Assessment, prepared by Urban Shape;
- Meanwhile Use Feasibility Study, prepared by DP9;
- Transport Assessment, prepared by TPA;
- Framework Travel Plan, prepared by TPA;
- Delivery and Servicing Management Plan, prepared by TPA;
- Operational Waste Management Plan, prepared by TPA;
- Site Waste Management Plan, prepared by RPS;
- Outline Construction Management and Logistics Plan, prepared by TPA;
- Sustainability Statement, prepared by XCO2;
- Energy Strategy, prepared by XCO2;
- Whole Life Carbon Assessment, prepared by XCO2;
- Circular Economy Statement, prepared by XCO2;
- Wind Microclimate Assessment, prepared by RWDI;
- Flood Risk Assessment and Drainage Strategy, prepared by Jubb;
- Tree Survey / Arboricultural Assessment, prepared by Adas;
- Noise Impact Assessment, prepared by Cass Allen;
- Air Quality Neutral Assessment, prepared by AQC;
- Sunlight and Daylight Assessment, prepared by DPR;
- Biodiversity Net Gain Calculation and Report, prepared by Geosphere;
- Preliminary Ecology Assessment, prepared by Geosphere;

- Ecological Impact Assessment and Mitigation Strategy Report, prepared by Geosphere;
- Bat Survey, prepared by Geosphere;
- Statement of Community Involvement, prepared by Cavendish;
- Heritage, Townscape Visual Impact Assessment, prepared by Smith Jenkins;
- Fire Strategy, prepared by Affinity;
- TV and Radio Reception Assessment, prepared by Gtech

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

- 4 The relevant phase of the development in relation to the outline consent as hereby permitted shall not commence until the Reserved Matters of the relevant phase of the proposed development have been submitted to and approved in writing by the Local Planning Authority. The reserved matters comprise the following:

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Access;
- (e) Landscaping.

Reason: These details are required to ensure that a satisfactory development is achieved.

- 5 The development hereby approved shall contain no more than 4,892 sqm of commercial floorspace within Class E across all phases of the development (excluding that provided pursuant to condition 6) with no more than 3,392 sqm of this within the detailed element of the consent and no more than 1,500 sqm within the outline element of the consent. No individual unit within use class E(a) and (b) shall exceed 500 sqm, unless otherwise agreed in writing by the Local Planning Authority, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

Reason: In the interests of proper planning and to ensure the adequate provision of retail floorspace, employment floorspace and industrial capacity within the borough, and to ensure that the retail impact and parking provision is at a level that is considered to be acceptable for the site and its locality. In accordance with policies DMP1, BE5 and T6 of the Local Plan.

- 6 The outline consent hereby approved shall contain between 500sqm to 1000sqm of community floorspace within use class F.1/ F.2 and between 500sqm to 1000sqm of non-residential floorspace within use class E(e) or E(f)/F1/F2, and shall not be used for any other purpose, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instruments revoking and re-enacting those Orders with or without modification.

Reason: To ensure the use remains appropriate for the location and to ensure that the scheme delivers sufficient community and social infrastructure floorspace.

- 7 Phase 1 (the detailed element) of the development hereby approved shall contain 1076 residential units as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 8 Phase 2 of the development (the outline consent) shall contain no more than 551 residential dwellings with no fewer than 114 of the homes having three bedrooms and no fewer than 8 of the homes having four bedrooms.

Reason: In the interests of proper planning and to ensure that the proposal achieves a

sufficient number of family sized homes.

- 9 The development shall be carried out in full accordance with the submitted flood risk assessment and drainage strategy (ref: 22249_FRA_V8 issued November 2024) and the mitigation measures outlined in this document.

The mitigation measures set out shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons: To reduce the risk of surface and water flooding to the proposed development and future occupants and to prevent flooding elsewhere.

- 10 The development hereby approved shall be carried out fully in accordance with the recommendations in the Preliminary Ecological Appraisal Report (ref. 7025,EC,PEA,TC,AC,KL,02-05-24,V4 dated May 2024) prepared by GEO Geosphere Environmental and the Biodiversity Net Gain Planning Report (ref. 7025,EC,BNGP,AC,TA,KL,02-05-24,V2 dated May 2024) prepared by GEO Geosphere Environmental, unless otherwise agreed in writing by the local planning authority.

Reason: To prevent any harm to protected species and habitats.

- 11 The development shall be carried out in full accordance with the Fire Strategy Report (ref. AFF_20780_01_Dollis Hill_Phase 1_FSR_02) prepared by Affinity dated 14.06.24 and the mitigation measures outlined in this document.

Reasons: To ensure the scheme complies with the fire safety requirements set out in Policy D12 of the London Plan.

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

Reason: To protect local amenity and air quality in accordance with Brent Policies BSUI1, BSUI2 and London Plan Policy SI1.

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

Reason: In order to ensure a sustainable development by minimising water consumption in compliance with policy SI5 of London Plan 2021 and Brent Policy BSUI4.

- 14 Prior to first occupation of any phase of the development hereby approved, electric vehicle charging points shall be provided to at least 20% of the Blue Badge parking spaces provided and shall be maintained for the lifetime of the development, whilst the remaining spaces hereby approved shall be provided with passive electric vehicle charging facilities.

Reason: To encourage the uptake of electric vehicles as part of the aims of London Plan policy T6.1

- 15 The external communal amenity space located within the communal courtyard to Blocks F, G, H, K, V, W and Y shall be tenure blind and made available and accessible to all residents within that building, regardless of the type and affordability of their accommodation, for the lifetime of the development.

Reason: In the interests of proper planning and to ensure an equitable distribution of amenity space, in accordance with Brent Policy BH13.

- 16 Applications for the approval of Reserved Matters relating to buildings that include residential floorspace (Use Class C3) or external amenity or open spaces that would serve residential dwellings shall be accompanied by a Amenity Space Quality Statement produced in accordance with the Residential Amenity Space & Place Quality SPD which demonstrates how a good quantity and quality of amenity space will be provided. The development shall be completed in accordance with the approved statement.

Reason: To ensure that residents' amenity space of a sufficient quantity and quality is provided.

- 17 Applications for the approval of Reserved Matters that include residential floorspace (within Use Class C3) or external amenity or open spaces that would serve residential dwellings shall be accompanied by details of the provision of play and recreational space and any associated equipment within the communal parts of the relevant part of the development and shall adhere to the minimum standards for play provision as set out in policy unless otherwise agreed in writing with the Local Planning Authority. The approved play and recreational space and any associated equipment situated within the relevant part of the development site shall be implemented prior to first occupation of the relevant part of the development. The playspace shall thereafter be retained and maintained in accordance with the manufacturer's specifications.

Reason: To ensure that a good quality of accommodation is provided for future residents

- 18 Prior to commencement of works within the relevant phase of the development hereby approved (including site clearance and demolition works), a final Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The relevant phase of the development shall thereafter be constructed fully in accordance with the approved Construction Logistics Plan.

Reason: To ensure the development is constructed in an acceptable manner and in the interests of pedestrian and highway safety.

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

- 19 Prior to the commencement of works within the relevant phase of the development, a Construction Method Statement and Air Quality and Dust Management Plan (AQDMP) shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The AQDMP shall set out measures to control emissions during the construction phase relevant to a medium risk site in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The relevant phase of the development shall thereafter be constructed in accordance with the approved Construction Method Statement and Air Quality and Dust Management Plan, together with the measures and monitoring protocols implemented throughout the construction phase.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Reason for pre-commencement condition: Nuisance from demolition and construction activities can occur at any time, and adequate controls need to be in place before any work starts on site.

20 The development hereby approved shall not be commenced until:

a) A phasing plan showing the location of all phases, the sequencing for those phases, and indicative timescales for their delivery has been submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The development shall be carried out in accordance with the plan thereby approved.

The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority.

b) A CIL phasing plan has been submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

Reason: To allow the Local Planning Authority to understand the relevant phase of development that is subject to condition discharge and to ensure coordination between the phasing plan as approved and the triggers in any relevant agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended) and to define the extent of a CIL phase for the purposes of the CIL Regulations 2010 as amended.

Pre-commencement Reason: The precise phasing must be known prior to the commencement of works on those relevant phases for clarity of the submission of details in relation to each of those phases and to ensure that the chargeable development and associated charge are known prior to the commencement of works on those relevant phases.

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

(b) Any soil remediation in relation to a relevant phase of development required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works. Prior to the occupation of the relevant phase of development, a verification report shall be submitted to and approved in writing by the Local Planning Authority stating that remediation has been carried out in accordance with the approved remediation scheme and the land is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

23 Prior to commencement of each relevant phase of development (excluding site clearance and demolition works), details of how the development is designed to allow future connection to a

district heating network should one become available, shall be submitted to and approved in writing by the local planning authority.

The relevant phase of the development shall be completed in accordance with the approved details thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI3 and Brent's Local Plan Policy BSUI1.

- 24 Prior to commencement of each relevant phase of development (excluding site clearance and demolition works), detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The relevant phase of development shall be carried out in accordance with these plans thereafter and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness.

- 25 Prior to the commencement of each relevant phase of development (excluding site clearance, demolition works and laying of foundations), further details of all external materials (including samples of key materials which shall be provided on site for inspection or in another location as agree, and/or manufacturer's literature) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure a high quality development which makes a positive contribution to the character and appearance of the local area.

- 26 Prior to the commencement of works for each relevant phase of development (excluding demolition, site clearance, foundations and any below ground works), detailed drawings of the key construction detailing shall be submitted to and approved in writing by the local planning authority. Such details may include (but not be limited to) the junctions between different materials, fixing and application of cladding, detailing of reveals, soffits, parapets, balustrading, fins, brise soleil and other architectural features of the buildings. The relevant phase of the development shall be constructed in accordance with the approved details.

Reason: To ensure a high quality development which makes a positive contribution to the character and appearance of the local area

- 27 Prior to commencement of each relevant phase of development (excluding demolition, site clearance and the laying of foundation) a plan indicating all of the microclimate mitigation measures together with detailed drawings of railing/screens and other design measures as per the recommendations of Pedestrian Wind Microclimate Assessment prepared by RWDI (ref. 2301337) dated 29.04.24 for that phase of development shall be submitted to and approved in writing by the Local Planning Authority.

The approved microclimate mitigation infrastructure shall be implemented prior to the first occupation of the relevant phase of the development hereby approved.

Reason: To ensure that the development would establish a suitable level of comfort, in respect of wind conditions, for building users and pedestrians in the vicinity of the building, as well as to ensure that railings and screens would have a suitable visual amenity impact.

- 28 The development hereby approved shall be built so that no fewer than 10% of the residential homes within each phase of the development shall achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings', and the remaining homes shall be built to achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

Detailed layout plans for each phase of the development, showing which residential units within

the development would be 'wheelchair user dwellings' (i.e. meeting Building Regulations requirement M4(3)) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations, and thereafter development shall be implemented in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy D7.

29 Prior to works commencing on each relevant phase of the development above ground level, a detailed landscaping scheme and implementation programme shall for that phase of development be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall incorporate the hard and soft landscaping details proposed on the approved plans, as well as further details of, but not limited to the following:

- a) Proposed materials for all hard surfaces and the permeable qualities
- b) Precise locations of all Sheffield cycle stands to be provided within the public realm
- c) Details and sizes of all raised planters, including any trellises
- d) Details of all external furniture (including refuse or other storage units) and informal seating/benches
- e) Species, locations and densities for all trees, grass and shrubs within the relevant phase, which shall include a minimum of 377 new trees across the entire application site
- f) Play spaces including proposed equipment and surfacing
- g) Proposed walls, fencing, screening treatment (including to all roof terraces) and gates and any other permanent means of boundary treatment/enclosure, indicating materials, position and heights
- h) Details of any signs and signboards within the site
- i) Tree pits for all new tree planting
- j) Soil depth and composition on roof terraces, and details of plants and shrubs for these areas;
- k) Details of biodiversity enhancement measures based on measures as set out in the submitted Biodiversity Net Gain Assessment (dated June 2023) prepared by Greengage
- l) Details of the landscaping measures as required for microclimate mitigation as per the recommendations of the Pedestrian Wind Microclimate Assessment prepared by RWDI (ref. 2301337) dated 29.04.24
- m) Details to demonstrate compliance with the an Urban Greening Factor score of 0.40 including an Urban Green Factor Masterplan across the entire application site
- n) Details of any external CCTV installations
- o) A landscape management plan including long term design objectives, management responsibilities and five year maintenance programme and schedules for all landscaped areas,

The approved landscaping scheme and implementation programme shall be completed in full, prior to first occupation or use of the building(s) within the relevant phase of the development

It shall thereafter be mainlined fully in accordance with the approved Landscape Management and Maintenance Plan, unless otherwise agreed in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

30 Prior to commencement of each relevant phase of development (excluding site clearance, demolition and laying of foundations), the following details shall be submitted to and approved in writing by the Local Authority Planning in relation to that phase:

(i) the layout and access to cycle stores and areas of cycle stands in the public realm to provide long-stay residential cycle spaces, long stay commercial spaces and short stay "Sheffield" stands, in line with the standards set out within policy T5 of London Plan 2021 and the guidance set out within London Cycle Design Standards.

(ii) Opportunities to make provision for the use of E-bike charging points, if feasible

All of the cycle parking within the development shall be made available for use prior to the first occupation of the relevant building in that phase of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose and adequately provides for and encourages uptake of cycling among building users.

- 31 Prior to commencement of each relevant phase of development (excluding site clearance, demolition and laying of foundations), details of a scheme setting out the collection and storage of waste and recycled materials for the residential and commercial elements shall be submitted in writing to and approved by the Local Planning Authority. The residential elements shall be designed in accordance with the guidance set out within Brent's Waste Collection Guidance 2013.

The details shall be implemented as approved prior to the occupation of the relevant phase of development and maintained thereafter.

Reason: To protect the amenity of the locality.

- 32 Prior to the installation of any external lighting in each relevant phase of the development, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but is not limited to, details of the lighting fixtures, luminance levels within and adjoining the site, as well as ecological sensitivity measures that form a part of the lighting strategy. The lighting shall not be installed other than in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of safety and the amenities of the area

- 33 Prior to first occupation of each relevant phase of the development, a final Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority which includes:

- further details of arrangements for the allocation of on-site parking spaces for Blue Badge holders together with measures to increase the number of disabled parking bays if demand arises.
- Details of arrangements for temporary location of on-site parking spaces for Blue Badge holders during construction of Phase 1

The final approved Car Parking Management Plan shall be implemented in full from first occupation of the relevant phase of the development.

Reason: To ensure that sufficient levels of parking are provided for existing residents of the development and those who hold blue badges

- 34 Prior to the occupation of each building the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the published guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the

local planning authority, prior to occupation of the relevant building.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

- 35 Prior to commencement of each phase of the development (excluding demolition, site clearance and laying of foundations) a scheme of sound insulation measures for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The insulation of the separating floor between the commercial uses and the flats on the first floor shall be designed to meet the standards of Building Regulations Approved Document E 'Resistance to the passage of sound'. The approved measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels.

- 36 The development shall not be occupied until confirmation has been provided that either:

- a) All foul water network upgrades required to accommodate the additional flows from the development have been completed; or
- b) A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

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

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

- 37 No phase of the development shall be occupied until confirmation in consultation with Thames Water has been submitted to and approved in writing by the Local Planning Authority providing that either:
1. Surface water capacity exists off site to serve the development or
 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. or
 3. All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

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

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

- 38 No phase of the development shall be occupied until confirmation in consultation with Thames Water has been submitted to and approved in writing by the Local Planning Authority providing that either:
- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
 - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

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

Reason: The development may lead to no / low water pressure and network

reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

- 39 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed together with any necessary mitigation measures and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect acceptable local noise levels.

- 40 Prior to first occupation of the development hereby approved, a revised Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the local planning authority, which details delivery booking procedures, enforcement measures and revised monitoring and review arrangements. All delivery and servicing activity shall thereafter be carried out fully in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network.

- 41 Prior to the occupation of any relevant phase of development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance 2022. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by the Local Planning Authority, prior to occupation.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials.

- 42 Within six months from practical completion of the non-domestic floorspace within each relevant phase of the development which contains 1000sqm or more of non-domestic floorspace hereby approved, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the non-domestic floorspace is constructed in accordance with sustainable design and construction principles, in accordance with Brent Local Plan Policy BSUI1.

- 43 Details of any extract ventilation system and odour control equipment for any commercial kitchen, including all details of external ducting, within any relevant phase of the development, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment. The approved equipment shall be installed prior to the commencement of the relevant use and shall thereafter be operated at all times during the operating hours of the relevant use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of existing and future nearby residential occupiers.

- 44 Any emergency plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be no more than the measured background noise level when measured at the nearest noise sensitive premises. The method of assessment should be carried in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed together with any necessary mitigation measures and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority., in writing, for approval. The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: To protect acceptable local noise levels .

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

- Daytime Noise (07:00-23:00) in relation to living rooms and bedrooms to have a maximum noise level at no more than 35dB LAeq(16hr)
- Night time Noise (23:00-07:00) in relation to bedrooms to have a maximum noise level at no more than 30dB LAeq(8hr)

Prior to first occupation of any of residential homes within each relevant phase of the development hereby approved, a test shall be carried out with the results submitted to and approved in writing by the Local Planning Authority to show that the required internal noise levels have been met.

Reason: To obtain required sound insulation and prevent noise nuisance.

INFORMATIVES

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Any person wishing to inspect the above papers should contact Neil Quinn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5349