

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 October, 2019  
03  
17/2284

## SITE INFORMATION

RECEIVED	22 May, 2017
WARD	Fryent
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	381A-D INC, 381-397 INC and 13-20 Park Parade Mansion, Edgware Road, Kingsbury, London, NW9
PROPOSAL	Demolition of existing buildings and redevelopment of the site to provide a replacement part 4 part 5 and part 18 storey building comprising 563m2 of retail uses (Class A1, A2 A3), and 110 residential units (56 x 1bed, 30 x 2bed and 24 x 3bed) with associated car parking, cycle storage, plant and shared external amenity space at first and fifth floor level with other ancillary works.
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134418">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134418</a></p> <p><b><u>When viewing this as a Hard Copy</u></b> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "17/2284" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
  - A. Any direction by the London Mayor pursuant to the Mayor of London Order
  - B. Any direction by the Secretary of State pursuant to the Consultation Direction
  - C. The prior completion of a legal agreement to secure the following planning obligations:
    - a) Payment of legal and professional costs
    - b) Notification of commencement
    - c) Provision of affordable housing
      - 8 units for Shared Ownership,( as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, and subject to an appropriate Shared Ownership nominations agreement with the Council, that secures reasonable local priority to the units).
    - d) Early stage viability review to be submitted if construction of new building does not commence within 2 years of the grant of consent
    - e) Late stage viability review to be submitted and approved securing affordable housing contributions to ensure the delivery of maximum reasonable proportion of Affordable Housing should scheme viability improve
    - f) A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to material start of the development hereby approved. This shall demonstrate:
      - How the scheme will achieve a minimum CO2 reduction of 35 % from 2013 TER (regulated) including a minimum of reduction of 20 % through on-site renewables (after "be lean" and "be clean" measures have been applied) or other such revised measures as approved by the Council which achieve the same levels of CO2 reduction;
      - The applicant shall implement the approved Sustainability Implementation Strategy and shall thereafter retain those measures.
    - g) Carbon offset contribution to be paid – or an opportunity to resubmit an improved energy statement and reduce the offset payment
    - h) Contribution of £55,000 towards the expansion of controlled parking zones in the local area
    - i) Contribution towards bus improvements – amount to be agreed with TfL
    - j) Training and employment of Brent residents
    - k) Removal of future residents to apply for parking permits
    - l) Travel plan to be implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents
    - m) Adoption of specified parts of the footway surrounding the development following completion of works
    - n) Requirement to enter into a s38/278 agreement for the following highway works:
      - Adoption of wider footway along Edgware Road
      - Planting of 3 street trees along Edgware Road, details of species, size and tree pit design to be agreed by Local Planning Authority
    - o) Any other planning obligation(s) considered necessary by the Head of Planning
2. That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
3. That the Head of Planning is delegated authority to issue the planning permission and impose

conditions and informatives to secure the following matters:

#### Conditions

1. Time Limit for commencement (3 years)
2. Approved drawings/documents
3. Removal of C4 permitted development rights for the flats
4. Parking spaces, cycle store facilities and refuse to be laid out prior to occupation
5. Ground floor car park to not be used other than for blue badge holders resident at or visiting the approved development
6. Flood risk and drainage plan to be secured
7. Wheelchair Accessible Units to be secured
8. EVCP to be secured
9. Water consumption to be limited in line with regulations
10. A communal satellite/aerial to be provided so as to prevent multiple satellite dishes
11. Ecology report to be secured
12. Microclimate report to be secured
13. Air Quality report to be secured
14. **ADD WINDOWS RESTRICTION**
15. Considerate Constructors' Scheme membership to be joined
16. Construction method statement to be submitted
17. Construction logistics plan to be submitted
18. **ADD**
19. Piling method statement to be submitted
20. Connection to future District heating Network to be submitted
21. Land contamination and remediation report to be secured
22. BREEAM pre and post assessment for the commercial floor space to be submitted
23. Material samples to be submitted
24. Street tree survey to be submitted
25. Details of landscaping (including green roof) to be submitted
26. BREEAM post assessment for the commercial floor space to be submitted
27. Specific non-habitable windows to be obscure glazed for privacy
28. Specific balcony elevations to be screened for privacy
29. Delivery and Servicing Management plan for residential use to be submitted
30. Revised details of cycle facilities to be submitted
31. Sound insulation and noise reduction measures to be secured
32. Delivery and Servicing Management plan for commercial use to be submitted
33. Plant noise levels to be limited
34. Details of odour extraction to be submitted and implemented prior to any A3 use commencing
35. Highway works and parking spaces, cycle and bin storage to be laid out prior to occupation, including revised details of two-tier stands

#### Informatives

1. CIL liability

2. Party wall information
  3. Building near boundary information
  4. Contact information for carrying out highway works
  5. Notify highways service of intent to commence works
  6. Guidance notes from Thames Water
  7. Fire safety advisory note
  8. Any other informative(s) considered necessary by the Head of Planning
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1. 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.
  2. That, if by the application "expiry date" the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.
  3. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

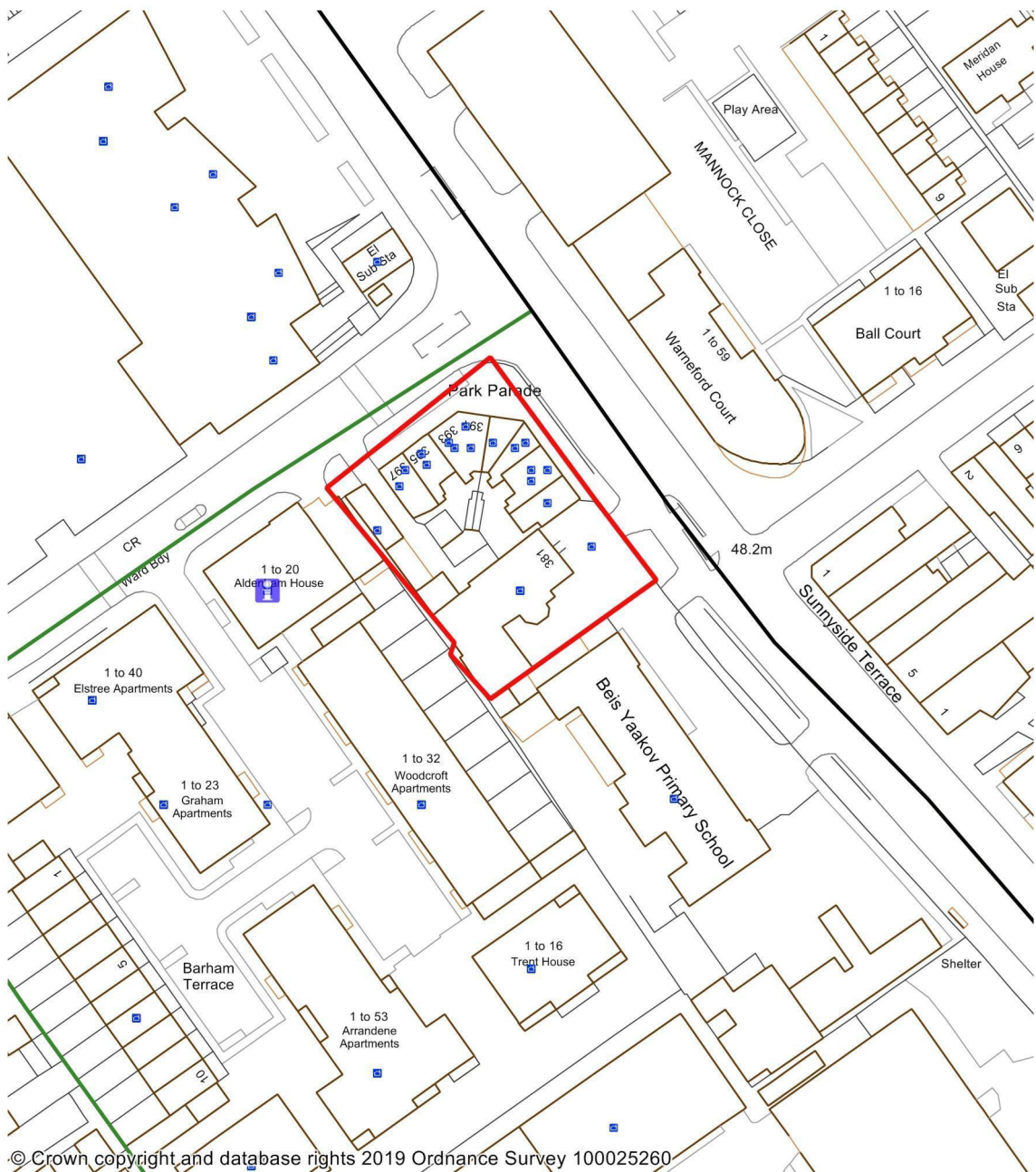
## SITE MAP



### Planning Committee Map

Site address: 381A-D INC, 381-397 INC and 13-20 Park Parade Mansion, Edgware Road, Kingsbury, London, NW9

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This map is indicative only.

## PROPOSAL IN DETAIL

This application seeks planning permission to demolish all existing buildings and erect a part four, part five and part-18 storey building providing 110 residential units (56 x 1bed, 30 x 2bed, 24 x 3bed flats), 563 sqm of commercial floorspace at ground floor level (with a flexible A1, A2 and/or A3 use), together with proposed vehicular access from Edgware Road, provision for 11 ground floor car parking spaces, 176 residential cycle spaces, and associated landscaping and amenity space.

## EXISTING

The site is located at 381 and 383–397 Edgware Road, Colindale. It is bounded by Edgware Road/The Hyde (A5) to the north-east, the Beis Yaakov Primary School to the south-east, the former Serena House to the south-west which is currently being redeveloped for residential development, and Grove Park (road) to the north-west.

383-397 Edgware Road forms a three storey interwar building with commercial uses on the ground floor and residential on the upper two floors. The majority of the ground floor building facades fronting Grove Park and Edgware Road are glass fronted, whilst the upper floor facades comprise brick and PVC windows. There are a number of poorly constructed single storey extensions to the rear facing the yard which service the commercial units on the ground floor.

381 Edgware Road forms a detached two storey Victorian villa building constructed out of brick and is set back from the road with a concrete hardstanding forecourt to the front. A single storey extension (with a carport attached to another single storey building) is attached to the north-west of this building. This building contains four residential units and has lawful use for trade counter operation, despite the access arrangement onto Edgware Road.

## AMENDMENTS SINCE SUBMISSION

The proposals were amended during the course of the application to omit the basement parking level, which had the effect of reducing the amount of car parking from 49 residents spaces (including 13 disabled spaces), to a total of 11 spaces, all of which would be designated as disabled spaces. These alterations also result in the introduction of an off-street servicing bay from Edgware Road, and the re-location of all cycle parking spaces (totalling 172 spaces) at ground floor level.

## SUMMARY OF KEY ISSUES

**The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.**

1. **Objections from adjoining neighbours and resident amenity groups:** 426 properties were consulted on the proposal. In response 12 objections were received and an objection from Roe Green Village Residents Association. The objections come from households on Goldsmith Lane, Silverworks Close, Roe Green, AirCo Close, Shorts Croft, Bush Grove, Rose Glen, Mannock Close, Roe End and Grove Park. Concerns are summarised as parking, traffic congestion and servicing, scale and height of the proposed building, heritage impacts, lack of open space and impacts on flooding.
2. **Principle of mixed-use redevelopment of the site:** The re-development of the site accords with its designation within the Colindale/Burnt Oak Opportunity Area, which the London Plan identifies as having capacity for residential-led mixed use development, with a minimum of 12,500 new homes. Although no affordable workspace is provided, the re-provision of commercial floorspace at ground floor level provides active frontage to both Edgware Road and Grove Park.
3. **Affordable Housing:** The scheme would provide 8 intermediate (shared ownership) units, which although below both Brent and London Plan policy targets, has been demonstrated by a financial viability appraisal to be the maximum amount of affordable housing which can viably be provided on site.
4. **Design, layout and height:** The proposed building would be a maximum of 18 storeys high, which is considered to be in keeping with the heights of buildings in the surrounding area, while reducing in height and scale nearest to the Beis Yaakov School to the south-east,

which is locally listed. The building utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst regulating its height to respect surrounding development.

5. **Quality of the resulting 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. The amount of external private/communal space is below standards, but would include a high quality external communal terraces which would significantly improve the enjoyment of the site for future occupiers. This is considered acceptable for a high density scheme.
6. **Mix of units:** The proposal includes 22% of three bedroom units which is below the target of 25% as set out in CP21. However, this is considered acceptable for a high density scheme.
7. **Neighbouring amenity:** Although there would be some impacts to neighbouring residential properties in terms of loss of light and outlook, a BRE daylight and sunlight study confirms these would be minor breaches of the Council's SPD1 guidelines for protecting light and outlook to neighbours. The overall impact of the development is considered acceptable, particularly in view of the wider benefits of the scheme in terms of the Council's strategic objectives.
8. **Highways and transportation:** The scheme is to provide suitable provision of car and cycle parking and will encourage sustainable travel patterns, with a section 106 agreement to secure a parking permit restricted scheme for future occupiers.
9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan polic, and 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 future residential occupiers from Edgware Road and commerical premises at ground floor level.

## MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Businesses and offices	157		157	0	0
Dwelling houses	1384		1384	8395	8395
Shops	0		0	563	563

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )	3	1	8							12
EXISTING ( Flats û Intermediate )										
PROPOSED ( Flats û Market )	54	26	22							102
PROPOSED ( Flats û Intermediate )	2	4	2							10

## RELEVANT SITE HISTORY

No relevant history relating to the overall re-development of the site.

## CONSULTATIONS

The owner/occupier of 80 nearby and adjoining properties in Edgware Road, Evelyn Avenue and Grove Park were initially notified of the development on 13<sup>th</sup> June 2017

A Site Notice was displayed 21/09/2017.

A Press Notice was published 28/09/2017.

No responses were received as a result of this consultation exercise.

A further set of letters were sent to the same neighbouring properties on 14/09/2018, and a site and press notice displayed/published on 12/09/2018, following the receipt of revised drawings. Again, no responses were received as a result of this exercise.

#### Re-consultation - September 2019

A further 21-day consultation exercise was undertaken in September 2019, with a total of 426 neighbouring addresses notified of the proposals, accounting for the newly constructed adjoining residential developments on Grove Park and Silverworks Close, which are at least partly occupied. A total of 12 responses were received as a result of this exercise, with a summary of the issues raised set out in the table below:

Objection	Response
Proposed 18 storeys is too high/ inappropriate in this location, has a detrimental impact on townscape	See paragraphs 8-12
Loss of locally listed building, Elm Lea, which is the site of 'AirCo' building, and detrimental impact on other adjoining locally listed buildings	See paragraphs 13-16
Lack of affordable housing provision for local people	See paragraphs 17-21
Loss of privacy to adjoining Beis Yaakov Primary School	See paragraphs 50-52
Impact of additional flats on parking within local streets, and additional traffic congestion, as a result of this development and cumulative impact of other recently developments	See paragraph 54-61
Harm to road safety, insufficient info on local cycle and pedestrian routes	See paragraphs 62-70
Increased flood risk	See paragraphs 87-89
Lack of open space and play space within the development	See paragraphs 26-30
Increased noise and disturbance, particularly from construction vehicles and equipment	An element of noise and disturbance is to be expected during the construction process, but this would be for a temporary period. A condition is attached requiring the submission of a Construction Logistics Plan, which will mitigate any un-neighbourly impacts as much as possible.
Over-development of site with 61 flats	The proposed development is considered to have an appropriate relationship with its context, provides a good standard of accommodation and does not unduly affect surrounding residents.
Increased pressures on local public transport network and other services including schools and GP surgeries	The proposed development is considered to meet density standards given its urban location, and reflects the site's location within the Colindale/Burnt Oak Opportunity Area.
Lack of adequate consultation during application, inability to comment unless having online access	The consultation process has been carried out in accordance with statutory guidelines and the Council's Statement of Community Involvement.

An objection was also received on behalf of the Roe Green Village Residents Association, with a summary of the issues raised outlined below:

- Council needs to recognise the disappearance of major historical buildings including the 'AirCo' HQ on which this site is located (**Officer note:** This is clarified within paras.13-16 of the main report)
- Fire safety concerns regarding the size of blocks (**Officer note:** While Fire Safety is an important concern, this will be formally considered at Building Regulations stage)
- Proposed tower blocks are linked to higher levels of isolation and anxiety (**Officer note:** it is considered that there is no clear evidence to demonstrate that future occupiers living at higher levels of the proposed building would feel more isolated and/or anxious. The good quality of accommodation throughout the development, including access to good quality external amenity space, is considered to play a key role in mitigating any concerns in this regard).
- The proposals need to be seen in context with other major developments in the area, including the other side of Edgware Road (within LB Barnet); (**Officer note:** The proposals have been seen in context with wider development proposals, with consideration given to London-wide planning policies, as well as



- Brent's own policies).
- Lack of green space and open space proposed. (**Officer note:** See paragraphs 26-30).

### **Statutory/ External Consultees**

#### Transport for London

No objections subject to the following:

- Car parking quantum should be reduced, and in line with advice from Brent Council, removed altogether;
- Blue badge spaces should be relocated to be closer to building entrances and be revised to meet London Plan space requirements;
- Electric Vehicle Charging Point provision must be clarified;
- The concerns raised regarding the Road Safety Audit undertaken must be addressed;
- The recommendations for improvements to the pedestrian environment should be secured by Brent Council;
- TfL query the results of the cycling audit as proposing no improvements where it also identified no formal cycling provision;
- All cycle parking infrastructure should be LCDS and London Plan compliant;
- A revised trip generation exercise should be submitted, along with information on the public transport impact of the development;
- Further clarification on the refuse arrangements for the proposed development are sought via a Delivery and Servicing Plan;
- A Construction Logistics Plan should be submitted;
- A revised Travel Plan should be secured by s106 agreement.

*Officer comments: It is considered that issues raised by TFL above have either been addressed through revised drawings/ further information, or can be satisfactorily addressed by condition/.s106 agreement.*

#### Thames Water

No objections subject to condition requiring drainage strategy to be submitted to demonstrate necessary on and/or off-site drainage works are approved before works commence, and standard informatives.

#### Greater London Authority

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

Principle of development: The redevelopment of the site to provide a residential-led mixed scheme within the Opportunity Area is strongly supported.

Affordable housing: 0% affordable housing is proposed, which is wholly unacceptable. GLA officers have concluded that the FVA does not adequately reflect the maximum reasonable level of affordable housing that can viably be provided on this development. A revised assessment is therefore required, which will be robustly interrogated to ensure that the maximum possible level of affordable housing is achieved. An early stage review will be required and, if after further interrogation the maximum level of affordable provision is still below 35%, a late stage review will also be required in accordance with the Mayor's Affordable Housing and Viability SPG.

*NB: GLA officers were verbally consulted on the provision of 8 intermediate units which has now been put forward by the applicant, following ongoing viability discussions. It is understood that objections on this ground remain as above.*

Climate change: The carbon dioxide savings do not meet the zero-carbon target for domestic buildings or the 35% target for non-domestic buildings. The applicant should therefore consider the scope for additional measures aimed at achieving carbon reductions. Any remaining regulated CO<sub>2</sub> emissions must be met through a contribution to the borough's offset fund.

Transport: Car parking should be reduced, and Blue Badge and EVCP provision revised and secured; cycle parking should also be revised to meet the LCDS and secured; further information on the impact on buses and London Underground services including Colindale Station is required; and, the identified improvements to the pedestrian environment, delivery and servicing plan, construction logistics plan and travel plan should

be secured by condition/s106 agreement

*Officer comments: The views of the GLA are considered and discussed in more detail within the relevant sections of the main body of the report.*

#### National Grid

No detailed comments to make.

#### **Internal consultees**

##### Local Lead Flood Authority

No objections. The site falls within Flood zone 1 and the risk of flooding is low. The proposed development will restrict the surface water discharge to 5 l/s and this will reduce the flood risk in the area.

##### Environmental Health

No objections subject to appropriate conditions regarding issues of noise, vibration, construction management, dust, lighting, and contaminated land.

#### **Statement of Community Involvement**

- As part of proposals for the redevelopment of 381 – 397 Edgware Road, Cignia Developments Ltd appointed Snapdragon Consulting Ltd to undertake an engagement process to discuss the emerging proposals with the community and seek their feedback.
- A programme of pre-application community engagement was carried out by the applicant which included a public exhibition and meetings with local stakeholders.
- The focus of this process was a public exhibition held on the 20th and 22nd of October 2016, which was advertised through direct mailing to over 1,500 addresses in the local area and the placing of a press advert in the Brent & Kilburn Times.
- Bespoke invitations were sent to local stakeholders, all councillors in Brent, as well as to the three neighboring Barnet councillors in Colindale ward.
- 13 members of the public attended the exhibition over two days.
- Questions were raised both in the written feedback and orally at the event, regarding the height of the proposal and the parking ratio. A current commercial tenant of the site attended the exhibition and queried the timescales of the development. In addition, one member of the public queried the proposed price of the residential units and where they would be marketed.
- Running in conjunction with the formal consultation events, the project team engaged in meetings with local stakeholders.
- On the 21st of October, members of the project team met with a representative of the Rose Glen Residents Association.
- At this meeting, the team outlined the location of the site, the architectural vision for the proposals, the delivery of new employment space, and the transport and parking arrangements for the new residents.
- Key issues were identified as car parking provision and the height of the development.
- In spite of the significant level of community outreach, both through invitations to the public exhibition, and invitations for one on one meetings, the level of local interest has been relatively low.

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework 2019**

#### **The London Plan 2016**

Key policies include:

- 3.3 - Increasing Housing Supply
- 3.4 - Optimising Housing Potential
- 3.5 - Quality and design of housing developments
- 3.6 - Children and young people's play and informal recreation facilities
- 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- 5.2 - Minimising carbon dioxide emissions
- 5.9 - Overheating and cooling
- 5.13 - Sustainable drainage
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling

- 6.10 - Walking
- 7.2 - An inclusive environment
- 7.6 - Architecture
- 7.7 - Location and design of tall and large buildings
- 7.8 - Heritage assets and archaeology
- 8.3 - Community infrastructure levy

### **Brent Development Management Policies 2016**

- DMP 1 – General Development Management Policy
- DMP 7 - Brent's Heritage Assets
- DMP 9a - Managing Flood Risk
- DMP 9b – On Site Water Management and Surface Water Attenuation
- DMP 12 – Parking
- DMP 13 – Movement of Goods and Materials
- DMP 15 – Affordable Housing
- DMP 18 – Dwelling Size and Residential Outbuildings
- DMP 19 – Residential Amenity Space

### **Brent Local Development Framework Core Strategy 2010**

- CP 1 - Spatial Development Strategy
- CP 2 - Population and Housing Growth
- CP 5 - Placemaking
- CP 6 - Design and Density in Place Shaping
- CP 11 - Burnt Oak/Colindale Growth Area
- CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP 21 - A Balanced Housing Stock

### **Supplementary Planning Guidance Documents**

- SPD1 Design Guide for New Development
- The Burnt Oak, Colindale and the Hyde Placemaking Plan (2014)
- Mayor's Housing SPG (2016)
- Mayor's Affordable Housing and Viability SPG

## **DETAILED CONSIDERATIONS**

### **Introduction**

1. The proposed development would involve the demolition of the existing buildings and the redevelopment of the site to provide a residential led mixed use building, part-four, part-five, part-18 storeys high, providing 110 residential units (56 x 1-bed, 30 x 2-bed and 24 x 3-bed) and 563 sqm of commercial/retail floorspace (Class A1, A2 and A3). Associated car parking would be provided at ground floor level, with cycle storage, plant and refuse also provided, and the provision of external amenity space at first and fifth floor level. It is considered that the main planning consideration in relation to the determination of the application are: -

- Whether a residential led mixed use development can be supported and impact on the future redevelopment of the wider site allocation
- Whether the design and layout of the scheme is acceptable
- Whether an appropriate amount of affordable housing has been provided
- Whether the proposed residential units provide an acceptable quality of residential accommodation and amenity for future occupiers.
- Whether the buildings would have an acceptable impact on the amenity of adjoining residents
- Whether the proposed development would have an acceptable impact on local highways and parking condition

2. The planning application is referable to the GLA by the Mayor of London Order (2008). This requires that the GLA is consulted during the application (Stage 1), and following the Council's resolution (Stage 2). Stage 1 has been undertaken, but stage 2 can only come after the committee has resolved to either approve or refuse planning permission.

### **Principle of development**

### *Residential led development*

3. At the regional level, the application site is located within the Colindale/Burnt Oak Opportunity Area, which the London Plan identifies as having capacity for residential-led mixed use development, with a minimum of 12,500 new homes. At a local level, Policy CP1 of Brent's Core Strategy seeks to concentrate housing growth in well located areas that provide opportunities for growth. One of these areas is identified as the Burnt Oak/Colindale Growth Area in which the application site is located within. Policy CP11 relates to the Burnt Oak/Colindale Growth Area and seeks to provide mixed use regeneration within this growth area, including at least 2,500 new homes by 2026 and ground floor commercial frontages.

4. The site also forms part of a Site Specific Allocation (B/C.2) which includes Sarena House, Colindale Retail Park, Beis Yaakov School and Nos. 381 to 397 Edgware Road. This SSA is allocated for a residential led mixed use development. The overall SSA is identified with an indicative development capacity of 745 residential units up to 2020. Sarena House is currently being redeveloped for mixed use development including 227 residential units (LPA Ref: 14/2930), however there remains sufficient capacity for the proposed 181 units in this location.

5. In summary, the proposal for a residential led development would be consistent with both London Plan and Brent policies and is supported in principle.

### *Provision of replacement commercial floorspace*

6. The existing three-storey building contains a limited amount of commercial floorspace at ground floor level (approx. 370 sqm), and its replacement with 563 sqm of retail floorspace at ground floor level is therefore acceptable. This would take the form of 5 retail units, fronting both Edgware Road and Grove Park.

7. It is noted that no workspace, in particular managed affordable workspace, has been proposed as part of the development. However, the developer has agreed to provide 8 intermediate (shared ownership) units within the scheme, which has impacted the viability of the scheme and therefore the ability to provide affordable workspace in this location. Given the overall benefits of the scheme the Council considers this to be an acceptable outcome. Therefore, the principle of the development is considered to be acceptable.

### **Layout, design, scale and massing**

8. The scheme has a simple L-shape footprint, with the main 18-storey block fronting the north-eastern corner on Edgware Road and Grove Park, and dropping down to 4-5 storeys nearest to Beis Yaakov Primary School, to the south-east, which is locally listed. The principle of an 18-storey building in this location is supported given the site's location within the Colindale Opportunity Area and Burnt Oak/Colindale Growth Area, as well as being located along an arterial route.

9. The applicant has submitted a townscape analysis as part of the proposals, showing the site in context with neighbouring tall buildings, which include Oriental City, Capitol Way, Zenith House, Utility Warehouse and Green Point. The positioning of the 18-storey element on this north-eastern corner of the site landmarks the junction and, as demonstrated by this analysis, shows a clear response to the scale of an emerging sequence of tall buildings further along Edgware Road. This approach has been supported by the GLA, who also welcome the stepping down of the building where it sits adjacent to the locally listed school.

10. The layout of the site is well thought out, with a strong and legible building line created to both Edgware Road and Grove Park. Importantly, retail units at ground floor level front onto both streets, ensuring an active frontage which is further animated by the entrances to the residential cores. The applicants have responded to concerns raised by officers and the GLA at pre-application stage by shifting the floorplate slightly to the west, widening the pavement on Edgware Road for improved pedestrian accessibility, while street tree planting is also proposed on Edgware Road.

11. In design terms, the scale of the development is considered acceptable. The scale reflects the level changes across the site and the character of surrounding developments with the scale reducing at the edges of the site. While the principal 18-storey element provides a landmark when seen in longer views along Edgware Road, this is broken up by the 4-5 storey element on Grove Park, and the five-storey element to the north-western corner on Edgware Road. Further consideration of the relationship with neighbouring properties and between the blocks in terms of amenity and daylight/sunlight is discussed in further detail below. The GLA have advised that the overall height and massing of the scheme presents no strategic concern.

12. A simple palette of materials is proposed. The main material is yellow stock brickwork, with ribbed bond brickwork used to provide articulation and break up the massing of the blocks; the use of

brickwork is appropriate to the local character. The use of copper coloured rainscreen cladding and brass coloured balconies and window/door frames is also proposed to provide variety and interest, and ensures a high quality finish. It is recommended that further details of the depth of window reveals, proportion of window openings and other detailing are conditioned to any forthcoming consent to allow the massing to remain simple and elegant, as well as ensuring that samples of all external materials are made available for officers' approval.

### **Heritage and impact on locally listed building**

13. Objections have been received from the Roe Green Village Residents Association and other adjoining occupiers regarding the loss of the existing buildings on site, which it has been suggested are of historical and heritage significance and therefore should be maintained.

14. A heritage statement has been submitted with the proposals, and the council's heritage officer has been consulted and commented on the proposals. It is important to note that the buildings being demolished are not listed. The statement outlines that the adjoining locally listed building, which is now occupied as Beis Yaakov Primary School, was originally built as offices for 'AirCo', an aircraft manufacturing company. The mid-Victorian building on the current site, 'Elm Lea', did not form part of these offices, and has been heavily altered and extended since its construction.

15. The demolition of these buildings is therefore considered justified, since it would neither result in the loss of a designated listed - or locally listed - building. Nevertheless, the heritage officer has requested that the historic value of the mid-Victorian villa should be recorded, and a condition is attached to this effect.

16. As alluded to above, the design of the proposed scheme has carefully considered its impact on the locally listed primary school to the south. The heritage statement outlines that the lowered front façade (stepping down to four storeys where it abuts the school), along with its sympathetic design to the Grove Park elevation, ensures there would be no harmful impact to the locally listed building. The heritage officer agrees with this conclusion, subject to details of all external materials and the detailed design of windows etc being secured by condition.

### **Affordable housing**

17. Policy CP2 of Brent's Core Strategy requires 50% of new homes within the Borough to be affordable. This is in line with the London Plan. Policy 3.12 of the London Plan requires the maximum reasonable amount of affordable housing to be sought on private schemes. The application was originally accompanied by a Financial Viability Assessment (FVA), which concluded that it was not viable to provide any affordable units within the scheme as part of the development.

18. Officers instructed an independent assessor to undertake an appraisal of the FVA. The appraisal also concluded that the scheme was unable to provide affordable housing, in their initial report produced in September 2017. However, subsequent discussions between officers and the applicant identified that the basement level, which largely accommodated the parking spaces for the development, could be removed (with 13 disabled parking spaces, now located at ground floor level, considered acceptable in highways terms). Omitting the basement level from the scheme significantly reduced build costs, and a revised FVA identified a £1.95m increase in the residual land value.

19. Despite this uplift, a second appraisal confirmed that the scheme could still not viably provide any affordable units. Despite this, and given concerns raised regarding the lack of affordable housing raised by both Council officers and the GLA, 8 intermediate (shared ownership) units have been offered by the applicant. This would comprise 2 x 1bed, 4 x 2bed and 2 x 3bed units located on the first and second floor of the lower block.

20. In addition, the review recommends that in accordance with guidance contained within the Greater London Authority's (GLA) Affordable Housing and Viability SPG 2017 early and late stage review mechanisms are included within the s.106 planning agreement which oblige the developer to review the viability of the scheme at certain stages of the development. Officers recommend that this would be secured in addition to the 8 intermediate units set out above.

21. On balance, officers consider that subject to the above being secured as part of legal agreement, the scheme would provide the maximum reasonable amount of affordable housing without impacting on the viability of the scheme. The proposals would therefore comply with policy CP2 of the Core Strategy, and policy DMP15 of the Development Management Policies.

## Quality of proposed accommodation

### *Unit mix*

22. The application proposes a total of 110 residential units across the site. A breakdown of the unit mix is set out below:

	Affordable	Intermediate	Market	Total
1 bed		2	54	<b>56 (51%)</b>
2 bed		4	26	<b>30 (27%)</b>
3 bed		2	22	<b>24 (22%)</b>
Total	<b>0</b>	<b>8</b>	<b>102</b>	<b>110</b>

23. Policy CP21 of Brent's Core Strategy seeks an appropriate mix of unit sizes within a scheme, with the aim of providing 25% of units as three bedrooms or more. In this case, a total of 22% of units are proposed as family sized units (three bedrooms or more). Whilst the scheme falls short of the target of 25%, officers consider this slight shortfall can be supported in this case.

### Floorspace Standards

24. DMP18 outlines that the size of dwellings should be consistent with London Plan Policy 3.5 Table 3.3 Minimum Space Standards for New Dwellings. The proposed residential units meet the London Plan floorspace requirements in terms of their overall size, for both 1, 2 and 3-bed units respectively. All units also have sufficient levels of internal storage space.

25. The London Plan sought a provision for 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards. It is also noted that numerous units provided would exceed the London Plan floorspace requirements and therefore there is scope for disabled units to be included within the development. The planning statement and Design and Access Statement states that 11 units are easily adapted to M4(3) wheelchair user dwellings in accordance, and a condition is attached to ensure this is achieved.

### *Amenity and play space*

26. DMP19 requires 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 20sqm per flat and 50sqm for family housing (including ground floor flats). Any shortfall in private space should be made up through the provision of communal space.

27. The planning statement submitted with the application outlines that each unit would be provided with the minimum standard of external amenity space as set out in the London Plan 5.6.3 or in many cases in excess of these standards. This means that each 1 bedroom unit would be provided with a minimum of 5m<sup>2</sup>, each 2 bedroom unit would be provided with 6m<sup>2</sup> and each 3 bedroom unit would be provided with 6m<sup>2</sup> of external amenity space which will be accessed from the main living room of each flat.

28. The ground floor units to the rear of the proposed units will have access to their own private amenity space. The units at first floor level facing the rear first floor roof terrace would also be provided with private amenity space. Furthermore, the units 37 and 45 on the fourth floor and unit 47 on the fifth floor will also have access to private amenity space.

29. The proposed communal amenity space is 735sqm in total, which equates to approximately 6.69sqm of communal amenity space per unit. This therefore split into 464m<sup>2</sup> external amenity for the first floor roof terrace and 271m<sup>2</sup> for the fifth floor roof terrace. The proposed balconies will contain a depth of approximately 1.5m and it is considered that this space will provide efficient depth for usability. As highlighted above a condition will be added to ensure that details of appropriate screening/boundary treatment is provided between each of these amenity spaces and balconies. The extend of external amenity space available for units will be below DMP19 standards but is considered acceptable for a high density scheme.

30. The London Plan requires children play area for major schemes. The applicant's design and access statement sets out that an area of 114.4 sqm of on-site doorstep playspace should be provided for the 11 children expected to be occupiers of the development, based on the Housing SPG Playspace calculator. 114 sqm of designated play space has now been shown within the first floor communal amenity

space, and this is therefore acceptable.

### *Daylight*

31. An Average Daylight Factor (ADF) test has been carried out for the new dwellings which identifies a measurement of the diffuse daylight within a room. This calculation takes into account the size and location of the window, the glazing transmittance, the total area of the room, reflectance of the walls, ceiling and floor (the internal average reflectance) and uses a CIE overcast sky. The ADF assessment demonstrates that 66% of the 298 habitable rooms will be fully compliant with the BRE Guidelines.

32. The report further states that of the 102 rooms that fall short of the recommended criteria, 100 rooms are living kitchen diners. Of these rooms, 43 rooms will retain an ADF value of over 1.5%, which is the recommended criteria for a living room. The remaining 2 rooms (R19 on the first floor and R20 on the second floor) are bedrooms. The BRE Guidelines suggest daylight is less important to bedrooms, as it can disrupt the primary function of the room which is to sleep, therefore lower levels of daylight can be considered acceptable.

33. An Annual Probably Sunlight Hours (APSH) test has been carried out for the new dwellings, which identifies that the 126 of the 140 windows relevant for assessment will be fully compliant with the BRE Guideline recommendation. Of the remaining 52 windows, 36 windows will experience a reduction of between 1-5% below the 25% criteria for annual sunlight. The remaining 16 windows will retain an APSH value of between 11-17%.

34. The sun on ground results demonstrate that all proposed amenity spaces will achieve over 95% of the suggested 2 hours of sunlight and will be fully compliant with the BRE Guidelines. The diagrams within the report confirm that the majority of amenity spaces will achieve acceptable levels of light, particularly in the highly urban surrounds.

### *Overheating*

35. An overheating report has been submitted which includes the results of internal heat level modelling. The Mayor's London Plan seeks to avoid overheating and excessive heat generation within Policy 5.9.

36. The Sustainability and Energy Report outlines that the Proposed Development has been designed in accordance with the cooling hierarchy to minimise cooling demand and limit the likelihood of high internal temperatures in summer months. Mitigation measures such as an appropriate glazing ratio and g-value, high levels of insulation and minimisation of internal heat gains are targeted. Through these measures, the relevant areas of the Proposed Development will achieve compliance with Criterion Three of the Building Regulations Part L (2013).

37. The domestic uses have also been assessed to determine overheating risk using CIBSE TM52 criteria, the Design Summer Year 2005 (DSY05) weather. The report states that the proposed design and servicing strategy of the Proposed Development shows a significant improvement over the 'notional baseline' model. This reflects the attention given by the design team to mitigate overheating risk for building occupants, in-line with policy expectations. Officers recommend a condition is attached ensuring that the mitigation measures set out in this report are implemented before occupation of any units.

### *Layout and Outlook*

38. From the first floor to the third floor two cores will be incorporated, one towards the northern portion occupying 8 units and an additional core towards the southern portion of the site facilitating 4 units. The fourth floor will contain one core for 9 units, which is slightly higher than the recommended London Plan standard for a maximum of 8 units per core per floor. Nonetheless, it is noted that this standard is achieved across all of core A and in across nearly a third of core B and that the breach of this guidance is otherwise minor. From floors 5-17, one core would facilitate 5 units. The number of units per core are considered acceptable.

39. It is noted that numerous units would be single aspect however given the given the orientation of the building, all of the single aspect flats have either east or west facing outlook which is considered to be ideal as there are often problems associated with the provision of units that are solely north facing (lack of direct sunlight) or solely south facing (problems with overheating).

40. The overall scheme will deliver 61 units which will have true dual aspect outlook representing about 55% of the total. Given the constraints of the site and its deep length, this is considered to be a reasonable provision and could not be notably increased without losing a significant amount of accommodation. Furthermore, only 11% of units would be north facing single aspect. The development has secure entrances in locations which are overlooked so as to maintain security, and in turn would overlook public areas in a more positive way than the existing buildings do.

41. The rear elevation of the south eastern portion of the proposed development would be positioned approximately 23m from the rear elevation of the previously approved scheme to the west of the site. This is therefore considered acceptable and will achieve good outlook in line with SPD1. Overall, the general arrangement and layout of the proposed units are considered to provide acceptable separation distances and relationships.

#### *Accessibility*

42. An entrance will be provided along the northern and eastern elevation of the proposed new build. The development has been designed so as to be step-free with level access from the external environment or residents and visitors through clearly visible and identifiable entrances from the public realm. Both cores are also accessible via the car park, refuse and cycle parking area. Each of the units proposed will have access to the lifts located next to both cores.

#### *Impact on neighbouring amenity*

43. The Council's Supplementary Planning Document (SPD1) sets out a number of parameters for the consideration of potential impacts on the amenities enjoyed by neighbouring occupiers.

#### *Daylight, sunlight and outlook*

44. With regard to outlook, SPD1 specifies that developments should normally be situated below a 30-degree line taken at a 2m height above floor level within the habitable rooms of the associated dwellings. In addition, new developments should sit within a line drawn at 45 degrees from neighbouring private amenity space (measured at 2m above ground level).

45. The proposals demonstrate that the 30-degree and 45-degree lines would be breached in certain places, particularly where the 18-storey element of the building would be in close proximity to the opposite blocks within Oriental City. However, importantly the blocks are reduced in height nearest to Beis Yaakov Primary School to the south, and the proposals would comply with the 30-degree rule here. The proposed drawings also indicate compliance with both 30-degree and 45-degree rules in connection with the Silver Works development to the immediate west.

46. The applicant has submitted a Daylight and Sunlight Report in order to analyse the extent of impact from the breaches outlined above. The analysis indicated that there will not be a significant impact on surrounding properties as a result of the development. The first test carried out assessed the Vertical Sky Component (VSC) from each affected window. The VSC analysis, in broad terms, identifies how much of the sky is visible at present and how much of the sky would be visible with the new development being present. This is expressed in percentage terms. The tests are taken from the centre of windows tested. The BRE guidance considers windows whose VSC value remains above 27% to retain good levels of daylight.

47. All windows in 1 Sunnyside Terrace and Silver Works (Block H) were shown to be fully compliant with BRE guidelines. On Warnerford Court 91% of the windows assessed would be fully compliant with the VSC criteria with such transgressions being considered minor to moderate. A "mirror image" assessment results show that 90% of the rooms assessed would be fully compliant with the no sky line criteria following construction of the proposed development. In terms of sunlight for Warnerford Court, all windows assessed will be fully compliant with the BRE Guidelines.

48. In relation to Silver works (Blocks A and B) and Oriental City, the Average Daylight Factor results show good levels of daylight with most rooms being fully compliant with the BRE Guidelines following construction of the proposed development. Any reductions are considered minimal and unlikely to be noticeable. In regards to overshadowing, all amenity areas for Silverworks (Block B) would be fully compliant with the BRE Guidelines.

49. Although some impact is acknowledged, it should be noted that these are guidelines only and should not be applied mechanically. Given the larger scale of development and the implied density required to achieve the objectives of the site allocation, it is considered that the impact would be acceptable on



balance.

### *Privacy and overlooking*

50. The impact on neighbours is a significant consideration, and policy DMP1 seeks to ensure that this is acceptable. The context of the site is along a busy main road and located close to three-storey structures with commercial units at ground floor and residential units nearby, including a 4-8 storey residential unit on the opposite side of Edgware Road and the Oriental City development (under construction) on the northern side of Grove Park.

51. Section 5.1 (Privacy and amenity) of SPD1 states that directly facing habitable room windows will require a minimum separation distance of 18m, while a distance of 9m should be kept between gardens and habitable rooms or balconies. However, it also acknowledges that in more intense urban areas, some flexibility can be applied. The proposed development would be more than 9m away from the Sarena House development to the immediate south-west.

52. It is noted that this relationship would be similar to that of other developments within the area such as Oriental City and on the opposite side of Edgware Road. It is also noted that the other residential developments further down Grove Park do not feature habitable windows facing the proposal. It is therefore considered that the relationship between buildings in this area is of a denser and urban nature than previously existed. A more flexible approach can be taken in this instance and it is considered that the relationship between the proposal and nearby residential developments is not unduly harmful in terms of loss of privacy.

53. However, an objection has been raised on grounds that south facing windows of the proposed development would result in harmful overlooking to the Primary School to the immediate south-east. It is acknowledged that there would be facing windows within 4 metres of the main Primary School building at first, second and third floor levels of the proposed south-easterly block. Officers therefore consider it appropriate to attach a condition which ensures these windows are obscurely glazed, in order to ensure there would be no undue overlooking to the school buildings and playground. This would not unduly compromise the quality of these flats, since they would be triple aspect.

### **Highways and Transportation**

54. Objections have been received from adjoining occupiers on the grounds that the proposals would result in increased demand for parking, and detrimental impacts on both highway safety and additional pressures on public transport networks.

#### *Car parking*

55. Edgware Road is London Distributor Road. Grove Park is a residential street and is not defined as heavily parked in our 2013 parking survey. On-street parking is prohibited at all times due the double yellow lines along the site boundary. The site also fronts a signal controlled junction Edgware Road / Grove Park and pedestrian crossing.

56. The site has good public transport accessibility with a PTAL rating of level 4. There are 7 bus routes available locally and Colindale Underground station (Northern line) within walking distance.

57. Car parking allowances for dwelling units are given in appendix 1 of the Development Management Policies and a reduced allowance is applied due to the high public transport accessibility level (1 -2 bed unit = 0.75 spaces and 3 bed unit = 1.2 spaces). Therefore, a maximum of 93 residential spaces are permitted for these flats. The car parking and servicing allowances for A1/B1 uses are given in appendix 1 and 2 of the Development Management Policies.

58. The A1 retail standards permit 1 space per 50m<sup>2</sup> and therefore the proposed 970m<sup>2</sup> is permitted 19 spaces, taking the total parking allowance to 112 spaces. The 970m<sup>2</sup> A1-B1 uses will be split into 6 units and therefore the servicing standards for the proposed A1 use is a 'transit' servicing bay. There are no parking standards for the proposed B1 office use however, a servicing bay for an 8m rigid service vehicle is required.

59. The revised proposals show the provision of 11 disabled spaces, which is reduced from the 49 spaces originally proposed (including 13 disabled spaces) when a basement level was proposed.

60. The number of proposed spaces falls well below the maximum standard and therefore

consideration needs to be given to the impact of any overspill parking on traffic flow and highway safety. The site is not in a controlled parking zone in which residents can be prevented from obtaining parking permits. However, there are double yellow line parking restrictions along both Edgware Road throughout its length in the immediate vicinity and Grove Park for a distance of over 150m away from the site which would restrict residents' ability to park within the vicinity of the site even more than a controlled parking zone would.

61. However, in order to protect existing residents' parking beyond this, it is considered reasonable to secure a financial contribution for the introduction of a CPZ in the wider area is secured, alongside a restriction withdrawing the right of future residents to on-street parking permits once a CPZ is in place. This would be secured via a section 106 agreement. On this basis, the proposals would comply with policy DMP 12.

#### *Cycle parking*

62. The minimum requirement for long stay residential cycle parking is 164 spaces. The revised scheme shows the provision of 176 spaces located on the ground floor, re-located from basement level. The ground floor location of cycle parking is an improvement, whilst 8 of the spaces would be able to accommodate wider cycles which is welcomed.

63. However, the previous proposals included 5 long stay commercial spaces on the ground floor whilst no long stay spaces have been identified in the latest plans. A condition is attached requiring details of these long stay spaces to be provided before any of the commercial units are occupied.

64. A condition is also attached to ensure that full details of the cycle spaces, showing a minimum spacing of 450mm between the two-tier stands, are secured prior to occupation of any part of the development.

#### *Vehicular access and servicing*

65. The revised ground floor plan shows a vehicular access on the northern side of the site onto Grove Park. The access will be 9.5m wide to accommodate two-way access into and out of the car park alongside access to a 12.5m x 3.5m loading bay. This width is above what would be normally preferred, however it does help to overcome the need for an on-street loading bay on Grove Park, and is therefore considered acceptable.

66. The proximity of the two access points will require care to be taken in manoeuvring large delivery vehicles (e.g. refuse vehicles) onto and off the site, to minimise conflict with cars entering and leaving the car park and pedestrians using Grove Park. The revised Design and Access Statement thus confirms that banks people will be used to control access as per earlier recommendations, although no further details of what this entails have been submitted. A barrier/gate system that only allows access to the loading area if traffic to and from the car park is held back would also be beneficial to assist banks people. To this end, officers recommend a condition requiring a Delivery & Servicing Plan before any of the units are occupied.

#### *Highway works*

67. The revised ground floor plan also proposes a wider footway, along the site boundary and this should be adopted under Section 38 Agreement of the Highways Act 1980 particularly as the proposed on-street cycle parking would reduce the available width of the existing adopted footway to less than 2m. The drawing shows a door that will open out on the footway and this is not acceptable under Section 153 of the Highways Act 1980 whereby a door, gate or bar put up on any premises shall not open outwards onto a street. The drawing also shows balconies that will overhang the footway and a highway licence for this is required.

#### *Travel plan and construction logistics*

68. A travel plan has not been provided and should be submitted for the residential and commercial units and should pass TfL's Travel Plan guidance. Officers have set out the need for this to be secured via Section 106 Agreement.

69. In addition, a Construction Logistics Plan (CLP) should be submitted prior to any works carried out on site, particularly due to the proximity of the London Distributor Road.

#### *Summary and recommendations*

70. Subject to the conditions and s106 obligations set out above being secured, it is considered that the proposed scheme would be acceptable in transport and highways terms.

## **Environmental Health considerations**

### *Contaminated Land*

71. A contamination land report has been submitted with the report. The report draws a number of geotechnical engineering conclusions and makes recommendations relating to processes linked to site excavation. The Environmental Health Officer was satisfied with the findings of this report but however requested additional site investigations to be undertaken prior to any building works to provide a comprehensive assessment of the site in line with current guidance. Details of these further investigations will be requested via conditions.

### *Noise*

72. A noise impact assessment considering the noise impact on the residential units has been submitted as part of the proposal. Two monitoring locations were taken along the eastern portion of the development and towards northern portion of the proposed building. The following activities have been assessed:

- Impact of existing noise levels on proposed residential accommodation;
- Impact of noise from proposed commercial use, including mechanical services plant, on existing residential properties;
- Impact of noise from proposed commercial use on proposed residential properties.

73. Overall the report concluded that mitigation measures can be used into the design and construction of the development to ensure acceptable internal noise levels within the proposed residential part of the development in line with national and local policy aims.

74. The Council's Regulatory Services (Noise) team have reviewed the report and requested a conditions to ensure all residential premises shall be designed to prevent inappropriate noise levels, and this has been recommended.

75. The officer outlined that noise related to vehicle movement, delivery, loading/unloading bay should be sited away or screened from noise sensitive premises. This could be achieved by using a suitable barrier or enclosure and these details will be requested via a planning condition.

### *Air Quality*

76. An air quality assessment considering the impacts of the proposed redevelopment of the site on air quality has been submitted. The report has considered the impacts that would be incurred during the construction phase, impacts that would be incurred by traffic generated by the development, impact of heating plant emissions.

77. The report also identifies a range of best practice mitigation measures for managing dust emissions during construction in reducing harm to the surroundings. The report concluded that the development is predicted to have a negligible impact on local air quality for future occupiers of the residential units, and therefore mitigation measures would not be required in terms of air quality.

### *Lighting*

78. The proposed Lighting Strategy provided mitigation measures, which include the following:

- Luminaires and accessories must be carefully selected to ensure glare from exposed light sources is as minimal as possible while still illuminating the task (entrance areas, etc).
- The main entrance and approach paths will be illuminated to provide a safe environment for vehicles, cyclists and pedestrian usage. The external lighting shall be controlled by timeclock and photo-cells to prevent operation during daylight hours.
- The existing street luminaires light distribution and intensity should be considered during design stage and detail mitigating requirements to be incorporated to minimise obtrusive light to the new development.

79. Officers recommend a condition which secures the mitigation measures outlined above prior to occupation of any flats.

### **Sustainability and energy**

80. London Plan policy 5.2 seeks to minimise carbon emissions through the 'Be lean, Be Clean and Be Green' energy hierarchy. As outlined in the Housing SPG from 1 of October 2016 a zero carbon standard will be applied to new residential development.

81. The Housing SPG defines 'Zero carbon' homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site. The remaining regulated carbon dioxide emissions, to 100 per cent, must be off-set through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere (in line with policy 5.2E).

82. The non-domestic elements of the proposals (i.e. the commercial units) would need to be zero carbon in order to meet relevant London Plan policies.

83. An energy statement has been submitted with the application in line with the 'Be Lean, Be Clean and Be Green' hierarchy. The following measures have been identified as part of the energy strategy:

- Passive design measures will be included as part of the design of the development
- The glazing ratio will promote good daylight levels and result in high solar gains which would be beneficial in the winter months. The solar energy transmittance (g-value) of the glass has been targeted to allow solar gains in winter, but control solar gains in summer.
- Thermal insulation techniques will be incorporated.
- The building has been designed, and will be constructed, to achieve a low fabric air permeability.
- The proposed development would be provided by a Low Temperature Hot Water (LTHW) heat network driven by high efficiency gas fired boilers and CHP.
- Water consumption will be reduced by using water efficiency measures.
- Proposed development will be provided with high-efficiency Mechanical Ventilation and Heat Recovery (MVHR) units

84. The building would also incorporate an on-site CHP engine that would connect to the domestic uses and be available for the tenants of the non-domestic uses. This Energy Strategy has demonstrated that through implementation of passive design and energy efficiency measures and the installation of a CHP engine, that overall the Proposed Development is anticipated to achieve a 26.5% reduction in regulated CO<sub>2</sub> emissions beyond the requirements of the Building Regulations Part L (2013) 'baseline'.

85. It is important to note that for the domestic elements of the scheme, the 35% target would be achieved. However, the non-domestic elements would achieve 0%, and the GLA have raised concerns with this. The applicants have responded by stating that the retail units will be able to connect to CHP on site, which is likely to result in further CO<sub>2</sub> savings once operational. Officers consider this is an acceptable position on balance.

86. Overall, while the proposals would not fully meet the zero carbon targets set out within the London Plan, the scheme is acceptable on balance to the shortfall being provided through a cash in lieu contribution. Officers recommend that this is included as part of the s106 agreement to secure the delivery of carbon dioxide savings elsewhere.

### **Flooding and Drainage Considerations**

87. The site is within flood risk zone 1 and below one hectare in size; therefore, a flood risk assessment is not required. However, parts of the wider catchment, including the site of Oriental City to the north-west of the site, are at risk of significant surface water flooding. The applicant has submitted a Drainage Strategy, however the GLA raised concerns that this does not fully outline how the development will manage surface water flood risk posed to the site and any increase in risk posed to the local area because of the development, as required by London Plan policy 5.12.

88. These details have now been submitted and reviewed by the Council's flood risk consultant. They have confirmed that effective mitigation measures would be implemented to ensure such risks are minimised, and officers recommend a condition is attached ensuring the development is delivered in accordance with these measures.

89. Furthermore, a green roof is proposed at fourth floor level to the south-eastern corner of the site, which is welcomed and will play a significant role in preventing run off. A condition is attached to ensure that full details of the green roof, including details on the maintenance programme, and the frequency and the party responsible for such maintenance of the roof, is submitted to address the GLA's concerns in this respect.

### **Trees and landscaping**

90. A tree report has not been submitted with the application, however the Council's Arboricultural Officer has commented on the proposals. The provision of new street trees on Edgware Road is welcomed and help improve the public realm in this location, however the officer has noted the need for a detailed survey to be submitted regarding underground services to confirm that street tree planting can be accommodated with sufficient soil volumes to allow chosen species to reach their full potential. A condition is recommended to this effect, to be submitted before construction works commence on site.

91. The officer has also noted comments made regarding potential ecological enhancements which can be achieved by the development, and these are discussed in more detail within the ecology section of the report below.

92. An outline landscaping strategy has also been submitted as part of the applicant's design and access statement. This demonstrates a high quality of both hard and soft landscaping, in particular to the communal terraces at first and fifth floor levels, and the green roof at fourth floor level. A full landscaping strategy, including details of all species of all new trees, shrubs and hedges, and details of all new seating and decking, will be secured via condition.

### **Ecology**

93. The site is not located directly adjacent to any sites designated with particular ecological value. However, it is close to Fryent Country Park and Brent Reservoir/Welsh Harp.

94. The applicant has provided an Ecology Report as part of the submitted documents. This report indicates that the site itself and neighbouring sites are considered to be of negligible value for birds and bats and of no value to protected fauna. However, it does state that enhancement measures such as bird and bat boxes are included within the development in order to improve the ecological value of the site. Officers therefore recommend a condition to secure these measures as part of the development. The execution of a high quality soft landscaping scheme as part of the development can also contribute in this respect.

### **Wind and Microclimate**

95. A microclimate assessment has been provided which considers the impact of the development in the context of its existing and consented surrounding buildings on wind conditions.

96. 87 points at pedestrian level and in the public areas and balconies of the proposed development were assessed. The criteria assessed the wind levels in terms of pedestrian comfort in the categories of 'sitting' 'standing' and 'strolling'.

97. The report concluded that during the windiest seasons all thoroughfares had a wind environment suitable for sitting or strolling use and all entrances had an environment suitable for standing use. Similarly, the podium levels and balconies to the flats were considered to have an acceptable environment.

98. However, it is noted that wind mitigation canopies are shown at ground floor level, while mitigation measures were suggested for parts of the rooftop terrace. A suitable condition has been included to ensure that these measures are implemented in accordance with the report.

### **Equalities**

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

### **Conclusion**

100. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

## CIL DETAILS

This application is liable to pay **£2,015,884.40\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): 1754 sq. m.

Total amount of floorspace on completion (G): 8958 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Shops	563		452.76	£40.00	£0.00	£26,680.68	£0.00
Dwelling houses	8395		6751.24	£200.00	£0.00	£1,989,203.72	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	330	
<b>Total chargeable amount</b>	<b>£2,015,884.40</b>	<b>£0.00</b>

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

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

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

## DRAFT DECISION NOTICE



# Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

Application No: 17/2284

To: Mr Seaward  
Rolfe Judd Planning  
Old Church Court  
Claylands Road  
Oval  
London  
SW8 1NZ

I refer to your application dated **22/05/2017** proposing the following:

Demolition of existing buildings and redevelopment of the site to provide a replacement part 4 part 5 and part 18 storey building comprising 563m<sup>2</sup> of retail uses (Class A1, A2 A3), and 110 residential units (56 x 1bed, 30 x 2bed and 24 x 3bed) with associated car parking, cycle storage, plant and shared external amenity space at first and fifth floor level with other ancillary works.

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

at **381A-D INC, 381-397 INC and 13-20 Park Parade Mansion, Edgware Road, Kingsbury, London, NW9**

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: 07/10/2019

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

### Notes

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

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

- 1 The proposed development is in general accordance with policies contained in the:-
  - National Planning Policy Framework 2019
  - The London Plan 2016
  - Brent's Core Strategy 2010
  - Brent's Development Management Policies 2016
  - Brent's Supplementary planning Document 1: Design Guide for New Development 2018
  
- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.
  
- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

CAR001\_DCR\_A\_PL\_0001\_ST  
CAR001\_DCR\_A\_PL\_0002\_ST  
CAR001\_DCR\_A\_PL\_0003\_GF  
CAR001\_DCR\_A\_EX\_0002\_GF  
CAR001\_DCR\_A\_EX\_0003\_01  
CAR001\_DCR\_A\_EX\_0004\_02  
CAR001\_DCR\_A\_EX\_0005\_03  
CAR001\_DCR\_A\_EX\_0300\_ZZ  
CAR001\_DCR\_A\_PL\_0100\_GF  
CAR001\_DCR\_A\_PL\_0101\_01  
CAR001\_DCR\_A\_PL\_0102\_ZZ  
CAR001\_DCR\_A\_PL\_0104\_04  
CAR001\_DCR\_A\_PL\_0105\_05  
CAR001\_DCR\_A\_PL\_0110\_ZZ  
CAR001\_DCR\_A\_PL\_0116\_ZZ  
CAR001\_DCR\_A\_SE\_0200\_ZZ  
CAR001\_DCR\_A\_EL\_0300\_ZZ  
CAR001\_DCR\_A\_EL\_0301\_ZZ  
CAR001\_DCR\_A\_EL\_0302\_ZZ  
CAR001\_DCR\_A\_EL\_0303\_ZZ  
CAR001\_DCR\_A\_EL\_0304\_ZZ  
CAR001\_DCR\_A\_EL\_0305\_ZZ  
CAR001\_DCR\_A\_EL\_0306\_ZZ  
CAR001\_DE(21)\_001  
CAR001\_DE(21)\_002  
CAR001\_DE(21)\_003

Design and access statement (including addendum) prepared by Dunnett Craven dated May 2017 (addendum July 2018);

Planning statement from Rolfe Judd Planning dated April 2017;

Air Quality Assessment from Waterman Infrastructure and Environment Limited dated March 2017

Archaeology assessment from MOLA (Issue 3 - March 2017);

Heritage statement from MOLA (Issue 3 - March 2017);

Daylight, sunlight and overshadowing report from The Chancery Group (ref. C1048/DSO) dated 29 March 2017;

Drainage Strategy report from Jubb Consulting Engineers Ltd (ref. 16297/DS01 - Issue 4) dated March 2017;



Updated Preliminary Ecological Appraisal from Waterman Infrastructure and Environment Limited dated March 2017 (Ref: WIE11749-103-R-1-2-2-PEA)  
External Lighting Strategy (Rev P3) from MEP Engineering dated March 2017  
Energy Strategy from Hoare Lea (Rev 04- dated May 2017)  
Sustainability Statement from Hoare Lea (Rev 01- dated May 2017)  
Transport assessment from Waterman Infrastructure and Environment Ltd (ref. WIE11749-100-R-1-4-3-TA) dated May 2017  
Utilities Infrastructure Statement from Hoare Lea (Issue 4 - dated April 2016)  
Ventilation and Extract Strategy (Rev P2) from MEP Engineering dated March 2017  
Pedestrian Level Wind Microclimate Assessment from RWDI (Ref. 1603461 PLW Rev E – dated April 2017)

- 3 The south-east facing windows serving the first, second and third floor levels of Core B (Unit 01, Unit 13 and Unit 25) shall be constructed with obscure glazing and shall not have openings below a height of 1.8m measured from the floor level of the rooms which the windows serve. The windows shall be maintained in accordance with the above requirements for the lifetime of the development, unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To protect privacy to the Beis Yaakov Primary School to the immediate south-east of the site.

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

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

- 5 The parking spaces, cycle storage facilities and visitor cycle stands, and refuse storage shall be installed prior to occupation 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.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 6 The ground floor car parking spaces hereby approved shall only be occupied by disabled persons resident at or visiting the development hereby approved.

Reason: In the interests of ensuring car parking spaces are provided only for those with the greatest need and to ensure the development operates successfully car free.

- 7 The development hereby approved shall be carried out in full accordance with the details stipulated in the approved Drainage Strategy Report (Jubb Consulting Ltd - 16297/DS01 - Issue 5 - dated July 2018).

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 8 The development hereby approved should be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units (11 units) achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’.

Reason: To ensure that the development achieves an inclusive design in accordance with

## London Plan Policy 3.8

- 9 Prior to first occupation of the development hereby approved, electric vehicle charging points shall be provided and made available for use within at least 20% of the approved car parking spaces within the site. The provision of electric vehicle charging points shall be in accordance with London Plan standards, providing both active and passive charging points.

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

- 10 The building 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.

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

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

- 12 All recommendations contained within the submitted Ecology study (Waterman Infrastructure and Environment Limited - Updated Preliminary Ecological Appraisal – dated March 2017 – Ref: WIE11749-103-R-1-2-2-PEA) shall be adhered to throughout the construction of development.

Reason: To protect and enhance local ecosystems that would otherwise be unduly harmed by the development.

- 13 All wind mitigation measures outlined in the conclusion (section 6) of the submitted microclimate assessment (RWDI – Pedestrian Level Wind Microclimate Assessment Ref. 1603461 PLW Rev E – dated April 2017) shall be implemented in full accordance with the submitted report prior to first occupation of the development hereby approved.

Reason: To ensure that the development appropriately mitigates harm associated with internal or external microclimate conditions brought about by the development.

- 14 The development hereby approved shall be carried out in full accordance with the mitigation measures stipulated in the approved Air Quality Assessment (Waterman Infrastructure and Environment Limited – Air Quality Assessment – dated March 2017).

Reason: To appropriately mitigate air quality impact.

- 15 Prior to any works commencing on site, the developer or constructor shall join the Considerate Constructors Scheme and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

- 16 Prior to the commencement of the development, a Construction Method Statement which incorporates a dust management plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction

traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

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: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 17 Prior to the commencement of the development, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to address issues such as delivery of materials, lorry routeing, staff parking etc., whilst also minimising lorry movements by recycling on site and back loading spoil and aggregates. The plan will need to comply with TfL's guidance on Construction Logistics Plans and in specific relation to this site, will need to carefully consider co-ordination with other development projects in the area. The approved statement shall be implemented throughout the duration of demolition and construction.

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: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 18 The development shall not commence until a comprehensive historical recording and survey of the existing buildings on site has been submitted by the applicant and approved in writing by the Local Planning Authority. Thereafter works/ development should only be undertaken in accordance with the agreed details.

Reason: To ensure that the historic and conservation value of the existing site is recorded, in accordance with Policy DMP7 of the Brent's Local Plan.

Reason for pre-commencement condition: To ensure that any historically reference to the existing buildings is recorded prior to works commencing.

- 19 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface 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 impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 20 Prior to the commencement of construction works (excluding demolition and site clearance), 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 and the development shall be completed in accordance with the approved details.

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

- 21 (a) Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the

principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of 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 required by the Local Planning Authority shall be carried out in full. The development shall not be occupied until 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 site 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 (a) Prior to commencement of the development (except for demolition and site clearance) hereby approved, a BREEAM pre-assessment relating to all of the commercial floor space within the development, which targets a rating of 'excellent', or an alternative rating to be agreed in writing by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

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

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

23 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing above ground level. The work shall be carried out in accordance with the approved details.

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

24 Before above ground works commence, a detailed survey regarding underground services on Edgware Road shall be submitted to the Local Planning Authority for approval, confirming that street tree planting can be accommodated with sufficient soil volumes to allow chosen species to reach their full potential. Once approved, all tree planting works shall be carried out in accordance with the approved details.

Reason: To ensure the development to delivers a high quality of landscaping and public realm.

25 Within six months of commencement of works above ground level, a scheme shall be submitted to and approved in writing by the Local Planning Authority that provides details of all landscaped areas of the development. Such approved landscaping works shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

a) the planting scheme for the site, which shall include species, size and density of plants and trees, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries;

b) walls, fencing and any other means of enclosure (such as screening around the communal roof gardens), including materials, designs and heights;

c) treatment of areas of hardstanding and other areas of hard landscaping or furniture,

including materials;

d) details of playspace provision

e) a landscaping maintenance strategy, including details of management responsibilities;

f) full details of the proposed green roof, including maintenance

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

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- 26 Within six months of commencement of works, further details of screens to the roof terraces serving the residential units at first and fifth floor levels of the development together with the flank wall of the balconies facing onto the adjoining sites shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved plans.

Reasons: In the interests of the amenities of the adjoining occupiers.

- 27 Prior to first occupation of the development hereby approved, a management plan shall be submitted to and approved in writing detailing day-to-day servicing and delivery arrangements and long-term maintenance implications, as detailed in paragraph 3.6.8 of the draft London Plan.

The development shall operate at all times in accordance with the details of the approved management plan.

Reason: To ensure sustainable management of the building that would minimise detrimental impacts on the surroundings, in line with London Plan draft policy D6.

- 28 Prior to the occupation of any of the units hereby approved, revised cycle parking details shall be provided as follows:

(a) Revisions to spacings of two-tier stand cycle parking, showing a minimum width of 450mm between individual stands;

(b) The provision of five long-stay commercial parking spaces, separately accessed from the residential spaces.

The cycle parking shall be thereafter retained and maintained as shown on the approved details for the lifetime of the development.

Reason: To ensure satisfactory cycle facilities are provided to future occupiers of the development.

- 29 The development hereby approved shall be constructed to provide sound insulation against internally generated noise. This sound insulation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the residential part of the development.

The proposal must comply with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels: For daytime (0700 - 2300) noise levels for living rooms and bedrooms the maximum noise levels are 35 dB LAeq (16hr). Outside of this time (2300 - 0700) the standard for bedrooms is 30 dB LAeq (8hr), 45 dB Lmax.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the residents by reason of undue noise emission and/or unacceptable disturbance, in accordance with Brent's Noise Policy

- 30 Prior to the first occupation of the commercial part of the development hereby approved, a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority outlining details of servicing for the commercial units and the effective management and coordination of delivery schedules between the five commercial units that form part of the development. The development shall thereafter operate in accordance with the approved delivery and servicing management plan unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To minimise negative impacts associated with servicing demand of the commercial units.

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

Reason: To safeguard the amenity of the neighbours

- 32 Prior to the commencement of an A3 use within any of the commercial units at ground floor level, details of an appropriate means of extracting odour/effluvia associated with cooking processes shall be submitted to and approved in writing by the Local Planning Authority. This shall apply to all instances of A3 uses being established within any of the commercial units. The approved odour extract shall be implemented in accordance with the approved details and continue to be operational for the full duration of the A3 use.

Reason: To ensure that an A3 use does not result in environmental health issues relating to odour nuisance given the close proximity of residential premises.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the highway works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 5 The applicant is advised to notify the Council's Highways Service of the intention to

commence works prior to commencement. Such notification shall include photographs showing the condition of highway along the site boundaries.

6 Thames Water wishes to advise the applicant of the following:

- With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.
- Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.
- A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
- The Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- Thames Water will require the points of connection to the public sewer system, for both foul and surface water, as well as the anticipated flow (including flow calculation method) into any proposed connection point. This data can then be used to determine the impact of the proposed development on the existing Sewer system. In addition please indicate what is the overall reduction in surface water flows. i.e. existing surface water discharges (pre-development) into the public sewers for storm periods 1 in 10, 30, 100 etc...versus the new proposed volumes to be discharged for the whole development. If the drainage strategy is not acceptable Thames Water will request that an impact study be undertaken.

7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

8 The Council recommends that the maximum standards for fire safety are achieved within the development.

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