



Planning Committee

Wednesday 10 February 2021 at 4.00 pm

This will be held as an online virtual meeting

Details on how to access the link in order to view proceedings will be made available online via the following link: [Democracy in Brent](#)

Membership:

Members

Councillors:

Kelcher (Chair)
Johnson (Vice-Chair)
S Butt
Chappell
Dixon
Kennelly
Maurice
J Mitchell Murray

Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Lo, Sangani and Shahzad

Councillors

Colwill and Kansagra

For further information contact: Joe Kwateng, Governance Officer
joe.kwateng@brent.gov.uk; 020 8937 1354

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:
democracy.brent.gov.uk

Members' virtual briefing will take place at 12.00 noon.

The press and public are welcome to attend this as an on online virtual meeting. The link to attend and view proceedings will be made available online via the following link: [Democracy in Brent](#).

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party or trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

| ITEM | WARD | PAGE |
|---|----------|-----------|
| 1. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate. | | |
| 2. Minutes of the previous meeting | | 1 - 6 |
| APPLICATIONS FOR DECISION | | |
| 3. 20/2784 Northfields, Beresford Avenue, Wembley, HA0 1NW (Known as "Grand Union") | | 11 - 98 |
| 4. 20/3156 1-26A, Coachworks & Storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0 | Alperton | 99 - 174 |
| 5. 20/0115 Matalan Discount Club, Cricklewood Broadway, London, NW2 6PH | | 175 - 220 |
| 6. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60. | | |

Date of the next meeting: Wednesday 10 March 2021

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 13 January 2021 at 6.00 pm

PRESENT: Councillors Kelcher (Chair), Johnson (Vice-Chair), S Butt, Chappell, Dixon, Kennelly, Maurice and J Mitchell Murray

ALSO PRESENT: Councillor Georgiou.

1. **Declarations of interests**

None.

2. **Minutes of the previous meetings - 26 Nov 2020**

RESOLVED:-

that the minutes of the previous meeting held on 26th November 2020 be approved as an accurate record of the meeting.

2. **Minutes of previous meeting held on 9th December 2020**

The minutes of the meeting held on 9th December 2020 be approved as an accurate record of the meeting.

3. **20/1683 416 Ealing Road, Wembley, HA0 1JQ**

PROPOSAL:

Demolition of existing building and redevelopment of the site to deliver a building of between three and seven storeys in height comprising residential homes and flexible commercial space, with associated outdoor communal amenity space at courtyard and roof levels, widened pavement along Ealing Road and Alperton Lane to accommodate new outdoor public space, car parking, cycle storage, refuse storage, hard and soft landscaping and plant.

RECOMMENDATIONS:

GRANT planning permission subject to completion of a legal agreement to secure the planning obligations set out within the Committee reports.

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

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions,

informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

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

Mr Denis Toomey (Planning Officer) introduced the report, set out the key issues as amplified within the report and answered Members’ questions. With reference to the supplementary report, Mr Toomey reported that a detailed analysis of the Urban Greening Factor (UGF) rating provided by the applicant showed that the development would achieve a UGF of 0.22 compared to an emerging London Plan target of 0.4. While the UGF is below the emerging target, the proposal would represent a very significant improvement over the existing site, and the benefits of the scheme would outweigh the shortfall against this target. He also confirmed that objections received against the application totalled 14.

Ms Madeleine Shea objected to the application mainly on grounds of parking and reduction in light to her property and answered Members’ questions. She considered that the provision of 15 car parking spaces would be inadequate as well as resulting in parking overspill in the Burns Road area.

Ms Alina Lopitas (Secretary, Burns Road and Cromwell Road Residents) objected to the proposed development for several reasons including the following;
The development would result in change of character of the area.
The development would aggravate the existing parking situation in the area.
Lack of infrastructure to support the impact of the development.
The development would give rise to construction traffic noise nuisance.

Mr Max Plotnek (agent) addressed the Committee, highlighting the following and answered Members’ questions:

- The application to redevelop an underutilised brownfield site would provide replacement retail floorspace, a community space for local residents to use for community events, and 132 new homes, just marginally over the capacity envisaged by the site allocation.
- The scale of the development was appropriate and the design quality optimised to deliver as much affordable housing whilst ensuring any possible impact was within acceptable limits.
- The taller elements of the scheme would be located as far away as possible from the nearest residential properties on Burns Road to minimise impacts.
- Whilst the affordable housing provision fell short against the target specified in the Local Plan, the Council’s independent viability consultants had confirmed that the offer was more than the maximum reasonable amount of

affordable housing that the scheme can viably provide, following a rigorous assessment the development appraisal.

- The applicant has agreed to a clawback mechanism within the section 106 so that any surplus generated through improvements to values or savings in build cost can be captured as an addition of affordable housing contribution following construction.

During question time, Members raised issues relating the privacy, overlooking, affordable housing, traffic, amenity and open space to which officers submitted the following:

- As the scheme would maintain an adequate separation distance in excess of the Council's guidance, it would not result in loss of privacy or overlooking to neighbouring properties.
- The amount of affordable housing all at London Affordable Rent levels provided would be above requirements for a scheme that would be in financial deficit of £5.9m as confirmed by the Council's independent financial viability assessment that robustly examined the applicant's figures. In addition an appropriate post-completion review mechanism would be secured within the legal agreement to capture an additional contribution to affordable housing should the viability of the scheme improve.
- The level of parking spaces proposed is within the maximum parking standards and in order to address mitigation from overspill parking, a contribution of £70,000 towards the consultation and implementation of a controlled parking zone within the vicinity of the site would be secured through the Section 106 Agreement. The removal of parking permits for future residents would also be secured within the Section 106 Agreement.
- The minimal shortfall in amenity space provisions would be supplemented with public realm improvements and sporting recreational facilities nearby.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation. Members voted by a majority decision to approve the application.

DECISION: Granted planning permission as recommended in the main report. (Voting on the decision was as follows: For 5; Against 3; Abstention 0).

4. 20/2164 79-83 ODDS, Kenton Road, Harrow, HA3 0AH

PROPOSAL:

Erection of a part three part four storey building comprising self-contained flats with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping.

RECOMMENDATIONS:

Grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and referral to the Mayor of London.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above to secure the obligations set out within the Committee reports.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee reports.

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

That, if by 3 months of the Committee date the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

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

Mr R Liam McFadden (Planning Officer) introduced the report, set out the key issues and answered Members' questions. He then referenced the supplementary report that provided an update on Urban Greening Factor (UGF) and the applicant's inability to implement the sedum roof. As such Mr McFadden recommended that condition 26 (sedum roof) be deleted and condition 18 (landscaping) amended as amplified within the supplementary report.

Ms Liz Alexander and Mr Nick Wilson (agent and architect, respectively) addressed the Committee and answered Members' questions. Members heard that the principle and much of the detail of the proposed development had already been established firstly through an application for 39 flats, accessed off Rushout Avenue (17/3717 granted in 2018) and 19/4473 – basement enlargement, relocated cycle storage and rear fire escape stairs. She outlined the minor differences between this and the consented applications and in addressing the concerns about overlooking added that the changes made complied with policy guidelines in relation to scale, size and density of the structure. Mr Wilson clarified that the provision of the 10% family homes was the most efficient option in order to limit the overall massing and volume of the scheme.

In response to members' questions, officers stated that the number of car parking spaces provided would be adequate to meet parking demand without necessarily causing parking overspill to nearby streets that were not even controlled.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and

asked members to vote on the recommendation. Members voted by unanimous decision to approve the application.

DECISION: Granted planning permission as recommended in the main report with the amendment to condition 18 and the removal of condition 26 as set out in the supplementary report.

(Voting on the amended recommendation was as follows: For 8; Against 0)

5. 18/3498 Land at 370 High Road and 54-68 Dudden Hill Lane, London, NW10

PROPOSAL:

Demolition of existing buildings and erection of 5 mixed use blocks ranging from 4 to 10 storeys plus basement levels, comprising; 245 residential units at 1st to 9th floors, and light industrial floorspace (Class B1c), food retail floorspace (supermarket) (Class A1), gym (Class D2), nursery (Class D1), commercial units (units 7 and 9) (flexible use for Class A1, A2, A3, D1 and/or B1c) and HA office (Class B1a) at basement, ground and part 1st floors, together with associated vehicular access, car and cycle parking spaces, bin stores, plant room, substations, landscaping and amenity space (Amended description).

RECOMMENDATIONS:

To refuse planning permission for the reasons stated within the Committee report and set out within the draft decision notice and subject to stage 2 referral to the Mayor of London.

That the Head of Planning is delegated authority to issue the decision notice and impose informatives pursuant to the matters set out within the report.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add informatives or to vary the reason for the refusal) 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.

Members heard that since the publication of the report, the applicant had proposed the following; a payment of £1.5 million to be used toward the provision of off-site affordable housing to mitigate the under-provision of London Affordable Rented (LAR) homes and a revised retail parking arrangements. As officers needed to evaluate the new proposals, the applicant decided to withdraw the application.

DECISION: The application was withdrawn.

6. Any Other Urgent Business

None.

The meeting closed at 8.26 pm

COUNCILLOR M. KELCHER
Chair

Note: At 8.00pm the meeting was adjourned for 10 minutes.

APPLICATIONS FOR DECISION

Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations. The development plan policies and material planning considerations that are relevant to the application are discussed within the report for the specific application
5. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
6. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
7. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
8. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
9. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

10. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

Provision of infrastructure

11. The Community Infrastructure Levy (CIL) is a charge levied on floor space arising from development in order to fund infrastructure that is needed to support development in an area. Brent CIL was formally introduced from 1 July 2013.
12. The Council has an ambitious programme of capital expenditure, and CIL will be used to fund, in part or full, some of these items, which are linked to the Infrastructure Delivery Plan (IDP).
13. Currently the types of infrastructure/specific infrastructure projects which CIL funds can be found in the Regulation 123 List.
14. The Regulation 123 list sets out that the London Borough of Brent intends to fund either in whole or in part the provision, improvement, replacement, operation or maintenance of new and existing:
- public realm infrastructure, including town centre improvement projects and street trees;
 - roads and other transport facilities;
 - schools and other educational facilities;
 - parks, open space, and sporting and recreational facilities;
 - community & cultural infrastructure;
 - medical facilities;
 - renewable energy and sustainability infrastructure; and
 - flood defences,
- except unless the need for specific infrastructure contributions is identified in the S106 Planning Obligations Supplementary Planning Document or where section 106 arrangements will continue to apply if the infrastructure is required to make the development acceptable in planning terms.
15. We are also a collecting authority for the Mayor of London's CIL 'Mayoral CIL' which was introduced from 1 April 2012 to help finance Crossrail, the major

new rail link that will connect central London to Reading and Heathrow in the West and Shenfield and Abbey Wood in the East.

16. In February 2019 the Mayor adopted a new charging schedule (MCIL2). MCIL2 came into effect on 1 April 2019 and superseded MCIL1. MCIL2 will be used to fund Crossrail 1 (the Elizabeth Line) and Crossrail 2.
17. For more information:
Brent CIL: <https://www.brent.gov.uk/services-for-residents/planning-and-building-control/planning-policy/community-infrastructure-levy-cil/>
Mayoral CIL: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy>
18. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section 106 agreement. Where these are necessary, it will be explained and specified in the agenda reports

Further information

19. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

Public speaking

20. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.

Recommendation

21. The Committee to take any decisions recommended in the attached report(s).

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 February, 2021
03
20/2784

SITE INFORMATION

| | |
|---|--|
| RECEIVED | 29 September, 2020 |
| WARD | Alperton |
| PLANNING AREA | |
| LOCATION | Land Former 17 Northfields, Beresford Avenue, Wembley, HA0 1NW (Known as "Grand Union") |
| PROPOSAL | <p>Hybrid planning application comprising:-</p> <p>Outline planning permission for the demolition of existing buildings and structures on the site, all site preparation works and redevelopment to provide new buildings to accommodate new homes (Use Class C3), flexible commercial uses, new basement level, associated cycle and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works, various temporary meanwhile uses, interim works and infrastructure with all matters reserved - appearance, access, landscaping, layout and scale.</p> <p>Detailed planning permission for Phase 3 (Buildings G, H and J) for the demolition of existing buildings and structures, all site preparation and infrastructure works and the development of new homes (Use Class C3) and flexible commercial floorspace; together with new basement level, associated storage, cycle and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works.</p> <p>APPLICATION SUBJECT TO AN ENVIRONMENTAL STATEMENT</p> |
| PLAN NO'S | See condition 2 |
| LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION | <p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as a Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "20/2784" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab |

RECOMMENDATIONS

To resolve to grant planning permission, subject to the Stage 2 referral to the Mayor of London and subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

A. That the Committee resolve the GRANT planning permission subject to:

1. Any direction by the London Mayor pursuant to the Mayor of London Order
2. Any direction by the Secretary of State pursuant to the Consultation Direction
3. The prior completion of a legal agreement to secure the following obligations:
4. Payment of the Council's legal and other professional costs;
5. Notification of a material start 28 days prior to commencement;
6. Join the Considerate Contractors Scheme;
7. The provision of 35% affordable housing, subject to appropriate tenure splits;
8. The provision of an early stage viability mechanism to capture any uplift in affordable housing;
9. To provide sustainability improvements;
10. To provide a new healthcare facility;
11. To provide Training and Employment opportunities;
12. To provide Employment Generating floorspace, including Affordable Workspace;
13. To provide Travel Plans;
14. To provide a CPZ Contribution;
15. To provide a Bus Service Contribution;
16. To restrict Parking Permits to future occupiers;
17. To provide Highway Improvement Works;
18. To provide a Public Art Strategy;
19. Indexation of contributions from date of original permission
20. Any other as deemed necessary.

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

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

1. Commencement
2. Approved Plans
3. Scale, Appearance, Layout, Access and Landscaping
4. Time Limits for Reserved Matters
5. Time Limits for Reserved Matters (Time Limit)
6. List of Documentation for Reserved Matters Applications
7. Phasing
8. CIL Chargeable Plan
9. Fixed Plant Noise
10. Sound Insulation
11. Noise and Vibration
12. Land Contamination
13. Land Contamination (Remediation)
14. Private Residential Mix
15. Landscaping
16. Sustainable Urban Drainage
17. Accessible Units
18. Compliance with London Housing Design Standards
19. Materials
20. Transport and Parking
21. Air Quality Assessment
22. Odour
23. Drainage Strategy
24. Water Supply
25. Construction Method Statement
26. Construction Environmental Management Plan

27. Waste Management Scheme
28. Construction Logistics Plan
29. Piling Method Statement
30. Ecological Mitigation
31. Estate Management
32. Play Space
33. Delivery and Servicing Plan
34. Wind Mitigation
35. BREEAM (Excellent) Pre-Assessment
36. BREEAM (Excellent) Post- Assessment
37. Waste Strategy compliance
38. C3 to C4 restriction
39. EA - further details of works to River Brent
40. Use class restriction on commercial floorspace

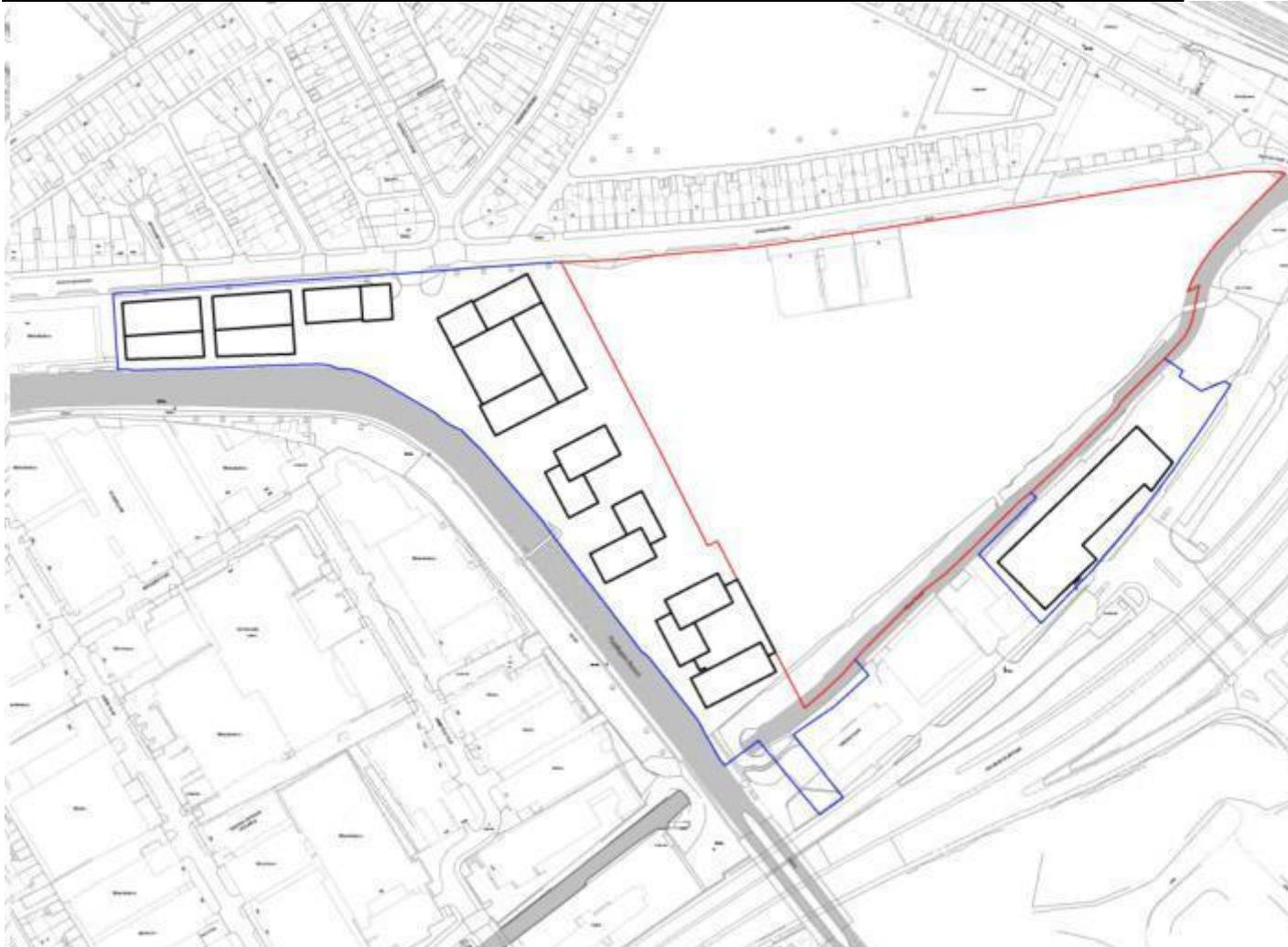
SITE MAP



Planning Committee Map

Site address: Land Former 17 Northfields, Beresford Avenue, Wembley, HA0 1NW (Known as "Grand Union")

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This map is indicative only.

PROPOSAL IN DETAIL

Background

A planning application was approved on 28th September 2018 (subject to section 106 legal agreement) for the redevelopment of the former Northfields Industrial Estate, now known as Grand Union (application reference: 18/0321). This was submitted as a hybrid application, part detailed (Phase 1) and part outline (Phases 2-6). With respect to the outline component, matters of access, layout, scale, appearance and landscaping were reserved for future determination.

The 2018 application proposed the following key components:

- 2,900 homes including 1,015 affordable homes (35% by habitable room),
- up to 2,300sqm commercial floorspace (Use Classes A1-A5),
- up to 19,000sqm employment floorspace (Use Classes B1a, B1c and B8, now classed as E(g)(i), E(g)(iii) and B8 under the changes to the Use Classes Order Sep 2020),
- up to 2,900sqm community and assembly and leisure floorspace (Use Classes D1 and D2 (now classed as F.1 and E(d) under the new Use Classes Order Sep 2020),
- an energy centre,
- public and private open space,
- new routes and public access along the River Brent and Grand Union Canal,
- parking and cycle parking provision, including within a basement level, and
- new site access and ancillary infrastructure.

Following grant of the 2018 hybrid permission a number of non-material amendment applications, and a minor material amendment application (Section 73 application) have been approved by the Local Planning Authority, including an increase in dwelling numbers (and associated affordable housing), and an increase in employment generating floorspace on 'The Generator' site.

The wider site now benefits from planning permission for 3,030 homes of which 35% will be affordable (on a habitable room basis) and 23,441sqm GEA of commercial floorspace (of which 19,627sqm GEA is industrial floorspace) The increase in the number of homes and commercial floorspace from the parent permission was enabled by the granting of non-material amendment application reference 19/0456 which was approved on the 7th March 2019 (see further detail within planning history section of report below).

To date, detailed planning permission has been granted for Phase 1, and details have been approved through a reserved matters application for Phase 2 (ref. 19/3674). A combined total of 924 homes have been secured under Phases 1 and 2, as well as commercial floorspace (Use Classes A1-A5, B1a, D1 and D2, as per the now superseded Use Classes Order). 'The Generator', which is now located within Phase 4a of the revised Phasing Plan, has also been approved in detail under reserved matters and comprises 18,128 sqm (GEA) of employment floorspace (ref. 19/0925).

It is considered that the extant planning permission has been implemented and the construction of Phase 1 of the consented Scheme is underway. The Applicant intends to construct the consented Phase 1, Phase 2 and Phase 4a (The Generator) as per their current planning permissions and as such these areas are not included within the red line boundary of the new application being considered here. However, the requirement to deliver the affordable housing and employment floorspace as previously consented would be required under a new legal agreement which would accompany any consent granted for this application

Revised Masterplan

This application essentially seeks a new planning permission for Phases 3 and 4b to 7 following

an extensive review of the extant permission. These phases principally comprise the core residential component of the consented scheme, however would deliver an uplift of approximately 10% in residential units across the Masterplan area.

Detailed component (Phase 3)

Within the Phase 3 detailed element of the development:

- Buildings G, H and J would provide 439 homes, 35% of which would be affordable on a habitable room basis. All 98 affordable rent units would be provided in Building G, with the 39 shared ownership units delivered on lower floors of Building H.
- Building G would provide 72sqm of commercial floorspace (Use Classes E, F1 and Sui Generis) at ground floor level.

Outline component (Phases 4b-7)

For the outline component planning permission is sought for:

'Outline planning permission for the demolition of existing buildings and structures on the site, all site preparation works and redevelopment to provide new buildings to accommodate new homes (Use Class C3), flexible commercial uses (Use Classes E and F1 and Sui Generis), new basement level, associated cycle and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works, various temporary meanwhile uses, interim works and infrastructure with all matters reserved – appearance, access, landscaping, layout and scale.'

The outline element of the development is defined through a Development Specification document and through Parameter Plans setting out the following:

- Basement Extent;
- Detailed and Outline Components;
- Ground Floor Level Heights;
- Ground Floor and Above Plot Extent;
- Proposed Access Plan within the Site;
- Maximum Building Heights;
- Open Spaces;
- Demolition.

In addition to the Development Specification document and Parameter Plans, a Framework Design Code supports the outline application and together these form the controlling documents. These set out the parameters and limits that would inform all future Reserved Matters applications.

The submission includes an Illustrative Masterplan which indicates how the outline development could be delivered. However, this masterplan is illustrative only. This application, does not seek approval for the detailed design or external appearance of buildings or landscape proposals within the outline application area, which would be the subject of future Reserved Matters applications that would be made in accordance with the established parameters for the outline development.

Access

The primary vehicular access/egress point to Phases 4b to 7 would be from Beresford Avenue located between Buildings D and G, in the location of the existing Wycombe Road junction. This primary route would act as a 'north-south west' connection through the Site, and is the principal for entry movement of all uses across the site. Secondary vehicular routes (access for emergency vehicles, cyclists and pedestrians only) would be created between Plots K, L and P and between Plot M and the River Brent.

The primary pedestrian route would be along Beresford Avenue and between the Plots. A secondary pedestrian route would be created along the River Brent and a pedestrian and cycle path will be created through the River Meadows and central garden. The main refuse service route for vehicles accessing the outline component is from the main access road serving the whole development.

Open Space

Each building Plot would contain a specific form of amenity provision. This would include private / semi-private amenity space comprising balconies, front/rear gardens, communal gardens and roof terraces. The details of semi-private doorstep play will be distributed across communal gardens providing informal and equipped play space, and will be established at each reserved matters stage.

At the heart of the masterplan, situated between Plots L, M and P, is the ‘**Central Gardens**’ **Character Area**. This area would include flexible civic space, semi mature trees, amenity grass and ornamental shrubs. Informal and equipped play space will also be located within this area.

Adjacent to the River Brent is the ‘**Riverside Meadows**’ **Character Area**. In this location, restoration of the natural landscape including replacement tree planting would be undertaken. The area would include informal and equipped play space; details of which would be secured within later reserved matters submissions.

The public realm around the building plots will comprise street trees and shrubs.

Uses

The application continues to propose a mixed use development, however as outlined earlier in this report the majority of commercial and employment floorspace is being delivered in earlier Phases outside of the revised Masterplan area. There would be no uplift in the industrial floorspace proposed by this application. A breakdown of proposed uses and floorspace amounts are provided in the table below:

| Phase/Plot | Residential Units | Residential | Ancillary Residential | Flexible Commercial Uses |
|--|-------------------|--|---------------------------|---------------------------------|
| Phases 4b-7 (Plots K, L, M, P, Q and R) | Up to 1,987 | Up to 200,790 m ² GEA (excluding new basement) | 38,906 m ² GEA | Up to 614 m ² GEA |

To allow flexibility in the delivery of the development across the site, the proposed level of floorspace for each use has been expressed as a maximum amount. The application also proposes a flexible approach to the distribution of commercial and community and assembly and leisure floorspace over time by establishing minimum and maximum floorspace figures. This has been sought by the applicants, and agreed in principle by officers to provide flexibility to respond to market conditions and ensure the full occupation of space.

Although the aggregate total of the maximum floorspaces would exceed the total floorspace applied for it would not be possible to reach the maximum permitted floorspace for both the commercial and community and assembly and leisure uses, and therefore this overall total would not be exceeded. In order to comply with regional and local policy there are minimum quantum of floorspace proposed, which would be the lowest amount of this type of floorspace the applicants

could deliver through their reserved matters applications. This would be monitored on an application by application basis to ensure the minimum quantum of floorspace as stipulated are being delivered.

Within the outline element of the development:

- Building Plots K-R would provide up to 1,987 homes, together with commercial space (Use Classes E(a)-(c) and Sui Generis) and assembly and leisure space (Use Classes F1 and E(d)) at ground floor.

The single basement proposed at lower ground floor level would provide space for car parking, cycle parking, bin storage and plant to serve the development and has capacity of around 1,482 car parking spaces (including 85 disabled spaces for the entire Masterplan) and cycle storage areas, as well as access cores to the floors above, and internal access ramps.

Building Plots, Streets and Open Spaces

The submission includes 9 building plots which are located within four 'Character Areas'. These share common characteristics, but would each have a distinct character as a result of the materials, elevational treatment, massing, use and function of the component buildings and spaces. Details of these material palettes would be contained within the final Design Guide, secured under Condition 19.

The series of buildings across the site would be of varying height and scale, and would be arranged around a hierarchy of streets that connect through and across the site to form a network.

5.7ha of open space (both private and public) would now be delivered across the entire Masterplan area (i.e. both the original and revised schemes), which represents a 15% uplift above the consented scheme. The main basis of this would be located around three principal public open spaces at the 'Central Gardens' (0.6ha), 'Riverside Meadows' (up to 0.83ha) and 'Canalside' (up to 0.76ha). The remainder is distributed around the site.

EXISTING

The application site is located to the south of Beresford Avenue and to the north of the River Brent and The Generator (Plot N) building, secured as part of the original Masterplan site. To the immediate west are Phases 1 and 2 of the original Masterplan, which are under construction. The Grand Union Canal runs further to the south west, while the River Brent divides the application site from The Generator building. The revised Masterplan site itself has a total area of 5.34 ha. When combined with the original Masterplan site, it has a total area of 9.16ha, the majority of which is to the north of the River Brent (8.1ha), while the smaller southern part has an area of 1.06ha.

The majority of the site (with the exception of a small area at the north-west) is part of the Park Royal Strategic Industrial Location (SIL) as designated by the London Plan. The north-west part that is not SIL land is a non-designated Local Employment Site in accordance with the Brent Development Management Policies document.

The site is wholly within the Alperton Housing Zone designated by the Mayor of London, and the north-west part of the site is also part of the Alperton Growth Area as identified within the Brent Site Specific Allocations document. To the south of the site is the boundary of the Old Oak and Park Royal Opportunity Area identified by the London Plan and Old Oak and Park Royal Opportunity Area Planning Framework SPG.

There are no conservation areas or listed buildings within or adjacent to the application site. The nearest listed building to the site is the Grade II listed "Brent Viaduct" over the North Circular Road (listing number 1078890). The River Brent and Grand Union Canal are each designated as Sites of Importance for Nature Conservation (SINC), and the southern and western parts of the site are

designated as 'Waterside Development' within the Brent Development Management Policies document.

The site comprises brownfield land which was formerly in use as an industrial estate, most recently accommodating a range of low density uses such as car workshops, car dealers, storage, and industrial uses. Much of the site has previously been cleared (and used as open air storage) and comprises areas of hardstanding, although there are some vacant predominantly single and two storey commercial buildings to the centre and western part of the site, and three industrial units remain along Beresford Avenue and are currently occupied under different ownership.

The site has a varying Public Transport Accessibility Level (PTAL) rating, with a rating of 0 (very poor) for limited areas at the west of the site, increasing towards the east to a rating of 3 (moderate). Stonebridge Park station is approximately 0.3km (as the crow flies) and a 1km walk along Beresford Avenue and the Old North Circular Road to the north east of the site and Alperton Underground station is approximately 0.9km (as the crow flies) and a 1.5km walk along Mount Pleasant and Ealing Road to the west, and there are local bus stops on Beresford Avenue and the North Circular Road.

To the north of the site on Beresford Avenue is two-storey semi-detached and terraced housing with the former Rizla factory building (which makes a positive contribution to the streetscene) towards the north east. To the east of the site is the Ace Café, while to the south and west are existing industrial uses.

AMENDMENTS SINCE SUBMISSION

Revised drawings were received amending the mix of intermediate units provided within Phase 3 of the development, with two additional three-bed units replacing 1 x studio unit and 2 x 2-bedroom units. This reduces the overall number of units proposed within Phase 3 from 440 to 439. Officers consider this to be a non-material change which did not require further consultation with adjoining occupiers or statutory consultees.

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 have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

- **Comments received:** Two responses have been received from adjoining businesses and residents, consisting of objections principally raising concerns regarding scale & design, heritage impacts, lack of policy compliant affordable housing, and impacts on local business and employment uses.
- **Principle of land uses:** the continued residential-led re-development of the site is strongly supported in light of the extant Masterplan consent and the intended de-designation of SIL land, with the re-provision of a high quality and amount of industrial floorspace secured and supported by the GLA.
- **The re-provision of industrial generating uses** and workspace, including the provision of a high-density purpose built E(g)(iii)/ B8 development, along with additional E(g)(iii)/ B8 and E(g)(i) floorspace across the development which would result in no net loss of employment floorspace as a result of the proposal. The proposals are considered to be in accordance with national, regional and local policies.
- **Affordable Housing & Financial Viability:** 35% affordable housing (by habitable room) would be provided on a policy compliant tenure split (70% affordable rent, 30% intermediate), and this is in accordance with the position established by the extant Masterplan. The GLA have confirmed that the Fast Track Route is applicable to the revised scheme. The applicants have agreed to the Council's requirements with regard nomination rights, and for the timing of delivery of the affordable units. A proportionate number of London Affordable Rented units would be secured on the uplift of 320 units across the

revised scheme, in line with the requirements set out within the Mayor's Affordable Housing and Viability SPG. The requirements of affordable housing obligations are considered to have been met.

- **Design and Layout:** The approach to the design and layout of the buildings and public spaces within the three proposed character areas would result in a coherent and legible masterplan. While it is acknowledged the proposed development would include elements that are significantly taller than the surrounding residential properties, it is considered that the proposed building heights step away from the more sensitive existing and proposed lower level buildings on and within the vicinity of the application site in a logical manner that would protect existing residential amenity, and would be appropriate for the future context of the site, and necessary for the provision of a high quantum of good quality residential accommodation.
- **Heritage:** there are no designated or non-designated heritage assets located on the application site. While there is one non-designated heritage asset located to the north of the application site, and a Grade II listed railway viaduct 500m to the north-west, the proposed development would have no material impact, nor would the proposed development affect the setting of any Conservation Area.
- **Landscaping, Open Space & Trees:** Some existing trees are proposed to be removed but they are not considered worthy of any specific protection or retention. The proposal includes extensive landscaping and open space provision including tree planting which would result in net improvements to both the quality and quantity of the landscaping and open space in the area, to the amount of publicly accessible open space in the area and to the ecological value of the application site.
- **Transportation & Highways:** it is acknowledged that the development would result in increased use of the road network by vehicles (through the provision of Blue Badge spaces), cyclists and pedestrians. However, the scheme (and the extant permission) includes significant highways improvements to Beresford Avenue and the route to Stonebridge Park Station, which include pedestrian and cycle network improvements. The impact on the road network has been assessed by Brent and TfL, who consider the proposed Transport Assessment to be acceptable, subject to agreed mitigation measures.
- **Quality of accommodation:** The proposed residential accommodation would meet all national, regional and local planning policy and guidance to acceptable levels with regard to internal layouts and room sizes. The proposed residential units would have acceptable access to outlook, daylight and sunlight.
- **Dwelling Mix:** The proposal includes a total of 587 family sized homes (taking into account the indicative mix within the element of the scheme) which represents 24.2 % of the homes within the proposal, and is only marginally below the 25 % target in adopted and emerging policy. 28 % of the Affordable Rented homes are proposed to be family sized. The proposed housing mix is considered to represent a good balance between the provision of family sized homes and Affordable Housing.
- **Amenity Space:** A significant amount of external amenity space is proposed in the form of private balconies and terraces, over 11,000 sqm of communal space and approximately 23,000 sqm of new public open space, accessible to both residents of the proposed development and other residents in the area. The proposed provision of external amenity space falls below Brent targets and 50 homes within Phase 3 would have outdoor space below emerging London Plan Policy D6 targets. However, due to the provision of a significant quantum of usable public outdoor space, shared private amenity space, proximity to nearby public open spaces and an off-site contribution for improvements to playspace within the vicinity of the application site which has already been secured via section 106 agreement, it is considered that the shortfall is not to a degree that would significantly affect the quality of the space and the proposed areas of external amenity space are considered to be sufficient in size and type to satisfy the needs of future residents. The limited conflict with policy is considered to be outweighed by the benefits of the proposed development.
- **Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, as is expected from a development of this scale. However, the overall impact of

the development is on balance considered to be acceptable, particularly in view of the wider regenerative benefits including the provision of a significant number of new homes, affordable housing, landscaping, amenity space and employment. Levels of daylight and sunlight reductions would not be materially worse than the extant Masterplan.

- **Energy and sustainability:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. The proposed development would deliver efficient water use for residential units, and conditions will require further consideration of carbon savings prior to implementation, along with BREEAM 'Excellent' certification for non-residential floorspace.
- **Accessibility:** the site has a varying PTAL from 0 to 3. Contributions are proposed towards improvements to buses and the route to Stonebridge Park Station, and the PTAL will increase to around 3 across the application site as a result.
- **Density:** While it is acknowledged that the proposed development would have a significantly higher density to that of the existing residential areas to the north of the application site, and that the existing PTAL of 0 - 3 across the site is low, the proposed development would make significant financial contributions through the proposed Section 106 agreement (in agreement with TfL) to provide additional bus services, along with significant walking and cycling improvements to the nearby Stonebridge Park Station. It is considered that the proposed layout and scale of the development is acceptable and would provide a good standard of residential accommodation being achieved, and the applicants have demonstrated to both the Council and Transport for London that the proposed development would have an acceptable level of impact on the existing surrounding occupiers, while delivering much needed homes and employment opportunities.
- **Planning Obligations and Community Infrastructure Levy (CIL):** CIL liability is calculated at the time at which planning permission is granted. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. The proposed Section 106 agreement is discussed in this report.

RELEVANT SITE HISTORY

The below summarises the detailed planning history of the site since the inception of the Masterplan in 2018:

Hybrid Planning Permission 18/0321: 28th September 2018

Hybrid planning application for the redevelopment of Northfield industrial estate:

1. *Outline planning permission for the demolition of existing buildings and structures on the site, all site preparation works and redevelopment to provide new buildings ranging from 35.75m AOD to 111.95m AOD in height, with a total floorspace (GEA) of up to 309,400 sq m (excluding basement up to 42,000 sq m GEA) to accommodate 2,900 homes (Use Class C3), business and storage and distribution (Use Classes B1a, B1c and B8), commercial (Use Classes A1, A2, A3, A4 and A5), community and leisure (Use Classes D1 and D2) including community centre and nursery, new basement level including energy centre, associated storage, cycle and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works, various temporary meanwhile uses, interim works and infrastructure.*
2. *Full planning permission for demolition of existing buildings and structures on the site, all site preparation works and the development of Phase 1 (Buildings A, B, C and D ranging from 1 to 14 storeys in height) to comprise 400 homes (Use Class C3); 910 sq m (GEA) of business floorspace Use Class B1a); 1,290 sq m (GEA) of commercial floorspace (Use Classes A1, A2, A3, A4 and A5); and 1,610 sq m (GEA) of community and leisure floorspace (Use Classes D1 and D2), including a community centre and nursery; together with new basement level including energy centre, associated storage, cycle*

and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works, various temporary meanwhile uses, interim works and infrastructure.

Hybrid permission 18/0321 is subject to 41 conditions attached to the decision notice and a Section 106 legal obligation.

Non-Material Amendment (ref. 19/0465): 7th March 2019

Non-material amendment to the 2018 hybrid planning permission was granted for the following changes:

- An increase to the site wide total number of homes from 2,900 to 3,030 homes with a corresponding increase of residential floorspace of 12,239 sqm GEA;
- An additional increase in employment floorspace from 19,000 sqm GEA to 19,380 sqm GEA (+380 sqm GEA);
- An amendment to parameter plan ref. 31009-PL-212A increasing in the building height of Plot N by 5.85m and enlarging the building footprint to facilitate the design of the Generator; and
- An amendment to Condition 35 to limit individual units to no more than 3,125 sqm (GIA) of use class B1c and B8 floorspace.

Minor-Material Amendment (ref. 19/2732): 4th October 2019

Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to vary the wording of condition 6 (outline approved drawings) to allow:

- *An increase in the proposed parameter height for Plot E to a maximum between 86.60m AOD – 92.90m AOD*

of Outline Planning Permission reference 18/0321 dated 28 September 2018 for Hybrid planning permission for the redevelopment of the former Northfields Industrial Estate (as per 18/0321).

The Generator: June 2019

The first reserved matters submission for the outline component of the Masterplan site comprises 'The Generator' which is located within part of Phase 4 of the development.

The Generator RMA was approved on 10th June 2019 (ref. 19/0925), for the following:

Reserved matters application for a six-storey industrial building comprising of Use Class B1(c) (Light Industrial) and B8 (Storage and Distribution) floorspace, including associated ancillary B1a (office) floorspace, associated hard and soft landscaping, vehicular access and parking. The reserved matters being sought relate to scale, layout, appearance, access and landscaping for Plot N ('The Generator') pursuant to hybrid planning application 18/0321 dated 28/09/2018 as varied under non-material amendment application 19/0465.

Located on the southern part of the Grand Union site, the Generator will provide 18,128m² GEA of B1a, B1c, B2 and B8 floorspace within a six-storey building.

Phase 2a (Blocks E-F) Reserved Matters: 20th December 2019

An application for reserved matters was approved on 20th December 2019. The description of development is as follows:

Reserved matters application pursuant to conditions 3 (Layout, Scale, Appearance, Access and Landscaping) and 2 (approved drawings and supporting documents) of hybrid planning permission

19/2732, dated 04th October 2019 for access, appearance, landscaping, layout and scale of Phase 2a comprising the construction of four buildings ranging from 8 to 18 storeys in eight providing 524 homes with private communal residential landscaped gardens, basement and podium residential car parking including associated storage, cycle and car parking; health centre (Use class D1); affordable workspace (within use class B); commercial space (A1 – A5 uses classes); associated plant, visitor car and cycle parking, refuse provision, public realm and open space, ancillary facilitating works, infrastructure and engineering works to the river bank.

A summary of the RMA approval is set out below:

- 524 residential units; 37 x Studio (7%); 205 x 1 bed units (39%); 192 x 2 bed units (37%); 90 x 3 bed units (17%);
- 332 Market (63%); 115 Affordable Rent (22%) & 77 Shared Ownership (15%) units;
- A tenure split of 67% affordable rented homes and 33% shared ownership homes;
- 243sqm GEA of Use Class A; 420sqm GEA of Use Class B1a; and 826sqm GEA of Use Class D1.

Non-material amendment to Hybrid Planning Permission: 14th February 2020

An application for a non-material amendment was approved on 14th February 2020. The description of the amendment is as follows:

Non-material amendment to Hybrid Planning Permission 18/0321 as amended by 19/2732 to reflect amendments to the building heights, elevations, basement, internal layouts and mix of private homes in Phase 1 (Plots A-D).

The amendments to the original Masterplan consent, as amended by further s73 applications, under this non-material application is set out below:

- Four 3-bedroom units converted to 2-bedroom homes; resulting in Phase 1 delivering x 53 3-bedroom units – a reduction of 1.4%;
- The overall unit mix is secured via Condition 14 of the parent permission and is on a site-wide basis rather than per phase. As this non-material amendment relates to Phase 1 only, it was considered reasonable that the remaining number of 3-bed units can be provided in later phases of development;
- Increase in heights of buildings A-C ranges from 0.24m-0.34m respectively and the increase in heights of the balustrades range from 0.10m-0.21m;
- Minor amendment to elevations (windows; pipes; louvres; metal railings);
- Minor amendment to the basement – reduction in floorspace of 374sqm and loss of 3 parking space; and the addition of a sprinkler tank; and
- Internal layout amendment to adjust the parking and servicing layouts of the podium level in buildings A and C, to allow for fire and smoke ventilation requirements.

Non-material amendment to Hybrid Planning Permission: 28th July 2020

An application for a non-material amendment was approved (ref. 20/2084) on 28th July 2020. The description of the amendment is as follows:

Non-material amendment to Hybrid Planning Permission 18/0321 as amended by 19/2732 to reflect alterations to internal layouts of ground floor to building D in Phase 1 (Plots A-D).

A summary on the non-material amendments approved is as follows:

- 10m² decrease in A class Use;
- 172m² decrease in D class Use;
- 169m² increase in B class Use; and
- An increase of 13m² provided for plant, cycle parking and residential entrances.

CONSULTATIONS

Initial neighbour consultation: 1289 consultation letters were sent to adjoining and nearby owners and occupiers. The application was also advertised in the press on 22nd October 2020 and site notices were posted on 26th October 2020.

A total of two public responses have been received, both of which have raised objections to the proposals.

The grounds of objections received refer to the following issues:

| Comment | Response |
|---|--|
| Design | |
| <p>Proposed heights of Blocks G, H and J will have visual impacts and be overbearing on the two storey dwellings of the residential properties to the north of Beresford Avenue and surrounding area.</p> | <p>The proposed scale and massing of the development has been designed to respect the scale of housing along Beresford Avenue and the siting of built form provides generous separation with the tallest buildings integrated into the centre of the Site along the new linear park. Mid-scale buildings bridge between the lower massing of Beresford Avenue and the central marker buildings creating a coherent composition.</p> <p>The proposed buildings have been tested to ensure that there are no detrimental impacts on surrounding properties with regards to daylight and sunlight and overshadowing.</p> <p>The visual impacts of the proposals has been considered by the applicant through the Townscape and Visual Impact Assessment (TVIA), the TVIA concludes that no significant adverse effects have been identified. It is acknowledged that the character of the application site and wider site will change, however this is considered acceptable given its current condition. The design of the buildings will be high quality as demonstrated by Phases 1 and 2 and they will create a sympathetic interface with the adjacent residential area.</p> |
| Heritage | |
| <p>The proposed heights of the buildings are likely to harm the setting of Listed Buildings and even any 'less than substantial' harm needs to be weighed in the planning balance.</p> | <p>The only listed building in the vicinity of the site is the Grade II listed Brent Viaduct, approximately 60m to the north east. The current context of the Brent Viaduct is dominated by major roads and a townscape of industrial character which lacks definition. Block R of the proposals would create a clear landmark feature at the eastern apex of the site closest to the Brent Viaduct; whilst taller than existing buildings in view it has a slender profile owing to its</p> |

| | |
|---|---|
| | triangular form. Overall, the TVIA concludes that the definition and architectural variety added to the landscape by the proposals to have a beneficial effect. |
| Affordable Housing | |
| 50% of new homes in the borough expected to be affordable. | The application is submitted under the London Plan Fast Track Approach. The Site is a de-designated SIL site which benefits from an Extant consent that has been implemented, and therefore the 35% affordable housing threshold applies. The proposal will deliver 35% affordable housing in line with this requirement. |
| Commercial Uses | |
| The proposals result in the demolition of three commercial units along Beresford Avenue, one of which provides a home to a very successful and viable company employing many staff. This is contrary to the objectives of the Wembley and Alperton Growth Area and impacts on current businesses need to be considered. | The impact of the loss of the three existing commercial units along Beresford Avenue has been considered within the Environmental Statement. Whilst demolition of these units would result in a loss of employment, the proposals overall will generate a net increase in employment through the end uses which is in accordance with the objectives of the Wembley and Alperton Growth Area. Furthermore the proposals will deliver high quality employment floorspace that will better meet business needs. |

Statutory consultees

Old Oak and Park Royal Development Corporation (OPDC)

No objection raised.

There was overall support for the principle of development for the original scheme (18/0321) and the proposed revised masterplan does not raise any new concerns. Confirmation is sought that additional social infrastructure demands arising from additional development will be addressed through proportionate increased contributions through CIL and planning obligations.

Officer response: ES confirms that any additional impact on education would be captured by CIL. Approximately £55m of CIL funding will be generated by the proposals.

The ES also confirms that the provision of the health centre in Phase 2 would meet the demand of healthcare facilities arising from the proposed development and no further mitigation is required, subject to continued provision of this within the section 106 agreement. Sufficient playspace is proposed by the revised proposals. Furthermore, a financial contribution towards improvements to Heather Park has also been secured under the extant planning permission.

Canal and River Trust

Habitat enhancement within the Grand Union Canal would be welcomed as part of the biodiversity mitigation for the proposed development. Brent to consider the use of CIL for towpath improvements arising from increase in use of the towpath by pedestrians and cyclists.

The Phase 3 proposals are some distance from the canal and whilst they would be visible, it seems unlikely that they would have a significant impact on the canal or its towpath, particularly as

Phase 2 forms a buffer to the canal. The impact of Phase 3 on the setting of the historic waterway is therefore minimal.

Officer response: the Grand Union Canal falls outside of the red line boundary of the Grand Union Revised Masterplan planning application. Notwithstanding this, the proposals will result in a significant biodiversity enhancement and biodiversity net gain on this site resulting from the substantial landscaping, incorporation of brown roofs and open space proposed (in comparison to the existing site which has limited ecological habitats and biodiversity value). This issue is addressed in more detail within the landscaping and biodiversity considerations of the report below.

The extant permission recognises the potential for impacts of the development on the Grand Union Canal and River Brent as well as the potential for enhancement arising from the proposed development. Mitigation measures are already proposed to ensure there is no harm to ecology. These would include avoiding harm to reptiles, managing invasive species, and consideration for the aquatic environment.

The extant permission also proposes works to restore the waterside edges of the site and significant areas of habitat creation proposed to be concentrated within the corridors of the River Brent and canal, including the Riverside Meadows area at the east. This mitigation is measured and controlled through condition 30 of the extant planning permission (and proposed under the new consent) which requires the submission of an Ecological Mitigation and Enhancement Plan.

Thames Water

Unable to determine the waste water infrastructure needs of the application. Recommend that conditions are attached relating to foul water and surface water drainage infrastructure.

Officer response: This issue has been addressed by relevant conditions and informatives.

Greater London Authority (GLA)

The GLA Stage 1 response states that in view of the evidenced, plan-led approach to SIL consolidation and release and the applicant's approved masterplan, the redevelopment of the site to provide a significant amount of housing is strongly supported. It is acknowledged that re-provision of employment floorspace has been robustly met by the extant consent (Phase 4a).

While the application is generally acceptable, the application does not fully accord with London Plan Policy although possible remedies are identified that could address this:

- **Affordable housing:** confirmed that the proposals meet the Fast Track Approach with a 35% affordable housing threshold. An early stage (delayed implementation) review is sought. Affordable rent units to be provided as London Affordable Rent.
- **Urban design:** whilst broadly supported, further information is sought on the ground floor layout of buildings within Phases 4b-7 (outline application). Provision of garden/buffer spaces between residential units and public realm is also sought, particularly along Beresford Avenue. And confirmation is required that floor to ceiling height for each residential unit is at least 2.5m.
- **Transport:** supported in strategic terms, subject to contributions towards consultation and implementation of a CPZ, Stonebridge Park station and bus improvements, and appropriately secured transport-related plans. Clarification is sought as to how cyclists would access the baseline level cycling parking in Phase 3.
- **Energy:** The CO₂ emissions for the detailed and outline, and residential and commercial elements are required to be disaggregated and re-submitted so that on-site reduction of carbon dioxide can be determined for each part of the application and domestic and

non-domestic elements separately.

Officer comments: The applicants have responded on all the above matters and, while there are some energy matters to be resolved, officers are satisfied that these issues have been sufficiently addressed to enable Members to determine the application. See relevant detailed considerations section for further discussion of these issues.

Sport England

No objection raised.

Natural England

No objection raised. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

London Underground Infrastructure Protection

No comment to make on the application.

Internal consultees

Environmental Health

Environmental health supports the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact, and contaminated land. See detailed considerations section of report for further comments on these issues.

Statement of Community Involvement

A Statement of Community Involvement has been submitted with the application, setting out the public consultation and level of engagement undertaken before submission of the proposals, as required through the Localism Act (2011). The approach to engagement has been tailored to the nature of the development proposed. This has exceeded the minimum recommendations of the Brent SCI, and full details are provided within the submitted SCI and the Planning Supporting Statement.

The level of consultation with the local community built on that undertaken during the original Masterplan exercise, with letters sent to over 8,800 households, businesses, local councillors, MPs, community groups and GLA members. Consultation with local residents and the dedicated Community Liaison Group (CLG) has been ongoing since planning consent was granted in September 2018 for the original masterplan. This has included having a dedicated on-site community liaison officer for local residents and consultation on the Reserved Matters Application for Phase 2 of the Grand Union development with the CLG.

Six further CLG meetings took place between May 2020 and August 2020 in relation to the Revised Masterplan application, consisting of representatives from local organisations and other local residents, and one public exhibition held digitally along with digital drop-in sessions and feedback forms. Consultation with the community allowed for their involvement and input on how the Revised Masterplan can continue to bring about community benefits. The consultation ran largely remotely due to the COVID-19 pandemic and social distancing restrictions, however throughout the process, the project team remained available to local residents by email and phone. Various opportunities to meet virtually with the project design team were provided and where residents did not have internet access, materials were posted to them.

These consultation events are considered appropriate to the scale of the development and reflect the recommended level of pre-application engagement set out in Brent's Statement of Community Involvement.

POLICY CONSIDERATIONS

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

The development plan is comprised of the London Plan 2016, Brent Core Strategy 2010 and Brent Development Management Policies 2016.

Regional

The London Plan 2016

London Plan policies regarding housing supply, housing mix, affordable housing, density, children and young person's play, industrial land, urban design, access, sustainable energy and transport are applicable.

| | |
|-------------------------|---|
| Mix of uses | London Plan |
| Housing | London Plan; Housing SPG; Housing Strategy; Affordable Housing and Viability SPG; Mayor of London Housing Zones |
| Industrial land | London Plan; Land for Industry and Transport SPG |
| Neighbourhoods: | London Plan; Play and Informal Recreation SPG |
| Shaping Neighbourhoods: | Character and Context SPG |
| Affordable housing | London Plan; Housing SPG; Housing Strategy; Affordable Housing and Viability SPG |
| Retail/town centre uses | London Plan; Town Centres SPG |
| Density | London Plan; Housing SPG |
| Employment | London Plan; |
| Urban design | London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG |
| Tall buildings/views | London Plan |
| Access | London Plan; Accessible London: achieving an inclusive environment SPG; |
| Sustainable development | London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy |
| Air quality | London Plan; the Mayor's Air Quality Strategy; |
| Transport | London Plan; the Mayor's Transport Strategy; Land for Industry and Transport SPG |
| Parking | London Plan; the Mayor's Transport Strategy |

Emerging Local Plan

On 21 December 2020, the Mayor sent a revised "Intend to Publish" (ITP) version of his new London Plan to the Secretary of State (SoS). This followed a letter from the SoS to the Mayor on 10 December 2020 which included a schedule of changes relating to the 11 directions issued in March 2020 and two further directions. The Mayor believes that the Intend to Publish London Plan addresses all matters as set out by the SoS. The SoS has until 1 February to consider the Plan and to decide whether to make any further directions.

Local

Brent Local Development Framework Core Strategy 2010

CP1 Spatial Development Strategy
CP2 Population and Housing Growth
CP3 Commercial Regeneration
CP5 Placemaking
CP6 Design & Density in Place Shaping

CP8 Alperton Growth Area
CP14 Public Transport Improvements
CP15 Infrastructure to Support Development
CP16 Town Centres and the Sequential Approach to Development
CP17 Protecting and Enhancing the Suburban Character in Brent
CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
CP19 Brent Strategic Climate Mitigation and Adaptation Measures
CP20 Strategic Industrial Locations and Locally Significant Industrial Sites
CP21 A Balanced Housing Stock
CP23 Protection of existing and provision of new Community and Cultural Facilities

Brent Development Management Policies Development Plan Document 2016

DMP1 Development Management General Policy
DMP2 Supporting Strong Centres
DMP3 Non-Retail Uses
DMP4A Shop Front Design and Forecourt Trading
DMP7 Brent's Heritage Assets
DMP9 Waterside Development
DMP9A Managing Flood Risk
DMP9B Off Site Water Management and Surface Water Attenuation
DMP11 Forming an Access onto a Road
DMP12 Parking
DMP13 Movement of Goods and Materials
DMP14 Employment Sites
DMP15 Affordable Housing
DMP18 Dwelling Size and Residential Outbuildings
DMP19 Amenity Space

The Council is at a significant stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. The planning Inspectors requested some additional information alongside a consolidated schedule of modifications (to reflect discussions during the examination hearings). This information will be submitted to the Inspectors on 15 January. It is estimated that a final Inspectors report will be issued in June 2021, subject to further modifications, with adoption of the final Plan not likely until late Summer 2021.

Having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by officers that greater weight can now be applied to policies contained within the draft Brent Local Plan. Relevant draft policies include:

DMP1 – Development Management General Policy
BSWGA1 – Alperton Growth Area
BD1 – Leading the way in good design
BD2 – Tall buildings in Brent
BD3 – Basement Development
BH1 – Increasing Housing Supply
BH2 – Priority Areas for Additional Housing Provision within Brent
BH3 – Build to Rent
BH5 – Affordable Housing
BH6 – Housing Size Mix
BH13 – Residential Amenity Space
BSI1 – Social Infrastructure and Community Facilities
BE2 – Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)
BE4 – Supporting Strong Centres Diversity of Uses

BHC1 – Brent’s Heritage Assets
BHC3 – Supporting Brent’s Culture and Creative Industries
BHC4 – Brent’s Night Time Economy
BG11 – Green and Blue Infrastructure in Brent
BG12 – Trees and Woodland
BSUI1 – Creating a Resilient and Efficient Brent
BSUI2 – Air Quality
BSUI3 – Managing Flood Risk
BSUI4 – On-site Water Management and Surface Water Attenuation
BT1 – Sustainable Travel Choice
BT2 – Parking and Car Free Development
BT3 – Freight and Servicing, Provision and Protection of Freight Facilities
BT4 – Forming an Access on to a Road

Other Material Planning Considerations include:

Revised National Planning Policy Framework (NPPF) 2019
Technical Guidance to the National Planning Policy Framework
Planning Practice Guidance (PPG)
Technical Housing Standards

Brent Council Supplementary Planning Guidance and Documents

SPD1 Brent Design Guide (2018)
SPG3 Making an Access to a Road (2004)
SPG13 Layout standards for access roads (2004)
Alperton Masterplan (2011)

DETAILED CONSIDERATIONS

Introduction and Structure of this Report

1. The majority of the redevelopment of the site is applied in outline with all matters reserved. The outline development is set out within the submitted Parameter Plans, Development Specification document and Framework Design Code which establish the controls that would apply to the development. However, the application for Phase 3 of the site (i.e. Blocks G, H and J) is in full detail and is supported by full drawings and details.
2. Both elements of the scheme (those in outline and full) are accompanied by a suite of supporting reports, including an Environmental Statement; Design and Access Statement; Planning and Affordable Housing Statement; Transport Assessment and Travel Plans; Energy Statement; Sustainability Statement; Dynamic Overheating Assessment; Internal Daylight and Overshadowing Report; Statement of Community Involvement; Utilities Strategy Report; Demolition Method Statement; Framework Construction Method Statement and Logistics Plan; Operational Waste and Recycling Management Strategy; Ecological Baseline Reports; Tree Survey and Arboricultural Impact Assessment; Flood Risk Assessment; Drainage Strategy Report; Employment Strategy; and Fire Strategy.
3. The submitted drawings and reports have been considered and the views of officers and comments received in relation to this application have been summarised in this report.
4. The principal material considerations relevant to this application are as follows:
 - Principle of land uses; including the impact of the creation of residential accommodation on strategic industrial land
 - Housing considerations (Affordable Housing, dwelling mix and quality of accommodation)
 - Density

- Design and Heritage
- Landscaping, Open Space, Play Space & Trees
- Transportation & Highways
- Impact on neighbouring residential amenity
- Energy and sustainability
- Accessibility
- Representations received
- Planning Obligations and Community Infrastructure Levy (CIL)

Land Use Principles

Loss of industrial floorspace and SIL de-designation

5. As outlined in earlier sections of the report, the majority of the site (with the exception of a small area at the north-west) forms part of the Park Royal Strategic Industrial Location (SIL) (8.32 Ha). The north-west part of the site that is not SIL land is a Local Employment Site (0.84 Ha).
6. The original Masterplan was approved in September 2018, enabling the release of this SIL land (and the Local Employment Site) from these allocations, in order to intensify the site through a mix of uses including industrial intensification. As outlined in earlier sections of the report, the applicant has implemented this planning permission and it is currently building it out, with the construction of Phase 1 currently underway.
7. The scheme approved in September 2018 ensured a minimum of 17,581 sqm of replacement employment/industrial floorspace (i.e. use classes B1a, B1c and B8), which has increased to 19,680sqm as a result of subsequent material and non-material amendments (refs. 19/0465 and 20/2084) and reserved matters applications for Phases 1 and 2, as well as 'The Generator' (Phase 4a).
8. 'The Generator' reserved matters application was approved by the LPA in June 2019 (ref. 19/0925). The hybrid planning permission requires that this building approved in Plot N shall be subdivided into individual units of no more than 3,125sqm (GIA) of B1(c)/B8 floorspace unless otherwise agreed in writing by the Local Planning Authority. In this way, the council ensures that the building cannot be occupied by a single operator, and can ensure that the aims of the applicant's Employment Strategy can be facilitated effectively, with a maximum cap on unit sizes.
9. Furthermore, the s106 agreement (Schedule 5) prevents the applicant from making a material start on Phase 4 until the Generator has been constructed and is ready and available for Occupation (but for the avoidance of doubt this shall not require the Owner to fit out the Generator). This would be secured again under the legal agreement which would form part of the revised Masterplan consent.
10. Since approval of the original Masterplan, draft Local Plan Policy BE2 (Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)), as well as the Draft Policies Map which identifies SIL boundaries, now carries some weight. Also relevant is Site Allocation Policy BSW57: Northfields, which sets out the following requirement:

"Consistent with planning permission 18/0321 due to the site's historic SIL designation a minimum of 17,581 sqm of employment floorspace must be re-provided as part of the development".
11. This policy sets out that Northfields east of the Grand Union Canal and north of the River Brent (Grand Union) should be removed as a SIL designation on the policies map due to the original Masterplan. The remainder of the eastern Site to the south of the River Brent is to be retained

as SIL, which is consistent with London Plan policy and is regarded as appropriate for intensification.

12. The GLA have confirmed in their Stage 1 response that they are satisfied with the proposals in this regard. They state the following in paragraphs 21 and 22 of their report:

“As established in the consented scheme, the introduction of residential units on the application site is supported given the plan-led approach to industrial land supply within Brent Council’s adopted Local Plan and the applicant’s master planning approach in line with Policy E5 of the Intend to Publish London Plan. In addition, the Council’s emerging plan contains a strategy for intensifying industrial capacity on locally significant industrial sites.

In terms of the re-provision of employment floorspace in line with Policy E7 of the Intend to Publish London Plan, this is being delivered in Phase 4a and its delivery has already been robustly secured via the legal obligation. This floorspace will be an improvement, both qualitatively and quantitatively, on the existing industrial floorspace and will ensure that the site delivers significantly greater employment densities.”

13. In light of the above, and the clear policy intention to de-designate the remainder of the Masterplan site as SIL/ Local Employment Land, the loss of this industrial floorspace is supported both by Brent and Mayoral policy (adopted and emerging).

Meanwhile Uses

14. Draft London Plan policies H4 and HC5 support opportunities for the provision of meanwhile uses on sites in order to make efficient use of land and to stimulate vibrancy, vitality and diversity with a particular focus on cultural and creative activities. The inclusion of meanwhile uses is supported by the OPDC. The provision would help to provide employment opportunities and activity within the site from an early stage, and would support local businesses, including start-up businesses and entrepreneurs, until more permanent space is delivered on the site.
15. The original Masterplan included the provision of a temporary ‘Creative Quarter’ that would provide small, flexible workspaces offering seed bed units or incubator space for start-up businesses and entrepreneurs. The ongoing COVID-19 pandemic has delayed delivery of this space, however there remain a number of conditions and/or clauses within the legal agreement to ensure full details of the meanwhile use(s) are secured. This continues to be important given the lengthy construction period (anticipated to still be another 19 years), enabling vacant parts of the site to be re-used and activating these spaces for early occupants of Phases 1 and 2 of the development, thereby contributing to the wider regeneration of this part of Alperton. The requirement for the meanwhile use would form part of any eventual legal agreement pursuant to this application.

Provision of residential Accommodation (Use Class C3)

16. The London Plan identifies a minimum target for Brent to provide 15,253 new homes between 2015 and 2025; an annual requirement of 1,525 homes. However, the ITP London Plan looks to significantly increase housing delivery across London and identifies an increased target for Brent to deliver 23,250 new homes between 2019 and 2029, an annual requirement for 2,325 homes.
17. The application site is in the Alperton Housing Zone, an area prioritised for accelerated housing delivery and where at least 3,213 new homes were envisaged when the area was designated. Core Strategy Policy CP1 also focuses housing development in five growth areas, including the Alperton Growth Area.
18. The consented scheme (including various amendments to the original consent) proposed 3,030 residential units, and of this total 924 units have been secured via detailed planning

consent (ie. in Phases 1 and 2a). Phase 1, with 400 units, has commenced and will be completed within the next 24 months. The revised Masterplan would deliver 2,426 units, in addition to the 924 units already approved in detail, representing a net increase of 320 units on the consented scheme and this continues to be strongly supported, given it would be equivalent to more than 10% of the minimum housing target for Brent required to 2029 as set out in the Intend to Publish Draft London Plan.

19. The proposals would continue to make an important contribution to meeting the identified need and relevant targets for housing in Brent. The development would further support the regeneration of both this previously developed site, and the wider Alperton area by delivering enhancements that would encourage further investment in the local area.
20. As such, the delivery of the proposed homes as part of the residential led, mixed use development of the site is considered to be a significant benefit and is in accordance with Brent and London Plan policy and the national emphasis on delivering a wide choice of housing to respond to housing need as highlighted within the revised NPPF.

Community and Leisure (Use Classes F1 and E(d)) (previously D1 and D2)

21. The original Masterplan was approved with a total provision of up to 2,500sqm of flexible community floorspace (D1 non-residential institutions and D2 assembly and leisure). 1,465 sqm of community and leisure uses has been delivered within Phase 1 within the ground floor level of Buildings C and D, with Building C accommodating a nursery (248sqm) and a community centre (299sqm), and the remaining floorspace provided within Building D. These are significant benefits which support a range of local needs and accommodate both the existing community and future occupiers of the development, thereby meeting Core Strategy Policy CP5.
22. A remaining 686 sqm of flexible commercial floorspace would be provided within the revised Masterplan, and it is considered that this would include the ability to use for D1 and D2 purposes. This ensures there is further flexibility and capacity to accommodate additional community space should it be required as the site itself, and aspirations of the community, evolve. The remaining floorspace therefore has the potential to further support the regeneration of the site and Alperton, and is supported in accordance with Brent and Mayoral policy.
23. The community uses previously approved would still be delivered, and would still form part of the original masterplan consent, including the nursery and community centre.

Healthcare facility

24. The original Masterplan secured a 800sqm health care facility within the development, following discussions with Brent's Clinical Commissioning Group (CCG) during the course of the application, and their feedback that a new facility would be required in the area. An obligation was required under the signed section 106 agreement that this would be delivered prior to first occupation of the first 600 residential units, with the final quantum of floorspace, specifications of the fit out and commercial terms to be agreed with the CCG, unless otherwise agreed by the Council.
25. Officers understand that attempts have been made by the applicant to agree delivery with the CCG during and since the implementation of early phases of the scheme, but although there are ongoing discussions, no agreement has been reached to date. Officers have consulted the CCG formally on this planning application, but no response has been received to date.
26. Officers consider that, since there is no information to suggest that demand for a healthcare facility has diminished since the original permission, the same requirement for a health facility

should be secured as part of the revised section 106 agreement under this new permission. This would allow for further discussions to take place, and for detailed plans and commercial terms to be agreed post-decision.

27. On this basis, it is considered that the revised Masterplan would still have the potential to deliver an adequate healthcare facility in order for an existing surgery to relocate to the Northfields site, and expand to accommodate the additional patients the proposed development would create. This will be secured under the legal agreement which would accompany any eventual decision.

Town Centre Uses

28. The original Masterplan included a maximum of 2,300sqm commercial floorspace (excluding 'employment generating' floorspace) across the site. This space would be flexible and would provide accommodation suitable for a range of occupiers and uses, including former Use Classes A1, A2 and A3 (which have now been incorporated into Class E under the changes to the Use Class Order in September 2020), and A4 and A5 (which are now incorporated into Sui Generis uses). 1,280sqm of this space was provided within Phase 1, located within the ground floor level of Building D, with a further 243 sqm provided within Phase 2.
29. A further 686 sqm of flexible commercial floorspace would be provided across the scheme, with the majority of this (616 sqm) provided within future phases of the revised Masterplan. However, a 72 sqm commercial unit would be provided within Phase 3, located at the ground floor of Block G, and provides an element of active frontage to this block.
30. There has been no in-principle shift in policy position with regard to the proposed provision of commercial uses in this location. The site is not within a town centre where commercial and retail uses should generally be focussed. However, the scale and nature of the uses are appropriate to support the development. Although no Town Centre Uses Statement has been submitted with the application, officers consider there would continue to be no adverse impact on other nearby centres or on investment in the area through the inclusion of the commercial floorspace, given there would be no material uplift in the overall floorspace provision within the revised Masterplan. Furthermore, given the need for these uses to support the wider development on the site, there would be no sequentially preferable locations to accommodate the proposed commercial floorspace, and the sequential test required in accordance with the NPPF would be satisfied.
31. The proposed commercial space to be provided within Phase 3 and further phases of the revised Masterplan continues to be appropriate to the scale and nature of the proposed development. It would support the existing and new community by providing services that would meet day-to-day needs, without impacting detrimentally on other local centres. As such, it would reduce the need for the community to travel to access services, and would support the creation of a sustainable community and place. The inclusion of commercial space within the development is therefore supported in accordance with national and local policy.
32. Officers consider that, while a flexibility of potential uses can continue to be offered within the commercial units, these should be restricted to specific Class E, F.1 and sui generis uses given the changes to the Use Class Order which came into effect in September 2020. An amended condition is attached to this effect.

Affordable Housing

Adopted affordable housing policy

33. London Plan policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The

policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.

34. Brent's adopted local policy (CP2 and DMP15) requiring affordable housing requirements for major applications stipulates that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing. The policies allow for the reduction in the level of Affordable Housing (below the 50 % target) on economic viability grounds. This is discussed in more detail later in this report.

Emerging affordable housing policy

35. The emerging London Plan (Publication Version) has been subject to examination and the associated affordable housing policies (H4, H5 and H6) are now given greater weight. These policies establish the threshold approach to applications where a policy compliant tenure mix is proposed*, where viability is not tested at application stage if affordable housing proposals achieve a minimum of:

- 35 % Affordable Housing; or
- 50 % Affordable Housing on industrial land** or public sector land where there is no portfolio agreement with the Mayor.

** other criteria are also applicable.*

*** industrial land includes Strategic Industrial Locations, Locally Significant Industrial Sites and non-designated industrial sites where the scheme would result in a net loss of industrial capacity.*

36. The policies set out the Mayor's commitment to delivering "genuinely affordable" housing and the following mix of affordable housing is applied to development proposals:

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

37. When interpreting these policies, the tenure mix set out in Brent's adopted policies (70:30 ratio of Affordable Rent : Intermediate) and Brent's emerging policies (70:30 ratio of London Affordable Rent : Intermediate) provide clarity on the tenure of the third category (40 % to be determined by the borough). This means that this element of Affordable housing mix should be provided as Affordable Rented homes.

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

39. Brent's draft Local Plan has yet to be examined by the Planning Inspectorate and as such the

adopted DMP15 policy would carry considerably more weight than the emerging policy at present. The draft London Plan is at a more advanced stage (being at Publication Stage) than Brent's emerging Local Plan and has been subject to comments from the Planning Inspectorate, and it can therefore be considered that this draft policy carries reasonable weight at this stage.

Adopted position on the extant Masterplan and Phase 1/ 2a delivery

40. The extant scheme was agreed with 35% of the housing to be Affordable (on a habitable room basis), at a 70/30 split in favour of Affordable rent (at 80% of market rent, capped at Brent Housing Benefit levels).. This was following the submission of a Financial Viability Appraisal (FVA) which indicated that 35% is the maximum reasonable proportion of affordable housing that can be achieved on site. Relevant clauses within the section 106 agreement ensure that at least 35% of affordable housing (on a habitable room basis) is delivered within each residential phase of the development, with the exception of Phase 1, under which a minimum of 28.9% affordable housing was agreed on a habitable room basis.

41. Phases 1 and 2a combined will deliver 33.2% affordable housing on a habitable room basis. A full breakdown by size and tenure is provided in the table below:

| | | Market | | Intermediate | | Rented | | Total | |
|----------------------------|--------------|--------------|--------------|--------------|-------------|-------------|--------------|--------------|--------------|
| | | Number | Hab Rooms | Number | Hab Rooms | Number | Hab Rooms | Number | Hab Rooms |
| Phase 1 (Plots A to D) | Studio | 50 (17%) | 50 (7%) | 5 (23%) | 5 (8%) | 0 (0%) | 0 (0%) | 55 (14%) | 55 (5%) |
| | 1 Bed | 60 (21%) | 120 (16%) | 3 (14%) | 6 (10%) | 31 (34%) | 62 (25%) | 94 (24%) | 188 (18%) |
| | 2 Bed | 119 (42%) | 357 (47%) | 8 (36%) | 24 (41%) | 58 (63%) | 174 (70%) | 185 (46%) | 555 (52%) |
| | 3 Bed | 57 (20%) | 228 (30%) | 6 (27%) | 24 (41%) | 3 (3%) | 12 (5%) | 66 (16%) | 264 (25%) |
| | Total | 286 | 755 | 22 | 59 | 92 | 248 | 400 | 1,062 |
| Phase 2 (Plots E and F) | Studio | 29 (8%) | 29 (3%) | 8 (10%) | 8 (5%) | 0 (0%) | 0 (0%) | 37 (7%) | 37 (3%) |
| | 1 Bed | 125 (38%) | 250 (28%) | 46 (60%) | 92 (54%) | 32 (28%) | 64 (19%) | 203 (39%) | 406 (29%) |
| | 2 Bed | 119 (36%) | 357 (41%) | 23 (30%) | 69 (41%) | 52 (45%) | 156 (45%) | 194 (37%) | 582 (42%) |
| | 3 Bed | 59 (18%) | 236 (28%) | 0 (0%) | 0 (0%) | 31 (27%) | 124 (36%) | 90 (17%) | 360 (26%) |
| | Total | 332 | 872 | 77 | 169 | 115 | 344 | 524 | 1,385 |

Phase 3 – proposed affordable housing

42. 137 of the 439 units proposed with Phase 3 would be offered as affordable, equating to 31.2% by number, and 35% by habitable room. A breakdown of these units by size and tenure is

shown below:

| Tenure | Studio | 1 Bed | 2 Bed | 3 Bed | 4 Bed | Total |
|------------------|-----------|------------|------------|-----------|----------|------------|
| Private | 58 | 87 | 109 | 48 | 0 | 302 |
| Affordable Rent | 0 | 24 | 39 | 30 | 5 | 98 |
| Shared Ownership | 3 | 19 | 15 | 2 | 0 | 39 |
| Total | 61 | 130 | 163 | 80 | 5 | 439 |

Revised Masterplan – proposed affordable housing

43. Phases 4b-7 would deliver a further 1,987 units, with 726 of these as affordable, equating to 36.5% by total number. The indicative affordable housing mix by size and tenure is set out below:

| Units | Affordable Rent | | Shared Ownership | |
|--------|-----------------|------|------------------|------|
| | No. | % | No. | % |
| Studio | 0 | 0 | 37 | 13% |
| 1 bed | 103 | 23% | 119 | 43% |
| 2 bed | 227 | 51% | 119 | 43% |
| 3 bed | 115 | 26% | 3 | 1% |
| 4 bed | 3 | 1% | 0 | 0% |
| Total | 448 | 100% | 278 | 100% |

44. The above tables demonstrate that 35% affordable housing would be delivered both within Phase 3 itself and within the revised Masterplan, which is in line with what was previously approved and secured under the section 106 agreement. Although a Financial Viability Appraisal (FVA) was submitted and robustly interrogated under the original Masterplan, no FVA has been submitted under this application. Officers acknowledge that this would not fully accord with emerging London and Local Plan policies, which seek 50% affordable housing on former industrial land in order to meet the Fast Track Route (i.e. no further viability testing required).

45. However, significant weight is placed on the GLA's Stage 1 response on this issue. They comment that whilst the agreed industrial land floorspace re-provision does not amount to a 65% plot ratio as required by Policy H5, in this case it is noted that the site is subject to an extant, and substantially implemented, planning permission for residential-led development delivering 35% affordable housing. This is a material consideration which leads officers to conclude that the site's previous industrial land designation is no longer relevant to the Fast Track Route threshold requirement.

46. The GLA therefore accept that in this instance that the scheme can follow the Fast Track Route with a 35% threshold, subject to an early stage review secured within the section 106 agreement, and the applicant demonstrating that it has engaged with Registered Providers and that the use of grant funding to increase the level of affordable housing has formed part of these discussions. Council officers agree with this approach, and an early stage review mechanism would continue to be secured within the section 106 agreement.

47. Also of relevance is Policy H6 of the Publication London Plan, which states that the tenure split of affordable housing should comprise at least 30% low-cost rent (social or London Affordable Rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), with the remaining 40% determined by the borough as low-cost rented homes or intermediate based on identified need. The extant Masterplan secures a policy compliant

affordable housing mix of 70% affordable rent: 30% intermediate, however this did not secure the affordable element at London Affordable Rent levels in line with the strict definitions set out within the Mayor's Affordable Housing SPG and the emerging policy. The extant consent was granted under the current policies which required provision of Affordable Rent rather than London Affordable Rent as required by the emerging policies. Nevertheless, the extant scheme is a significant material planning consideration which needs to be afforded appropriate weight in the consideration of this revised application.

48. On balance, officers consider it appropriate to demand that the requirement for London Affordable Rented units is applied proportionately to the 320 unit uplift over the extant permission(s), rather than the entire new outline consent. This would equate to approximately 34 units (84 habitable rooms), which represents 30% of the affordable housing component of the additional 320 units provided in phases 4b – 7, and this would be secured within the section 106 agreement. It is important to note that the exact number of London Affordable Rented units/ habitable rooms to be provided would only be confirmed once detailed proposals are provided at Reserved Matters stage. The GLA have also commented that while there is a presumption that the 40% per cent to be decided by the borough will focus on low-cost rent, however in some cases a more flexible tenure may be appropriate, for example due to viability constraints or to achieve mixed and inclusive communities. It is considered that by applying the requirement for low-cost units to the uplift, an appropriate degree of flexibility is being demonstrated.

49. In summary, subject to the section 106 agreement terms being secured as set out above, the revised Masterplan would continue to deliver a significant and policy-compliant level of affordable housing in the local area as part of the wider benefits of the scheme and would provide a range of products resulting in choice and a balanced community, supported by Brent and Mayoral policy.

Housing Mix

50. Policy CP21 of the Brent Core Strategy seeks to maintain and provide for developments to provide a balanced housing stock by ensuring that new housing appropriately contributes an appropriate range and mix of self-contained accommodation types and sizes, including family sized accommodation on suitable sites providing 10 or more homes. Policy CP2 states that at least 25% of new homes across the borough should be family sized (3 or more bedrooms). London Plan Policy 3.8 requires different sizes and types of dwellings to meet different needs and Policy 3.11 states that within affordable housing provision, priority should be afforded to family housing.

51. Phases 4b-7 of the revised Masterplan would provide the following breakdown of unit types:

| | Market | | Intermediate | | Rented | | Total | |
|--------|--------|-----------|--------------|-----------|--------|-----------|----------------|------------------|
| | Number | Hab Rooms | Number | Hab Rooms | Number | Hab Rooms | Number | Hab Rooms |
| Studio | 81 | 81 | 37 | 37 | 0 | 0 | 118 (6%) | 118 (2.1%) |
| 1 Bed | 383 | 766 | 119 | 238 | 103 | 206 | 605 (30.4%) | 1,210 (21.5%) |
| 2 Bed | 416 | 1,248 | 119 | 357 | 227 | 681 | 762 (38.3%) | 2,286 (40.6%) |
| 3 Bed | 381 | 1,524 | 3 | 12 | 115 | 460 | 499 (25.1%) | 1996 (35.5%) |
| 4 Bed | 0 | 0 | 0 | 0 | 3 | 15 | 3 (0.2%) | 15 (0.3%) |
| Total | 1,261 | 3,619 | 278 | 644 | 448 | 1,362 | 1,987 | 5,625 |

| | | | | | | | | |
|--|---------|---------|-------|---------|---------|---------|--|--|
| | (63.5%) | (64.3%) | (14%) | (11.5%) | (22.5%) | (24.2%) | | |
|--|---------|---------|-------|---------|---------|---------|--|--|

52. Within Phase 3, the proposed housing mix is:

| | Market | | Intermediate | | Rented | | Total | |
|--------------|-----------------------|---------------------|---------------------|---------------------|----------------------|-----------------------|----------------|----------------|
| | Number | Hab Rooms | Number | Hab Rooms | Number | Hab Rooms | Number | Hab Rooms |
| Studio | 58 | 58 | 3 | 3 | 0 | 0 | 61 (13.9%) | 61 (5.3%) |
| 1 Bed | 87 | 174 | 19 | 38 | 24 | 48 | 130 (29.6%) | 260 (22.5%) |
| 2 Bed | 109 | 327 | 15 | 45 | 39 | 117 | 163 (37.1%) | 489 (42.3%) |
| 3 Bed | 48 | 192 | 2 | 8 | 30 | 120 | 80 (18.2%) | 320 (27.7%) |
| 4 Bed | 0 | 0 | 0 | 0 | 5 | 25 | 5 (1.2%) | 25 (2.2%) |
| Total | 302 (68.6%) | 751 (65%) | 39 (9.1%) | 94 (8.1%) | 98 (22.2%) | 310 (26.9%) | 439 | 1,155 |

53. As the above tables demonstrate, the development would adequately provide for a varied range of unit sizes, including a significant proportion of family sized (3-bedroom or more) homes both across the outline Masterplan and specifically within Phase 3. Officers place weight on the fact that a number of 4-bedroom homes would be provided within Phase 3 and later phases of the scheme, and these would be provided exclusively within the affordable rented element, which is a significant benefit given the demand for low-cost rented larger family homes within the Borough.
54. Although there are a lower number of 3-bed homes at an intermediate level both within Phase 3 and within later phases of the revised Masterplan, officers consider that there are known affordability issues with 3-bedroom intermediate homes whereby those homes are often not affordable for shared ownership purchasers. However officers have requested that two intermediate 3-bed units are provided within Phase 3, at the expense of studio and two-bed units. The lower proportion of three bedroom intermediate homes is considered to be acceptable on balance. Overall, it is considered that the development achieves the maximum that can realistically be attained in the market without fundamentally undermining other local plan policy outcomes and objectives referred to in this report and would be in accordance with Mayoral policy. As such it is considered an acceptable mix of dwelling sizes is proposed.

Jobs

55. The Core Strategy recognises that mixed use redevelopment, including within growth areas, can help to deliver jobs for local people and that job opportunities should be supported alongside population growth.
56. The original Masterplan approved commercial, employment-generating floorspace of up to 19,000 sqm, predominantly in the form of B1c (now E(g)(iii)) and B8 uses which have either been delivered within Phase 1 of the development, or will be delivered within Phase 2 (Plots E and F) and the bulk of it (over 18,000 sqm) within the Generator building (Phase 4a). These phases fall outside the scope of this planning application, and therefore a remaining 686 sqm of commercial floorspace would be delivered within Phases 3-6.
57. Under the original Masterplan, the submitted Environmental Statement estimated that under a 'worst case' scenario, 423 jobs would be provided on the site, although the development is

expected to support closer to approximately 650 jobs on completion. The vast majority of these jobs would be created by the industrial and commercial uses either already provided or under construction, and falling outside the scope of this application.

58. However it is anticipated that 40 Full Time Equivalent (FTE) jobs would be provided as part of the remaining commercial and retail uses to be provided, with a further 350 temporary jobs per annum over the duration of the estimated 19-year construction period for the revised Masterplan. Given the long construction period, the construction jobs would continue not to be transient opportunities.

59. As discussed within the report for the original Masterplan, the accommodation to be delivered within the Creative Quarter and early phases of the scheme would provide a range of modern, flexible workspace and therefore would support the viability and growth of local businesses, and as a result encourage the retention of SIL land to the south of the site and the local economy, and there would be further positive indirect and multiplier effects within the local economy. This would continue to be the case as part of the revised Masterplan.

60. On this basis, the revised Masterplan would continue deliver a significant number of new jobs which is welcomed, and is considered to accord with Brent and Mayoral policy.

Urban Design – revised Masterplan

Key principles

61. The application proposes redevelopment of the previously developed, and more recently under-developed site. As with the original Masterplan, a Framework Design Code has been submitted with this application which sets out the intended form, scale and character of the buildings and open spaces which would be brought forward within the revised Masterplan. As with the original consent, the site is at the gateway to the Alperton Growth Area and is within the Alperton Housing Zone. The continued re-development of this site is considered to be key to the transformation of the site and driving the regeneration sought for the area.

62. The original Design Code was informed by Design Reviews with CABE (now the Design Council), as well as pre-application discussions with both the GLA and the Council, and the masterplan principles established under this Design Code continue to be reflected in the updated document. As outlined in earlier sections, the revised Masterplan would benefit from approximately 15% more open space across the site than the original consent, which is considered a significant benefit of this amended application.

63. The Design Code sets out how the revised Masterplan has been centred around the provision of high quality open space and landscaping, with a series of interrelated but distinctive character areas within the masterplan, which have been identified by the opportunities and constraints created by the site and its wider context. The Design Code provides detail on how each of these character areas should be addressed in terms of land use, landscape and public realm, massing, materials, access and movement.

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

Land use

65. As outlined above, the revised Masterplan would continue to deliver a mixed-use development, with a focus on residential components of the scheme given the significant proportion of flexible commercial and community floorspace which would be provided in early phases. However the mix of uses varies across the site, with ground floor activities reflecting the

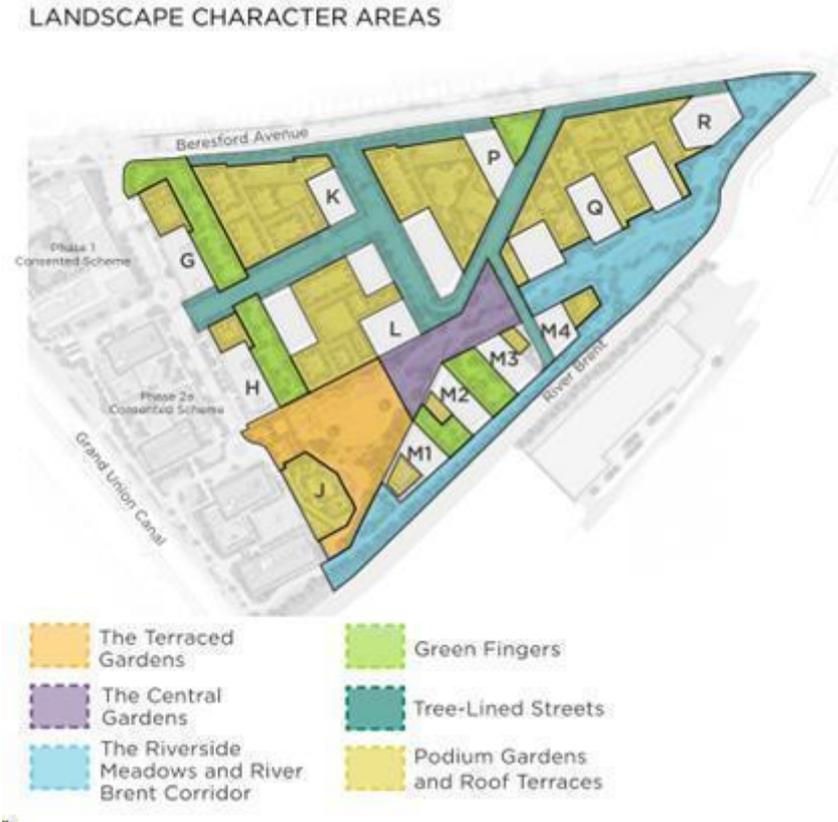
character of each area.

66. Along the northern edge of the site fronting Beresford Avenue, Blocks K and P, residential development should face the existing homes to the north. Residential development should also be provided on the upper floors. Located close to Stonebridge Park station, to the east of the site, Block R shall contain commercial space at ground floor and residential accommodation above.

67. The remaining blocks along the Riverside Meadows and Central Gardens, Blocks L, M and Q, shall be predominantly residential although there may be some opportunities for more non-residential ground floor uses such as community/commercial space where appropriate. This will be reviewed at reserved matters stage.

Landscaping and Public Realm

68. Full details of the proposed landscaping strategy are provided in later sections of the report, however as outlined above, a high quality landscaping scheme is at the heart of the revised Masterplan, with five distinctive character areas being created, as shown below:



69. As the above illustration shows, these character areas would knit together to form high quality landscaping and open space both for future occupiers and the wider community. At the heart of the site is the 'Central Gardens' area, which would provide direct visual connection with the Grand Union Canal, integrating with the new piece of public realm adjacent to the canal which has already been approved under early phases. This space be surrounded by a mixture of residential, commercial and community uses, with this layout helping to create a new canalside quarter within the site. It would also provide a direct connection from the canal at the west towards Stonebridge Park.

70. The proposals include a landscaped edge along the River Brent that will provide access to the waterside, and promote walking, cycling and opportunities for biodiversity through restoration of the natural landscape. There would be further improvements to the canal frontage at the south

and west of the site, with additional pedestrian links, civic space and canal edge restoration works.

71. Around these areas of public realm, the development proposes a hierarchy of streets forming a network that would improve permeability and provide connections with the existing neighbouring residential communities.

Massing

72. With regard to massing, the key principle has been to ensure an appropriate shift in scale and height from the established, low-rise suburban character to the north, with the main taller buildings to the south and west, nearer to the Canal and River Brent.

73. Heights rise within Building Q (a maximum of 24 storeys) approaching the east of the site opposite the Trading Post. A marker building, Building R (a maximum of 28 storeys), at the eastern gateway is located on the approach from Stonebridge Park station and it is considered that this would create a sense of arrival. The large open space of the Meadows and Gardens provides an opportunity for height located away from existing residents. Two further marker buildings are proposed in Buildings L and Q, whilst the Block adjacent to the River Brent, M, would be a maximum of 17 storeys.

74. Whilst the proposed heights across the site are significantly taller than the existing (or former) buildings and the neighbouring residential properties, the distribution of height and scale across the site would respond sensitively to the local area and would not appear excessive or overbearing, while a high quality of architecture would provide for visual interest. The site forms part of the eastern Core region of the Alperton Tall Building Zone, as set out within Brent's Tall Building Strategy (March 2020), which informs Brent's emerging Local Plan. Heights of up to 26 storeys are considered appropriate within this area; however the particularly good quality of design proposed by Building R, and its relationship in terms of scale and massing with its wider context, ensures that a further increase in height would be justified here. Together with the quality of the layout of development, the height and scale of buildings proposed is considered to be broadly acceptable, is supported by the GLA and the Design Council Review Panel, and would optimise housing output and the provision of open space on the site.

Materials and Design

75. The Framework Design Code establishes a simple façade treatment and limited palette of materials focussed on high quality brick which would complement the surrounding context and reflect the historic context of the Site and Canal. While appearance and landscaping are reserved matters for the outline application, the development is designed to ensure a complementary material and colour palette would also be used for all buildings. For example brick would be used adjacent to existing houses and to reflect the industrial quality characterised by the historic buildings along the canal and Alperton Station.

76. The material selection would also create a sense of longevity and permanence, adopting a coherent approach while ensuring there is a distinction to each building using different elevational treatments and textures. This variation helps to provide an identity for the development, and create a strong sense of place. All materials used would be durable and robust to minimise levels of maintenance, with further details of materials proposed would be secured by condition.

Access and Movement

77. The revised Masterplan would continue to improve permeability and public access through the site, connecting existing residential areas to the north and west of the site to the canal and river, and creating improved links to public transport nodes. At the heart of the access and movement strategy is the aim to prioritise pedestrians and cyclists and ensure that vehicular access is limited. Primary and secondary vehicular routes will allow for refuse vehicle access whilst further controlled access is provided for servicing and emergency vehicles. Two vehicular access from Beresford

Avenue, with one primary access point and one emergency access point only. Continued provision is made for a bridge across the River Brent to connect the two parts of the site.

78. The main pedestrian access at the west part of the site connects to the existing north-south street pattern to the north side of Beresford Avenue, while another pedestrian and cyclist access point at the east side would connect with Heather Park Drive and the route to Stonebridge Park station. Improvements to the walk/cycle route to and from Stonebridge Park station are also proposed. Further improvements will be made to Beresford Avenue which will enhance the environment for pedestrians and cyclists and improve traffic flow.

Townscape and Views, including the Setting of Heritage Assets

79. The Environmental Statement includes a Townscape and Visual Impact Assessment (TVIA), which has been updated to reflect changes in building heights proposed across the revised Masterplan, the change to the townscape as a result of the construction of Phase 1, and the detailed submission as part of Phase 3. The Visual Impact Assessment was carried out to identify and mitigate any potential visual harm that may occur as a result of the proposed development, and where there is any identified harm remaining provide a detailed justification as to why it is acceptable. The assessment concludes that on completion, the effects of the development would be neutral or beneficial, with significant improvements particularly close to the site.

80. The TVIA sets out that there are no nationally or locally designated built heritage assets on the site, although nearby the Ace Café is a locally listed building and the Brent Viaduct is a Grade II listed structure. However, the site does not currently make a positive contribution to the area and the transformation of the site through the development would significantly enhance the setting of the canal and nearby heritage assets. There would be no adverse impacts on the setting of more distant heritage assets and overall the TVIA concludes that the development would enhance the historic environment.

81. There would be no adverse impacts on any protected views as a result of the development, and while the proposals would clearly result in a significant change to the character of the site from the existing, the site does not currently make a positive visual/amenity contribution to the area and it is considered that the proposals result in a significant improvement to the local area.

82. The proposed development would also result in a much improved relationship with the canal and the River Brent as a result of the open spaces that would be delivered and the increased access to these areas and natural surveillance that would be provided. Phases 1, 2 and 4a have been granted detailed consent with a high quality design being approved to all buildings. The revised Masterplan continues to be in accordance with the design principles initially established within the Framework Design Code for the site as a whole, and the architectural interest and detailing of the built form together with the landscaping proposed are welcomed and would complement the local area.

83. As noted above, the development would be of a different scale to the surrounding area. However, consideration has been given to the relationship between the development and its surroundings such that it would be sympathetic to the adjacent development. The tallest parts of the development would continue to be positioned in a logical and thought out manner, where they would serve to enhance legibility and mark the gateway of the Alperton Growth Area and Stonebridge Park Station as well as important public spaces on the site, and they would not harm any locally protected views.

84. Given the current site condition and the effects of development as outlined above, as well as the mitigation measures comprising tree planting and hoarding of the site during construction that are identified through the Townscape and Visual Impact Assessment, it is considered that the proposals set out within the revised Masterplan would continue to have a positive impact on the area and the proposal is supported in accordance with relevant Brent and London Plan policy.

Phase 3 Development

Form and Layout

85. Buildings G, H and J run in a broadly north-western to south-eastern direction and are positioned across the western area of the site. The buildings would occupy a linear strip of the masterplan site, connecting Beresford Avenue in the north and the Grand Union Canal, Central Gardens and Riverside Meadows to the south. Phase 3 will deliver a significant portion of communal landscaping, providing a shared amenity for the residents of Phases 1 to 3 and future phases. The linear 'Green Finger' landscape feature runs parallel to Building G & H, connecting to the Terraced Gardens which incorporates a significant water wall and public space adjacent to the dominant Block J.

86. Residential units are predominantly east–west oriented, with Buildings G and H having a rectangular shape and Building J hexagonal in shape. Building G is located on the northern edge of the masterplan, set back from Beresford Avenue, and forms the threshold at the main vehicular entry to the development from Beresford Avenue. The western boundary is defined by the main street which provides the primary vehicular access into the development. The eastern facades of the buildings face onto the landscape green spine which provides the primary pedestrian approach from Beresford Avenue towards the Communal Gardens in the south. Meanwhile, Building H is positioned on the intersection of the north-south and east-west routes and benefits from views over the communal gardens. The footprints of these buildings would be comparable to the existing industrial buildings to this part of the site.

87. Building J is located on a prominent position within the masterplan and forms the termination of the long vista from the eastern approach from Beresford Avenue. The building has a highly efficient floor plan with 8 homes around a single core and minimal internal circulation. The arrangement of homes around the circulation core has rotational symmetry and locates the larger homes on the corners. This internal arrangement maximises the number of dual aspect homes offering views in a number of directions.

88. Building G & H entrances are located at the highly visible corner formed where the building massing slides in plan form. The outer corner of the building is exposed providing views and daylight to the common circulation as well as increasing the numbers of apartments benefitting from dual aspect. The entrance points to these buildings are recessed to provide visual interest and differentiation to the main facades, helping them appear clearly defined. Residential accommodation is also provided at ground floor level, ensuring dead frontage is minimised to these buildings, and also providing an appropriate degree of natural surveillance.

89. The northern extent of the ground floor of Building G accommodates a small commercial unit suitable for cafe or retail use, which is considered logical given it is the most publicly prominent with visibility from the main vehicular access into the site from Beresford Avenue and the main pedestrian route through to the Central Gardens. The unit has frontage on two sides, maximising activity, and benefits from high levels of daylight and public accessibility.

Height and massing

90. With regard to height and massing, Building G to the north has been designed as low-rise in order to ensure the built form does not appear overbearing or cause detrimental amenity impacts to existing residential properties on Beresford Avenue, before sloping up to its tallest form at Building J nearest to the communal gardens. Buildings G & H have a low-rise mansion building typology present within the Central Gardens character area.

91. The massing of these blocks is broken up using a staggered plan form, which has the further benefit of maximising the number of dual aspect flats. The change in vertical plane in elevation adds depth and shadow along the street, accentuating the visual interest of these buildings to passers-by. The proposed variation in heights between the buildings, stepping upwards in height

away from the low-rise context of the existing homes on Beresford Avenue, adds further visual interest along the street and provides better daylight penetration to other phases within the Revised Masterplan. The set-back floor enables the provision of further external amenity space for residents at roof level for use by the residents and further increases the number of dual aspect units.

92. Building J is orientated north south to follow the massing principles established by Buildings G and H. However, this block has been rotated slightly to maximise levels of daylight and sunlight reaching the central landscaped podium which sits between this block and Buildings F1 & F2. At 25 storeys the building would have a clear vertical emphasis, however it would have a clear base, middle and top which helps ensure this would not be overly dominant or vast particularly when seen in longer views. Its form subtly shifts from rectangular to a hexagonal plan using a fold in the elevation, which as well as adding visual interest, prevents a vast horizontal massing when seen from key views within the main public realm. The folded form softens the external north-east corner and results in a pinched elevation on the northern and southern elevations. The carved elevations would form an elegant feature on the skyline and is considered to be of a high quality.

93. Linear balconies are located on the northern and southern facades giving a strong horizontal emphasis, while recessed balconies are located on the eastern and western corners to add variation and maximise dual aspect units. As well as adding visual interest, the hexagonal form would also ensure 75% of homes can benefit from dual aspect to the six exposed corners of the building. A variety of views across the masterplan is provided to each apartment.

94. Officers acknowledge that a 25-storey tower has the potential to appear dominant and would be significantly taller than established building heights to the north. However as set out above the tower has been designed to be furthest away from the more suburban character to the north, and in connection with the lower-rise buildings at Blocks G and H, represent an appropriate shift between the established character and the Masterplan context, where there is justification for taller buildings nearer to the Grand Union Canal.

Architecture and materiality

95. The architecture and materials proposed to the three blocks are in line with the Framework Design Code agreed under the original Masterplan, and take an appropriate cue from both the previous industrial character of the site and the surrounding residential character, and architectural detailing would include features such as balconies, soldier-courses and bays that would help to break up the massing of the buildings and add visual interest.

96. The façade of Buildings G and H would have a varied grid expression and be largely of brick with a palette colour of light and dark grey, providing subtle variations and adding texture to these facades. Two variants of brick are proposed to distinguish between the outer frame of these buildings and the infill bay features, a smoother faced brick (applied to the framing elements) and a more textured faced brick (applied to the infill corbelled panels). This would be complemented with naturally toned coloured metal and coloured glazed brick at the entrance areas, adding further detail at ground floor level. Further variation would be used to distinguish between the two lower-rise blocks, with a lighter bronze and amber used to Building H, and darker, richer colours used to the double-height entrance area and window frames and balcony detailing of Building G.

97. The 25-storey Building J benefits from subtle changes in fenestration design across its three different parts, providing a transition from a heavier more masonry base to a lighter top section featuring more metal. The base section relates to the immediate context, featuring Juliet balconies to windows so that these rooms can open up to the park and surrounding landscape. The middle and top sections feature perforated metal side panels, with opening full-height glazed panels behind these they provide the natural ventilation for the rooms. The top section has a wider side panel than the middle section and therefore has a narrow brick pier.

98. Building J is designed to be a prominent landmark with a more distinctive material palette.

However, the selected materials still relate to the emerging context and reflect the proposed approach to buildings G and H, using brick infill panels, continuous white horizontal banding and metal details in the form of perforated side panels, balustrades and window frames. The brick forms the base material, with different tones ranging from the same light grey and white brick seen at Buildings G and H, but also introducing a light salmon tone which brings some uniqueness to this landmark building. The brick tone is contrasted by the white banding to ensure that the horizontal emphasis is legible. Added texture would be brought through the natural 'bronze' colour tones of the metal side panels and balustrades.

99. Overall, the proposed architecture and choice of materials within buildings G, H and J would be of a very high quality and has the potential to make a highly positive contribution to local townscape and the wider Alperton area. As with the original Masterplan, all materials in phase 3 are subject to a condition requiring samples to be provided before works commence, which would be attached to the planning permission.

Secured by Design

100. The applicant has engaged during pre-application with the Secured by Design Officer, which is welcomed. As the majority of the application is made in outline, details of the proposed buildings within this outline area are not available. However, the submitted Design and Access Statement explains how the masterplan for the site designs out opportunities for crime, antisocial behaviour, and criminal and terrorist risks, and highlights how future specific measures have been incorporated within the detailed proposals with Phase 3.

101. The principles of Secured by Design have been applied to the proposed development and measures incorporated include ensuring that the proposed routes, including pedestrian and cycle routes, through the site form a network to avoid the creation of dead-ends; that parking areas are safe and secure; and that boundaries between public and private areas are clearly defined. The development provides for a range of uses across the site that ensure activity throughout the day as well as providing for surveillance of both the routes through the site and the areas of public realm and open space. In particular it notes that Building J is strongly linked to the Communal Gardens and provides natural surveillance. In addition blocks G and H provide continuous active frontages which encourage further natural surveillance. Private amenity spaces at ground floor are clearly demarcated and only accessible via the dwellings themselves.

102. The Design and Access Statement also advises that residential glazing and doors would be Secured by Design standard, and notes that the inclusion of ground floor commercial units mean that there would be a buffer to upper levels of residential accommodation within buildings. Where ground floor uses would be residential, there would be defined curtilages to the front of properties to create a sense of ownership, and where there are ground floor windows planting has been designed to achieve separation for residents and deter breaking and entering.

103. Entrances to buildings, residential cores and entrances into the main public areas of the site would be well lit, and public areas would also be covered by CCTV. The design of public areas as shown for the detailed part of the site has considered the positioning of seating to concentrate this in those areas with high footfall and surveillance and away from residential properties in order to reduce potential for any disturbance.

104. These measures would all serve to reduce crime and the fear of crime, anti-social behaviour and criminal and terrorist risks, and the applicant intends that further discussions with the Secured by Design Officer would be held to inform the detailed design of future phases of the development. The development would therefore provide for a safe, secure and accessible environment that would comply with national and Mayoral policy seeking to ensure quality of life and community cohesion, and is therefore supported.

Open Space and Public Realm

105. One of the key benefits of the revised application is that it would increase the overall open space provision by approximately 15% above the original consent, which includes approximately 8,100 sqm of landscaping and open space being provided within Phase 3.

Phase 3

106. Areas of public open space will be provided at ground level immediately to the north of Plot G providing a frontage to Beresford Avenue. A tree lined area of public realm will also be provided to the east of Blocks G and H, which will lead to a terraced central garden between Blocks J, L and M, with further public open space fronting the River Brent.

107. The landscaped central garden will include a water feature with a waterfall between Plots H and J. This has been designed to create a direct visual link with the River Brent, opening into a new area of designated public realm adjacent to the canal, which would be secured as part of the revised Masterplan.

108. Details of hard and soft landscaping have been submitted with the application and would be secured by condition. However the landscaping strategy would include trees ranging in height and canopies, along with shrubs, along both streets and building frontages, as well as within the central garden and roof terraces. New trees are also proposed along Beresford Avenue and the River Brent, which would have significant visual and environmental benefits. Mature trees will be provided in the central garden and near to the river, whilst semi mature trees will be planted on Beresford Avenue and along the internal streets.

Revised Masterplan

109. The landscaping strategy for later phases is largely in line with what was approved under the original Masterplan. However a summary of the key character areas and features is set out below:

- **Riverside Meadow:** Phases 5-7 (inclusive) would include restoration of the natural landscape including replacement tree planting. Zone to provide informal and equipped play space and an attenuation pond;
- **Central Gardens:** in Phase 5 and Phase 6 (with a small section delivered within Phase 3) to include open space, flexible civic space, semi mature trees, amenity grass and ornamental shrubs, along with informal and equipped play space;
- **Public Realm:** comprising street trees and shrubs;
- **Semi-private doorstep play:** distributed across communal gardens providing informal and equipped play space; and
- **On Plot private / semi-private amenity space:** comprising balconies, front/rear gardens, communal gardens and roof terraces.

110. This would be in addition to the Canalside area (up to 0.76 hectares) which was secured in the previous permissions regarding phases 1 and 2a for a total of more than 4.6ha of public realm across the scheme.

111. The scale and layout of these spaces is considered to provide good quality spaces that can accommodate a range of uses. The sites are publicly accessible and incorporate green areas with suitable planting that provides enhanced amenity for the development and existing community. The layout and design of development would provide for surveillance of routes and open spaces with some active uses at ground floor level which would animate the spaces and encourage their use. The spaces have been designed to enhance and encourage biodiversity.

112. Children's play space to cater for younger aged groups is proposed across the site, meeting needs arising from the development and supporting the existing community as considered in more detail within the 'play and recreation' section of this report below.

113. Spaces would be managed by the applicant for the long term, ensuring their continued contribution to the site and area. The provision of open space on the site would result in a substantial increase in both the quantity and quality of open space within the area and would be supported in accordance with Brent and GLA policy.

Amenity Space

114. With regard to external amenity space, emerging London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant.

115. The DMP19 requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space. The supporting text to the policy refers to the provision of "communal space" within a scheme in order to off-set a shortfall in private space and it does not specifically refer to the provision of new public open space. New public open spaces serve a comparable function to communal open spaces but are also also accessible to other residents (e.g. of the surrounding areas). As such, it is considered that the provision of new public open space also represents the provision of external amenity space which contributes towards the standard of accommodation for future residents.

116. The new homes are proposed to have a hierarchy of open spaces available to them, including private balconies / terraces for all but 50 homes (see discussion below), communal open spaces and new public open space. Where private balconies/ terraces are provided, they would all accord with Policy D6 of the ITP London Plan in this regard.

117. The table below sets out both private and communal amenity requirements and provision, both for Phase 3 and the revised Masterplan. It should be noted that the private amenity space is required on a home by home basis. However, the cumulative totals for the targets has been reported to allow the consideration of the amenity provision having assessed proposed communal and public spaces within the scheme.

| LBB total private amenity target | GLA total private amenity requirement | Private amenity provision shortfall | Communal amenity provision | Shortfall against LBB standards (with private communal amenity accounted for) | Open Space provision (revised masterplan area only) |
|---|--|---|-----------------------------------|--|--|
| Phase 3 | | | | | |
| 11,450 sqm | 2,669 sqm | 7,638 sqm | 1,346 sqm | 6,292 sqm | 8,027 sqm |
| Phases 4-7 (outline) | | | | | |
| 54,800 sqm | 12,206 sqm | <i>Subject to Reserved Matters Applications. Indicative amount: 43,096 sqm*</i> | 10,451 sqm | <i>Subject to Reserved Matters Applications. Indicative amount: 32,645 sqm</i> | 15,055 sqm |

| | | | | |
|---------------|--|--------------------------------------|--------------------------------------|-------------------|
| TOTAL: | | <i>Indicative amount: 50,734 sqm</i> | <i>Indicative amount: 38,937 sqm</i> | 23,082 sqm |
|---------------|--|--------------------------------------|--------------------------------------|-------------------|

*Indicative levels of private amenity space have been estimated using the Mayor's targets within Policy D6. However, the precise amount of private outdoor space would be established through the approval of Reserved Matters.

118. Within Phase 3, 5,158 sqm of private and communal amenity space has been proposed, which means there would be a shortfall of approximately 55% below Brent's the amenity space targets set out under Policy DMP19 excluding new public open spaces. Furthermore, while exact amenity space requirements are not known for each phase within the revised Masterplan, these have been estimated using the Mayor's standard and it is anticipated that there would be a shortfall of approximately 60 % excluding new public open spaces.

119. Whilst this shortfall of private and communal amenity space is acknowledged, officers place significant weight on the amount of high quality, usable area of public realm with an additional 2.3ha of public open space proposed within the revised masterplan boundary. This would constitute new public open space to be provided within the development, in close proximity to the proposed homes within the development, and therefore is expected to benefit future occupiers of the development most whilst also being accessible to other nearby residents, improving social cohesion. If taking this space into account, the overall estimated shortfall would reduce to 15,855 sqm, with total external amenity space provision at 50,395 sqm, representing 76 % of the Brent target.

120. Furthermore, the site is within close proximity of other areas of public open space, notably Heather Park (<50m) and the nearby Mount Pleasant. As noted above, this would be in addition to the Canalside area (up to 0.76 hectares) which was secured in the previous permissions regarding phases 1 and 2a for a total of 4.6ha of public realm across both sites.

121. As highlighted above, within the detailed phase 3 development, 50 homes would not have private amenity spaces (1 home in block G, 1 home in Block H and 48 homes in Block J). 48 of these 50 are studio flats, which have been designed to exceed the minimum space standards by a commensurate amount and would have large opening windows with Juliette balconies, effectively internalising this space so that the area becomes useable in all weathers. This approach is broadly supported by the Mayor's Housing SPG. These units would receive good levels of daylight and outlook in addition to easy access to the public open spaces proposed. Taking into consideration the high quality of the units in conjunction to easy access to high quality open space, this approach when applied to a small percentage of the overall housing provision on this phase is considered to be acceptable on balance and in this instance.

122. In addition, the applicant committed to a contribution of £50,000 under the original Masterplan for improvements to existing public open space and play-space within the vicinity of the application site. This was paid in February 2019. As a result of this, the shortfall of amenity space is considered acceptable due to the close proximity of the public open space provided as part of this application, the nearby existing parks, and the contributions towards improvements to nearby open spaces. Furthermore, the revised masterplan proposes a 15% increase in open space across the entire Grand Union masterplan in comparison to only a 10% increase in the number of units proposed under the revised masterplan (320 additional units).

123. On this basis, the shortfall in provision against Brent Policy DMP19 targets and emerging London Plan Policy D6 is acknowledged. However, despite this shortfall, given the amount and quality of space that is proposed, the amount and quality of space that is proposed in the earlier phases of the Grand Union development and the proximity to other existing open spaces, the shortfall is not to a degree that would significantly affect the quality of the space and the proposed areas of external amenity space are considered to be sufficient in size and type to satisfy the needs of future residents. The limited conflict with policy is considered to be outweighed by the

benefits of the proposed development.

Play and Recreation

124. In addition to the significant amount of publicly accessible open space and external amenity provided for future residents outlined above, the revised Masterplan includes designated play space throughout the site for children of all ages, comprising:

- Under 5: Doorstop play within each private courtyard, informal and equipped spaces distributed throughout the public realm.
- 5 to 11: A range of equipment to support a variety of activities, including further informal spaces within the open spaces.
- 12 plus: Social spaces to meet, hang out and take part in informal sport or physical activity, including appropriate facilities.

125. The play provision strategy includes extensive playable landscapes, accessible to both disabled and non-disabled, with a variety of open space, playable features, landscape elements and formal equipment. Sculptures and water play will be located along the canal and within the public space to the south of the community centre as part of the extant permissions for (Phases 1 and 2), the proposed play provision is considered to be suitable to the surrounding landscape. Located within the Central Gardens there would be more active and natural play features. Within the Riverside Meadows informal play spaces and interactive sculptures would be provided in accordance with The Mayor’s Housing SPG.

126. Each private courtyard includes doorstep play spaces for children under 5, and additional informal equipped play spaces are included within the public realm including adjacent to the community centre, within the Central Gardens and Riverside Meadows. The arrangement of play facilities means that all homes would be within 100m of facilities. A condition has been recommended to secure the detail of that play space, and an update to the site-wide provision of play space, through the submission of Reserved Matters applications on a phase by phase basis.

127. Five play spaces for children aged 5 to 11 have been provided adjacent to the community centre, within the Central Gardens and Riverside Meadows and include a trim trail. For children over 12, social spaces have been provided including ‘kick about’ space, a trim trail and an outdoor stage within three areas; adjacent to the community centre, within the Central Gardens and the trim trail along the Riverside Walk.

128. The application documents specify that the child yield of the proposed development would be 1,107 children, giving rise to a requirement for 11,070sqm of play space (as calculated using the Mayor’s SPG calculator tool). The submitted Design and Access Statement confirms that playspace provision would exceed the required standard, providing the following:

| | Phase 3 requirement (sqm) | Phase 3 area provision (sqm) | Outline area requirement (sqm) | Outline area provision (sqm) |
|-------------------|----------------------------------|-------------------------------------|---------------------------------------|-------------------------------------|
| Under 5 | 900 | 1778 | 4,240 | TBC |
| 5 to 11 | 660 | 660 | 3,090 | TBC |
| 12 plus | 410 | 400 | 1,770 | TBC |
| Total | 1970 | 2838 | 9,100 | TBC |
| Difference | +868 | | | |
| | Site Wide Total Required | | Site Wide total Proposed | |
| | 11,070 | | 11,748 | |
| Difference | +678 | | | |

129. The submission demonstrates that the provision of play space exceeds Brent and Mayoral

policy and guidance, and the strategy would provide for a range of spaces that would be appropriate to the site and landscape and that would meet the needs of children within the existing and new community and is supported. Further details of the play space provision would be required by condition for the detailed part of the application and as part of future Reserved Matters applications.

Quality of residential accommodation

Revised Masterplan

130. As most of the proposal is in outline there are no detailed proposals for the residential plots within this outline area. However, the Design and Access Statement advises that the proposal will be designed to deliver a high quality residential environment across the site and the quality of new homes can be assessed through the consideration of the Reserved Matters applications.

Phase 3 development

131. Full permission is sought for Phase 3 and as such detailed information has been provided for blocks G H and J which are assessed below.

Layout

132. Policy D6 of the ITP London Plan requires that developments limit the maximum number of units per lift core to no more than 8. Block J would comply with this. It is noted that this would be exceeded on most floors of Block G and on the lower floors within Block H with some cores being shared by as many as 12 units. However, it is noted that these blocks have been designed with staggered floor plans to assist with this, and as outlined in other sections of the report, maximises dual aspect units. Furthermore, the upper most floors in block H would have 8 units per core. These cores would contain 2 lift shafts and the overall layout of the floorplates is simplified with the lift cores centrally located and easily accessible, in addition the cores would benefit from natural daylight which further weights in favour of the proposed layout. As such, the over-provision of units per core on some floors is considered not to detrimentally impact the overall quality of the developments as a whole and would be acceptable on balance.

Space standards

133. Policy DMP 18 and the guidance in SPD1 require new dwellings to meet the minimum space minimum space standards set by policy 3.5 of the Publication London Plan.

134. All of the proposed units would meet or exceed these standards and all bedrooms would meet the minimum sizes as set out by the technical housing standards and policy D6 of the Publication London Plan. The floor to ceiling height of each unit would meet the 2.5m minimum required for development within London. All habitable rooms would be served with an external window with sufficient space adjacent to provide acceptable levels of outlook throughout the scheme.

135. The Mayors Housing SPG states that single aspect dwellings should be avoided. Of the proposed units 61% would be dual aspect, which represents an increase from 53-54% approved under the original Masterplan, and is considered a significant benefit of the revised scheme. The number of single aspect units have been minimised where possible, with a predominantly east-west orientation to the Phase 3 buildings ensuring there would be no single aspect north facing units within this phase. Of those units which are single aspect, all would be of a good internal standard and this is considered acceptable. Exact floor layouts have not been provided for later phases, however officers expect that dual aspect units would be maximised and this intention is reflected within the Framework Design Code.

Overheating and Ventilation

136. The proposed units are proposed to use openable windows as the primary means of ventilation along with background mechanical ventilation to assist.

137. The applicant has provided a Dynamic Overheating Assessment which analyses the potential for units to overheat and test proposed mitigation measures. The assessment concludes that all units tested would demonstrate an acceptable level of overheating. The conclusions and methodology of this report is accepted.

Privacy

138. DMP1 requires that new development maintain adequate privacy for future occupants. SPD1 provides guidance in the regard by requiring a separation distance of 18m between any directly facing habitable windows.

139. The proposal would have a distance of approximately 21m between the approved buildings in Phase 2a and the proposed blocks at their nearest point. The distance between blocks G and H would be approximately 18m at the closest point complying with the above policy. Block J would be located 33m from the windows on block H. The distance between Block J and the approved block in Phase 2 would be just 11m at the closest point. However, officers acknowledge that this has been envisioned as part of a wider, high density urban development with different site circumstances, with no harm caused to adjoining established properties along Beresford Avenue by the proposals. As such some flexibility can be applied to the guidance. The proposed units would be high quality and receive sufficient daylight and outlook. On balance the shortfall in separation distance is considered acceptable in this particular location.

140. Overall the level of privacy afforded to future occupiers is considered to be acceptable.

Noise

141. The Environmental Statement includes an assessment of potential noise and vibration impacts to and as a result of the proposed development utilising survey data and modelling. The assessment takes into account noise sources, including the surrounding road network, adjacent industrial uses, the Ace Café, proposed industrial space within the development, traffic generated by the development, and activity within the proposed community centre and commercial space. A residential site suitability assessment has also been included as part of the ES, within Chapter 9 of the document (Noise and Vibration).

142. This assessment confirms that the dominant sound source affecting the proposed development would be from road traffic, which is in line with the conclusions drawn by the previous assessment associated with the original Masterplan, which involved four long term surveys being conducted as part of a comprehensive assessment.

143. However, impacts from road traffic on the majority of the site would not be significant, although some properties fronting busy roads may require mitigation. The original Masterplan identified that properties facing the existing Ace Café may also require enhanced glazing and ventilation to mitigate potential noise effects, although industrial uses to the west would not result in any significant impacts. A condition was attached to the original permission requiring further details of acoustic design to be submitted as required, and later phases would require details as part of the relevant Reserved Matters application.

144. The reports also indicate that there is potential for noise and vibration impacts as a consequence of enabling works, demolition and construction activity. However, control measures within a Construction Environmental Management Plan (CEMP) would ensure impacts are minimised and that they would be acceptable. Traffic flows from the development would not result in any significant impacts on surrounding receptors. The assessment indicates that noise from plant and equipment should be controlled through detailed design to achieve target noise levels,

and this would again be secured by condition.

145. With regard to the external acoustic environment experienced in outdoor amenity areas, the report identifies that this likely to be below the 55 dB upper guideline value across the majority of the Site, however there may be higher levels experienced to areas within a line of sight to the North Circular Road. In order to mitigate noise ingress to these external amenity areas, it is considered that the use of boundary barriers and variations in ground height may be an appropriate design solution at the detailed reserved matters stage of phases 4b – 7, and this should be thought through as part of the detailed landscaping scheme for the relevant phases.

146. Subject to the details of mitigation measures as outlined above being secured by condition and future reserved matters applications, and the effective implementation of such measures, the development would provide for an acceptable acoustic environment for future occupiers. Furthermore, the proposed use would not result in restrictions on existing operations in the area with regard to the 'Agent of Change' principle set out within Policy D12 of the Publication London Plan.

147. The submission therefore demonstrates that a satisfactory environment can be provided for future residents, subject to conditions, and that there would not be unacceptable impacts on the existing area including residents and businesses. The development therefore complies with relevant Brent and London Plan policy.

Internal daylight and sunlight levels

148. The applicant has submitted an internal Daylight and Sunlight assessment to support the application, which assesses levels of daylight reaching habitable rooms using an Average Daylight Factor (ADF) analysis has been undertaken, which is acceptable as a means of assessment.

149. The report concludes that 945 of the 1,203 habitable rooms assessed, or 79% would achieve the minimum ADF levels for a bedroom (1%) or living room (1.5%). It notes that several of the rooms tested are shared Living/Kitchen/Dining (LKD) rooms and normally kitchens require ADF levels of 2%. It is also acknowledged that of the rooms that fail to meet minimum ADF criteria, most are overhung by balconies and the provision of amenity space for the trade-off between amenity space and daylight impacts must be considered. An assessment taken without balconies would increase the compliance rate to 88%.

150. Many of the units have access to private balconies and overall the majority of rooms achieve an acceptable ADF on balance, this is considered acceptable when weighing up the benefits of private amenity space.

151. An Annual Probable Sunlight Hours (APSH) test has also been carried out on 691 south facing windows. BRE guidelines suggest that windows should achieve at least 25% with at least 5% during winter months. The report notes that 42% of south facing windows tested would achieve the required 25% with 5% during winter. Of the remaining windows 149 rooms would achieve between 15%-24% APSH.

152. Officers acknowledge that not all windows would comply with the above guidance. However, it is considered that flexibility should be applied in more dense urban environments, and this is reflected in BRE guidance. It is also noted that all units feature projecting balconies which would contribute to a reduction in sunlight received to the windows they overhang. When assessing without balconies, a further 38 rooms would meet the 25% criteria and a further 123 rooms would meet between 15—24% APSH.

153. On balance, given that the number of single aspect homes has been reduced as far as practicable and that the proposals have sought to avoid single aspect north facing homes; the quality of the accommodation that would be delivered as part of the high density development; together with the benefits that the development would deliver through transformation and

regeneration of the site and making effective use of the land to deliver new homes, employment and community facilities as well as open space; the development is considered to deliver an acceptable standard of amenity for future residents in accordance with relevant policy and guidance. Overall, the quality of accommodation proposed across the revised Masterplan would not be materially worse than the extant permission.

Impact on neighbouring residential amenity

Daylight, sunlight and overshadowing

154. The Environmental Statement assesses daylight, sunlight and overshadowing, including the effects of the development on the surrounding area and the amenity of surrounding residential properties. A full daylight and sunlight report has been submitted and undertaken in accordance with BRE guidelines.

155. The assessment indicates that there are 516 windows to 217 residential rooms around the site that are relevant for assessment. These were considered in terms of both vertical sky component (VSC) and no sky line (NSL) measures to consider daylight, and annual probable sunlight hours (APSH) to consider sunlight.

156. This assessment highlights that the design of the development ensures that the impact on the surrounding area has minimised the potential impact on daylight/sunlight where possible. Officers acknowledge that there would be some change from the existing situation, with some habitable rooms further affected as a result of the increase in proposed building heights within the revised Masterplan, when compared with the extant scheme. However it must be acknowledged that the revised Masterplan site is currently predominantly cleared, and the arrangement of development on the site (particularly with regard to reducing levels of massing of development to the north and south boundaries of the site) would minimise effects on surrounding properties while ensuring effective use of the land. Generally good levels of daylight and sunlight would be retained to surrounding neighbouring properties, and the proposed development would broadly comply with BRE guidelines for the detailed part of the application.

157. The daylight, sunlight, and overshadowing assessments within the latest ES have been undertaken based on two scenarios:

1. The maximum height and massing for the proposed revised masterplan, as shown on the Maximum Building Heights Parameter Plan. This represents the worst-case for the proposed development once constructed and operational.
2. The Illustrative Masterplan to enable a comparison to be drawn between against the maximum parameter massing. The illustrative masterplan has been designed within the limits of the maximum parameters and in accordance with the Framework Design Code, and therefore represents a reasonable future development proposal within the outline element of the scheme (Phases 4-7) following detailed design at reserved matters stage, having regard for the impact upon neighbouring sensitive receptors and designing to minimise daylight, sunlight and overshadowing effects wherever possible.

158. When considering this second scenario, in regard to VSC, the assessment demonstrates that there would 193 of the 332 windows serving habitable rooms would meet the relevant criteria, representing 58% of relevant windows. This represents a decrease from 62% (204 of 332 windows) achieving VSC criteria under the original Masterplan. Whilst there is an overall reduction in the compliance rates (4%), the changes in absolute VSC between the consented and proposed schemes are considered to be minor.

159. The changes in absolute VSC have been broken down in the below table:

| Changes in Absolute VSC | Gains | 0-1% VSC | 1-2% VSC | 2-3% VSC | 3-4% VSC | 4-5% VSC | 5-6% VSC |
|-------------------------|-------|----------|----------|----------|----------|----------|----------|
| No. of Windows | 33 | 38 | 21 | 26 | 15 | 5 | 1 |

160. This table demonstrates that of the 139 windows that do fall short of guidance, the vast majority (85%) will either experience a slight gain in comparison to the original Masterplan, or will experience a less than 3% change in absolute VSC. Given the high density, regenerative context of the scheme being delivered, officers consider these shortfalls to be acceptable.

161. With regard to NSL criteria, the assessment demonstrates that 75% of the 217 habitable rooms within the identified residential properties will fully comply with the BRE NSL criteria and therefore experience a negligible effect. 7 rooms (3%) would experience a minor adverse effect, 12 rooms (6%) would experience a moderate adverse effect, with 35 rooms (16%) experiencing a major adverse effect.

162. However, when considering the above alongside an alternative retained NSL target of 60%, of the 54 rooms that would experience an adverse effect, 19 rooms (9%) would experience a minor adverse effect, 32 rooms (15%) would experience a moderate adverse effect and 3 rooms (1%) would experience a major adverse effect.

163. Furthermore, when considering the illustrative masterplan, compliance with NSL targets would actually be improved from the consented scheme (increasing from 95% to 98%).

164. The assessment concludes that there would be a total of 32 properties which would be more significantly affected in terms of daylight losses resulting from the proposed development. The applicants ES sets out further details of these properties:

165. **99 Beresford Avenue** - This property is a residential dwelling located to the north of the site, having a total of 12 windows facing the development which serve 5 habitable rooms. 6 of these 12 windows would experience VSC reductions, however, 5 of the windows (84%) will retain in excess of 20% VSC (minor adverse). The remaining window retains 19.15% VSC, however it serves a room lit by three other windows that all experience a negligible VSC effect, such that the overall effect on VSC to this room is considered to be minor adverse. For NSL, all 5 rooms (100%) would meet the BRE criteria for daylight distribution and therefore experience a negligible effect.

166. **Nos. 65/65a – 83/83a Beresford Avenue (inclusive)** - These 10 properties are two-storey, semi-detached residential maisonettes located to the north of the site. There is a total of 20 main windows facing the site serving 20 habitable rooms. In terms of VSC, no windows (0%) would meet the BRE numerical targets. All 20 windows will experience relative reductions in VSC of between 46.8% and 55%, considered to be major adverse. However, this is largely due to the high existing baseline levels of VSC owing to the relatively cleared baseline conditions. When considering the retained levels of VSC, however, 2 of the windows (10%) will retain in excess of 20% VSC (minor adverse). The remaining 18 windows (90%) retain in excess of 15% VSC, ranging from 15.78% to 19.07% (moderate adverse).

167. However, the assessment also indicates that a future scheme that is designed in accordance with the Framework Design Code and within the maximum parameters can be achieved with any daylight effects to these properties being limited to permanent, direct and of no more than minor adverse significance, with all windows retained levels of VSC in excess of 20% and all rooms meeting the NSL criteria. It is considered that the assessment is based on a 'worst-case' scenario and unlikely to be realised once full details of building heights and massing are considered at reserved matters stage, with development designed to minimise the effect upon daylight to these properties.

168. Nos. 57/57a – 63/63a Beresford Avenue (inclusive) - This series of 4 properties are two-storey, semi-detached residential maisonettes located to the north of the site. There is a total of 13 main windows facing the site serving 11 habitable rooms. In terms of VSC, 8 windows (62%) would experience relative reductions in VSC of between 46.96% and 50.73% (major adverse). However, this is largely due to the high existing baseline levels of VSC owing to the relatively cleared baseline conditions. When considering the retained levels of VSC, however, all of the 8 windows will retain in excess of 15% VSC (moderate adverse) ranging from 17.45% to 19.45%. For NSL, 9 rooms (82%) will meet the BRE criteria for daylight distribution and therefore experience a negligible effect. The 2 remaining rooms (18%) will experience relative reductions in NSL of 38.4% and 40% (moderate adverse), although retained levels of NSL are 59.9% of the working plane (moderate adverse) and 61.5% (minor adverse).

169. Again, the assessment also indicates that a future scheme that is designed in accordance with the Framework Design Code and within the maximum parameters can be achieved with any daylight effects to these properties being limited to permanent, direct and of no more than minor adverse significance, with 10 of the 13 windows exceeding 20% VSC and the remaining either meeting BRE guidance or retaining 19.6% VSC. Similarly, a more likely built form in line with the Design Code would result in 9 of the rooms meeting the NSL criteria, with the remaining 2 having a retained NSL in excess of 60% of the working plane, which is considered a minor adverse impact. It is considered that the assessment is based on a 'worst-case' scenario and unlikely to be realised once full details of building heights and massing are considered at reserved matters stage, with development designed to minimise the effect upon daylight to these properties.

170. Nos. 29/29a – 55/55a Beresford Avenue (inclusive) - This series of 14 properties are semi-detached residential maisonettes located to the north of the site. There is a total of 36 windows serving 36 habitable rooms facing the site. In terms of VSC, 30 windows would experience reductions outside of BRE targets, with 1 experiencing a relative reduction in VSC of 25.29% (minor adverse) and 29 windows (81%) will experience relative reductions in VSC of between 46.89% and 61.65% (major adverse). However, this is largely due to the high existing baseline levels of VSC owing to the relatively cleared baseline conditions. When considering the retained levels of VSC, however, 1 window will retain 20.61% VSC (minor adverse), 27 windows will retain between 15.89% and 19.39% VSC (moderate adverse) and the remaining window will retain 14.08% VSC (major adverse).

171. In terms of NSL criteria, 7 rooms (19%) will meet the BRE criteria for daylight distribution and therefore experience a negligible effect. Of the 29 remaining rooms, 2 will experience relative reductions in NSL of 33.4% and 36.2% (moderate adverse), although retained levels of NSL are in excess of 60% (minor adverse) ranging from 63.7% to 66.5%. The other 27 rooms will experience relative reductions of between 41.2% and 66.9% (major adverse), although for 24 of those rooms the retained levels of NSL are greater than 40% (moderate adverse) ranging from 40.6% to 59.9% of the working plane. The remaining 3 rooms would experience a more significant reduction, with NSL retained levels of between 33% and 39.8%.

172. Again however, the assessment indicates that a future scheme that is designed in accordance with the Framework Design Code and within the maximum parameters can be achieved with any daylight effects to these properties being limited to permanent, direct and of no more than minor adverse significance, with 28 of the windows (78%) retaining a VSC in excess of 20%, with the remaining retaining in excess of 15% VSC in these circumstances. Assessing NSL levels in this more likely scenario, 35 rooms (98%) would meet the BRE (i.e. a negligible effect), whilst the remaining room would fall just short of the BRE target, at 20.6% (minor adverse). It is therefore considered that the assessment is based on a 'worst-case' scenario and unlikely to be realised once full details of building heights and massing are considered at reserved matters stage, with development designed to minimise the effect upon daylight to these properties.

173. Nos. 25/25a – 27/27a Beresford Avenue - These two properties are a pair of semi-detached maisonettes located to the north east of the site on Beresford Avenue. There is a

total of 6 windows serving 6 habitable rooms facing the site. In terms of VSC, 5 of the 6 windows would experience reductions outside of BRE guidance, with 1 of these experiencing a relative reduction in VSC of 25.29% (minor adverse) and 4 windows (67%) will experience relative reductions in VSC of between 59.49% and 65.4% (major adverse). However, this is largely due to the high existing baseline levels of VSC owing to the relatively cleared baseline conditions. When considering the retained levels of VSC, however, 3 of the 4 windows will retain in excess of 15% VSC (moderate adverse) ranging from 15.06% to 17.61%, and the other window retains 11.75% (major adverse).

174. In terms of NSL criteria, 2 rooms (33%) will meet the BRE criteria for daylight distribution and therefore experience a negligible effect. Of the 4 remaining rooms, 2 will experience relative reductions in NSL of 23% and 23.6% (minor adverse). The other 2 rooms will experience relative reductions of 32.1% and 32.7% (moderate adverse), although retained levels of NSL are greater than 60% (minor adverse) ranging from 67.2% to 67.7% of the working plane.

175. Again however, the assessment indicates that a future scheme that is designed in accordance with the Framework Design Code and within the maximum parameters can be achieved with any daylight effects to these properties being limited to permanent, direct and of no more than minor adverse significance, with 2 of the 6 windows tested would meet BRE criteria for VSC, with the remaining 4 windows retaining in excess of 15% VSC in these circumstances. Furthermore, all rooms would meet the NSL criteria under this more likely scenario. It is considered that the assessment is based on a 'worst-case' scenario and unlikely to be realised once full details of building heights and massing are considered at reserved matters stage, with development designed to minimise the effect upon daylight to these properties.

176. **Prospect House** - This property is a residential block located to the south of the site on the North Circular Road. There is a total of 36 windows facing the site serving 16 habitable rooms. In terms of VSC, 30 of the 36 windows would experience reductions in levels outside of BRE guidance, with all of these experiencing relative reductions in VSC of between 31.84% and 38.57% (moderate adverse). When considering the retained levels of VSC, however, 33 of the windows (92%) will retain in excess of 20% VSC (minor adverse). The remaining 3 windows retain between 16.71% and 19.83% VSC (moderate adverse). For NSL, all 16 rooms (100%) will meet the BRE criteria for daylight distribution and therefore experience a negligible effect.

177. Therefore, the effect of the development upon the daylight amenity to this property is considered to be of minor adverse significance.

178. Overall, officers consider that there would be a very good level of compliance with BRE guidance in terms of daylight levels overall, and only a slight reduction when comparing the revised and original Masterplan positions. The assessment demonstrates that for VSC, there is only a slight reduction in overall compliance rates, however when reviewing the absolute changes in VSC of the windows that do not meet the BRE criteria, the majority of the windows will either experience gains, or only a small reduction. When comparing the NSL results, there is actually an improvement in the overall compliance rates as a result of the revised Masterplan.

179. With regard to sunlight, the assessment sets out how relevant neighbouring properties would be affected, using likely changes to the number of Annual Probable Sunlight Hours (APSH), which is in line with BRE guidance. An assessment of the baseline figures has been provided (i.e. without any development in place), as well as a comparison between the extant Masterplan position and the revised Masterplan.

180. The assessment demonstrates that the revised Masterplan would have a minor adverse impact on sunlight levels reaching affected properties, with 161 of 164 southerly orientated rooms (98%) achieving recommended APSH levels, as opposed to 163 of 164 rooms (99%) under the extant consent. Furthermore, the report states that the three additional rooms that fall short of guidance would only experience changes in absolute Annual Probable Sunlight Hours (APSH) (total and winter) of 2% which again is not material in the wider context of the significant

regeneration this site is facilitating. The remaining room that fell short previously is unchanged and would still meet the criteria for total sun but fall 1% short of the criteria for winter sun.

181. Overall, whilst there is a very slight reduction in overall compliance rates (only 1%), these are a result of only very small absolute changes in sunlight levels that are unlikely to be noticeable to the occupants. Given the significant increase in scale and density being proposed in this location, this is considered to remain a very good level of compliance with BRE guidance overall.

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

183. The assessment demonstrates that 56 of the 61 areas assessed (92%) would be fully compliant with the BRE criteria. There would be a minor impact to 3 other properties (33 and 35A/B Beresford Avenue), however the level of reduction would fall only slightly under recommended levels, and therefore is not considered a significant shortfall. A further 2 properties would experience more noticeable overshadowing impacts, relating to two flats at 25 Beresford Avenue. The rear garden would retain at least 2 hours of direct sun to 24% of its area (a 40% relative reduction (moderate adverse)) and the side garden would retain at least 2 hours of direct sun to 37.9% of its area [moderate adverse] (a 58% relative reduction). However, this is considered a 'worst-case scenario', and it is likely that at reserved matters stage, these overshadowing impacts could be effectively mitigated through good design and massing. Overall given the high density, urban context, the development is considered to achieve a high degree of compliance. It is also important to note that the development would not result in harm to the canal or River Brent by reason of overshadowing or impact on light levels.

184. Overall, the quality of light within and surrounding the development is considered to have been maximised where possible and would achieve standards commensurate with a high density urban development, and with regard to the need to make efficient use of the site the impacts on the surrounding area are on balance considered to be acceptable. The development would therefore ensure the amenity of these surrounding uses in accordance with Brent and London Plan policy.

Overlooking and privacy

185. In order to retain acceptable privacy levels to properties, SPD1 states that all primary habitable room windows within a property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites, except where the view on to that property would be to a part of the property which would serve as low value amenity space (e.g. the side access around a house). All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). These standards are in the interests of protecting the privacy of neighbouring occupiers.

186. The amendments to the Masterplan would not result in any significant increase in overlooking or privacy issues to neighbouring properties to the north or south, with building footprints and layouts generally in accordance with the Framework Design Code as approved within the extant Masterplan. As outlined above, there would be only 11m maintained between the south façade of Block J and the north facing windows of Block F1, as approved under Phase 2. However, officers acknowledge that this has been envisioned as part of a wider, high density urban development with different site circumstances, and as such some flexibility can be applied to the guidance. The proposed units would be high quality and receive sufficient daylight and outlook. On balance the shortfall in separation distance is considered acceptable in this particular location.

Residential Density

187. The site currently has a varying PTAL rating of between 0 (very poor) at the west of the site, increasing towards the east to a rating of 3 (moderate). The proposed development has a density of 454 units/hectare or 1,270 habitable rooms/hectare across the whole site, with a density of 356 units/hectare or 934 habitable rooms/hectare within Phase 3. These are slightly above the density levels agreed under the original Masterplan, and above the suggested densities in the current London Plan.

188. However the Plan also advises that it is not appropriate to apply this table mechanically, and account should be taken of factors relevant to optimising housing potential including local context, design and transport capacity as well as social infrastructure. The Publication London Plan further emphasises at Policy GG2 the need to create high-density, mixed use places that make the best use of land, and draft Policy D6 advises that development proposals must make the most efficient use of land and be developed at the optimum density.

189. As was noted when permission was granted for the extant Masterplan, the site is within the Alperton Housing Zone which is seeking to accelerate the delivery of housing, and where higher densities of development would therefore be expected and it is also at the edge, but still within, the Alperton Growth Area. In addition, the site has an acceptable level of access to the public transport network, and the proposed development would deliver improvements to connectivity for pedestrians and cyclists, and by increasing bus numbers, increasing access to public transport.

190. As with the original Masterplan, the applicants have agreed to provide a commuted sum to allow TfL to improve bus capacity/frequency along Beresford Avenue, and have agreed to provide a commuted sum to provide for additional gateline capacity at Stonebridge Park Station. The PTAL rating across the site would therefore be increased slightly, and as a consequence the site continues to be in a location where a higher density of development is considered appropriate.

191. It is therefore considered appropriate that the capacity for residential development on the site has been optimised in accordance with London Plan objectives, and the density proposed further allows for the inclusion of a range of uses to support a sustainable community as well as generous areas of public realm on the site that would not otherwise be achievable.

192. As such, the development would make efficient use of the site taking into account local context, character and design principles as well as accessibility and the sustainable location of the site to provide a high quality new community, and the resulting density is considered acceptable in accordance with national, London and Brent planning policy objectives.

Transport and highways

Background

193. This application does not affect the approved proposals for Phases 1 or 2 of the originally approved development, nor the generator site fronting Old North Circular Road, but does alter the later phases in order to deliver an additional 320 homes (i.e. an approximate 10% uplift on the approved scheme) and the remaining 688 sqm of commercial floorspace. A Transport Assessment Addendum has therefore been submitted with the application, to be read in conjunction with the original Transport Assessment.

Site Layout - Masterplan

194. The overall masterplan layout has been amended slightly, but with the principle of vehicular access to the site and the basement car park via two junctions onto Beresford Avenue unchanged. The easternmost access has been amended to lie along the line of the existing Wycombe Road though, which is acceptable in principle subject to the existing junction onto Beresford Avenue

being straightened to meet at a 90° angle to the highway with a raised entry table. This can be addressed as detailed proposals for Plots P and Q are drawn up at the relevant phase.

195. The siting of the proposed development plots has been amended for Phases 4-7, thus altering the alignment of the routes between them. However, as before, the majority of routes through the site will be designed for pedestrians and cyclists only, with access also provided where necessary for service and emergency vehicles, whilst the main east-west landscaped pedestrian/cyclist route is retained through the centre of the site. The revised layout will therefore continue to provide good permeability through the site by active modes.

Parking – wider Masterplan

196. DMP 12 (Parking) and Appendix 1 of Brent's DM Policies would allow up to 3,222 residential car parking spaces, with a further 95 spaces allowed for the employment uses. The size of the proposed basement car park is not intended to change, with a total of 1,482 residential car parking spaces again proposed. The ratio of residential parking spaces/flat will therefore fall to 0.46. This remains within the maximum parking allowance under current DMP standards, as well as being within proposed future allowances of 0.75-1 space per unit set out in the ITP London Plan (which Brent's forthcoming Local Plan will adhere to). The operation of an annual parking permit system for residents, to manage allocation of spaces, through the Car Parking Management Plan is welcomed.

197. In line with the ITP London Plan, it is proposed that parking for at least 3% of dwellings is provided as Blue Badge parking at the outset (i.e. 85 spaces) and the car park design is to be reviewed to establish how this can best be provided, secured by a condition. The Car Parking Management Plan monitoring and management system will then be used to ensure appropriate provision of Blue Badge parking continues to be provided (up to a maximum of 10% of dwellings) as the development is built out and occupied. In addition, at least 20% of spaces will be required to have active electric vehicle charging points at the outset, with all remaining spaces having passive provision. Officers recommend that this is secured by condition.

198. To mitigate potential overspill parking problems being created in the area, funding of £750,000 is secured to enable a CPZ to be introduced in the local area. This has been agreed as phased payments (with £150k already having been provided at the outset of the extant consent), and remains included in the S106 Agreement.

199. The scheme will continue to be 'permit free', so future occupiers will not be entitled to on-street parking permits in the event that a CPZ is introduced in the area, which will provide Brent Council with the ability to ensure overspill parking from the site onto adjoining streets can be regulated. No changes are proposed to the approved commercial parking at this stage, with the additional floorspace proposed through this application not being significant enough to justify any further parking.

Parking - Phase 3

200. The submission suggests that 145 car parking spaces will be allocated to Blocks G, H and J – 137 in the basement car park beneath them and eight in the undercroft car park fronting Block J. This is consistent with the parking ratio for the wider masterplan, and is therefore acceptable. Of the 145 spaces, 13 are shown as wide disabled bays at the outset and 29 with active Electric Vehicle Charging Points, in line with London Plan standards. The dimensions shown for the spaces and access aisles all meet standards.

Cycle Storage / Parking – wider Masterplan

201. In terms of bicycle parking, the additional 320 flats (116 x 1-bed, 122 x 2-bed & 82 x 3-bed) would require a total of 571 long-stay and 8 short-stay spaces to meet forthcoming draft New

London Plan standards. This is in addition to the 3,416 long-stay and 53 short-stay spaces required under current London Plan standards for the 2,106 previously permitted units within Phases 3-7 of the extant outline consent.

202. These figures have been acknowledged in the submitted Transport Assessment Addendum. However, it is also stated that the usage of bicycle parking will be monitored as the earlier phases of the development are built out and occupied, with a view to making alternative provision in later phases for hire-bicycles and/or folding bikes if bicycle storage areas are not well utilised. Officers consider that this would be considered within the Travel Plan requirements for each phase, as required under the section 106 agreement, and therefore can be assumed that the minimum bicycle parking requirements would be met across the wider scheme. Details of cycle parking for future phases will be submitted as reserved matters applications for each block.

Cycle Storage / Parking – Phase 3

203. For two-wheeled transport, 10 motorcycle spaces and 688 bicycle parking spaces are shown in the basement car park, with the latter including 22 large spaces for non-standard bikes and the remainder on two-tier racks. A further 40 spaces on 2-tier racks and 13 enlarged spaces are shown in ground floor storage rooms, along with 13 Sheffield stands (26 spaces) along the frontage of the blocks for visitors. This is sufficient to satisfy London Plan standards and the layouts of the stores provide suitable space for access to the racks and stands.

Refuse, delivery and Servicing – wider Masterplan

204. For waste collection, a proposed Operational Waste and Recycling Management Strategy has been submitted. This proposes that a central waste storage area will be provided in the centre of the site (within Block K), with the site management company moving bins between the individual blocks and the central store on a daily basis. Brent's waste contractors have expressed concern with this arrangement, given the large volume of waste that would need to be collected from just one location each week. However it has been agreed that more regular collections from a centralised waste store would be acceptable, with full details of how this would work in practice being agreed by a condition which requires the submission of a Waste Management Plan.

205. As before, a Delivery and Servicing Plan is proposed for the development, which has been submitted with the application. This proposes a number of measures to manage and minimise the estimated 201 daily delivery trips (80 van and 121 HGV) to the development. These include the consolidation of suppliers where possible, pre-booking of delivery slots, encouragement of deliveries outside of peak hours and provision of secure drop-off/pick-up storage facilities within the site. This plan is welcomed and officers consider its implementation should be secured by condition, as per the original extant consent.

Refuse, delivery and Servicing – Phase 3

206. Waste storage for the three blocks is also shown at ground floor and basement levels, but for only a fraction of the storage requirement (14 Eurobins and 14 wheeled bins, against a standard of 96 Eurobins). The intention is to rotate these regularly by tug between the stores and the central bin storage area as they become full, with more regular (more than once a week) collections to be sought and agreed by condition.

207. With regard to the street design, 2m (minimum) width footways are shown throughout, increasing to 4.5m in the vicinity of the proposed commercial unit at the front of Block G. The footways are shown set behind verges and loading bays of 2.5m-3m width along the front of Blocks G and H, with an area for loading also indicated in the undercroft car park fronting Block J, to allow deliveries to take place clear of the main access road.

Street Layout – wider Masterplan

208. As with the extant outline consent, the proposed hierarchy of streets is welcomed in terms of providing good permeability through the site and over the River Brent via existing bridges, and the introduction of an additional crossing over the River Brent adjacent to the proposed 'Generator' building is welcomed. More detailed highway layouts for each plot will be provided as each of the future Phases 4-7 comes forward and officers recommend a similar condition is attached requiring these details to be approved as reserved matters.

209. A new pedestrian/cycle bridge from the site would continue to be provided over the river Brent between the proposed residential led part of the application site and the proposed 'Generator', which would link in with the existing pedestrian pavement network, and cycle routes would provide an additional link for pedestrians and cyclists over the river, and towards the existing pedestrian/cycle bridge over the North Circular Road and on to major employment destinations within Park Royal and the Old Oak Common redevelopment area. This would also link to the proposed HS2 and Crossrail station which would if delivered provide a major transport hub within the wider area.

210. Under the extant outline consent, the applicants also agreed to provide a further pedestrian/cycle bridge link across the Grand Union Canal, with land for this purpose safeguarded via the section 106 agreement. It has become clear during discussions between the Council, the applicant and the Canal and River Trust that the location of this safeguarded land is not workable, mainly due to the presence of a Thames Water sewer in close proximity to this land. Officers have explored potential alternative locations with colleagues in the LBB Regeneration and Transport teams, however further discussions are required both with colleagues, the applicant and relevant landowners before any agreement is reached. Nevertheless, officers are satisfied that this alternative location can be agreed and secured, either as part of the new section 106 agreement attached to this permission, or as a deed of variation to the original agreement. On this basis, officers are confident that the pedestrian and cycle improvements secured by this additional link would continue to be secured.

211. As with the extant outline consent, stopping up works along Wycombe Road would be sought under S247 of the Town & Country Act 1990. Again, two new access roads along Beresford Avenue would be provided in order to provide access to service vehicles, the underground car parking, the proposed street network and for emergency services.

Transport Assessment

212. With regard to trip generation and wider transport impacts, the applicants have submitted the same Transport Assessment as applied to the extant outline consent, with the agreed residential trip rates applying to this new scheme. However, an addendum to this has been submitted in order to account for the additional 320 flats proposed under this new application.

213. On this basis, the additional units are estimated to generate 23 arrivals/114 departures in the morning peak hour (8-9am) and 77 arrivals/47 departures in the evening peak hour (5-6pm) by all modes of transport, in addition to the 1,700-1,800 peak hour trips likely to be generated by the approved scheme (i.e. an increase of 7-7.5%).

214. However, as no additional car parking is proposed for the new units, any predicted trips associated with the additional flats have been assigned to other modes of transport. The council's highways officers do not consider that the traffic impact of the enlarged scheme on the surrounding road network is likely to be any worse than for the approved scheme, for which a junction modelling study is currently underway covering six junctions in the area (as agreed under the extant outline consent), with a financial contribution of £400,000 provided towards any identified mitigation works.

215. The previously agreed mitigation is therefore also considered acceptable for this revised scheme, with payment secured via section 106 agreement.

216. For other modes of transport, the additional flats are estimated to generate 53-59 additional peak hour trips by rail/Underground and about 30 additional bus trips per peak hour. Divided by the number of services passing the site, this would amount to approximately three additional passengers per train and one additional passenger per bus.

217. Funding was secured towards station improvements at Stonebridge Park and bus service enhancements under the section 106 agreement in connection with the original Masterplan consent. However, TfL have requested an increased contribution towards bus improvements as a result of the additional uplift of 320 flats sought under the revised Masterplan. While the applicant has not confirmed that they consider this further contribution acceptable, officers consider that the issue would can be resolved through further section 106 discussions, as well during Stage 2 discussions with GLA and TfL. TfL have confirmed that no further contributions to station improvements at Stonebridge Park are sought, with £4.7m having been secured under the original s106 agreement.

218. Similarly, the improvements that have been secured (and are currently under construction) to footways and cycleways along Beresford Avenue and Old North Circular Road are sufficient to accommodate the predicted increases in pedestrian and cyclist trips.

Construction Management

219. The applicants have submitted an updated Construction Management Plan with the application. This includes updates on predicted delivery vehicle movements over the course of the construction works, which now peak at about 140 daily HGV movements between 2030-2033. Provided that deliveries are pre-booked to avoid peak hours (which would be agreed as part of the DSMP to be required by condition) there is sufficient space within the site to handle this volume of daily deliveries, whilst the access routes via the North Circular Road will ensure such traffic is kept to routes with sufficient capacity to handle the construction traffic. Otherwise, the submitted Construction Plan is consistent with earlier approved versions of the plan and its implementation can again be secured by condition.

Travel Plans

220. To help to minimise car journeys and encourage greater use of sustainable transport to and from the site, both a Residential Travel Plan and a Framework Travel Plan for the non-residential uses have been prepared.

221. Both aim to reduce the proportion of trips made by car from 22% to 14% over a five-year period. Please note though that the development is proposed to be built-out over a 20-year timeframe, so the Travel Plans need to have a corresponding 25-year minimum lifespan in order to ensure they continues to be applied throughout all phases of the build programme.

222. The Travel Plans are to be managed by a site-wide Travel Plan Co-ordinator (with support from tenant Travel Plan co-ordinators for the major commercial units) and will include a range of measures to support sustainable travel.

223. For the residential travel plan, these include the provision of marketing information and welcome packs to publicise transport options and highlight the health and financial benefits of walking and cycling, the promotion of walking and cycling events, provision of broadband to reduce the need to travel, promotion of car sharing and the introduction of Car Club bays. No information has been provided on any engagement with a potential Car Club operator though to ensure that the requisite financial support will be provided to establish Car Club vehicles on the site and to this end, it is essential that at least two years free membership of the Car Club is offered to all new residents of the development to help to make a scheme viable.

224. The commercial travel plan proposes the provision of transport information through company websites and noticeboards, engagement is promotional walking and cycling campaigns,

promotion of journey planning websites and support for car sharing. The measures are fairly limited though and include no mention of encouraging the provision of interest-free loans to staff for bicycle purchase or public transport season tickets, whilst also making no mention of how car parking within the commercial premises will be managed.

225. The Travel Plans are to be monitored biennially and for the avoidance of doubt, the surveys need to be to a standard compatible with the TRICS and/or i-TRACE methodology.

226. Final versions of the Travel Plans will need to be approved as part of the Reserved Matters applications for each relevant phase, and these are to be secured through the S106 Agreement

Accessibility and inclusive design

227. As highlighted by the Mayor's Accessible London SPG, development should implement inclusive design principles to create an accessible environment. The Design and Access Statement advises that the creation of an inclusive environment is an aspiration for the development and inclusive access would be considered through the design process.

228. As noted in the highways section of the report above, the development would result in a significant improvement to connectivity in the area, including through the pedestrian and cycle routes that would be created through the site and the improvements that are proposed to routes within the surrounding area. Public spaces that are proposed within the site would include recreational routes, and these spaces and paths through the site would serve the existing and new community.

229. The landscaping also shows proposals for the area between Blocks H and J, which is proposed as a landscaped terrace with water features and this would be fully accessible. Some concerns were raised by the highways officer regarding whether the future east-west pedestrian route through the wider Masterplan would provide a continuous step-free route for wheelchairs, however a further plan has been submitted by the applicant confirming there would be a fully step-free route in this location, and is therefore acceptable.

230. Across the site, 90% of the dwellings are proposed to be designed and built to Building Regulations Approved Document M4(2) 'accessible and adaptable dwellings' standard, and 10% would be designed and built to Part M4 (3) 'wheelchair user dwellings' standard in accordance with London Plan standards at Policy 3.8. A condition is attached ensuring details of exactly which dwellings are designated for wheelchair users within Phase 3, with details for later phases secured by Reserved Matters.

231. On this basis, the proposals would therefore ensure that accessible and adaptable accommodation and space are provided within the development and would meet the principles of inclusive design. The proposals therefore comply with Brent and London Plan policy regarding accessibility and inclusive design.

Microclimate – Wind Environment

232. The submitted ES includes an assessment of wind and microclimate impacts. The assessment utilised computer modelling and involved testing of the existing site and proposed development, including those with extant permission in phases 1 and 2a, within a wind tunnel to consider the wind conditions around the development. Assessment was made against the 'Lawson Comfort Criteria' to establish whether the resulting wind conditions would be suitable for the proposed use.

233. The submission confirms that the wind conditions surrounding the site would be similar to existing. For the detailed part of the development, wind conditions are shown to range from being suitable for sitting to being suitable for walking during the windiest season, and the amenity

spaces would be suitable for standing and sitting uses within the summer season. Mitigation measures including the use of balcony screening and landscaping are proposed within Phase 3. For the outline part of the development, wind conditions would range from being suitable for sitting use to strolling use during the windiest season, and the amenity spaces would be suitable for standing and sitting uses within the summer season.

234. Although there would be potential for stronger winds for short periods of time at certain locations within the site, mitigation measures have been identified by the applicants including provision of landscaping and screens to some balconies within the detailed part of the proposals for the development in Phase 3. The incorporation of these measures within the proposals means that the development would provide a suitable standard of comfort for pedestrian uses and in public spaces intended for amenity use, and the precise details would be secured as part of the landscaping condition already recommended by officers. Potential mitigation measures for future phases within the revised Masterplan would be considered as part of future Reserved Matters applications.

235. Overall, it is considered that the development would provide for usable pedestrian environments and amenity space and the wind microclimate would be acceptable for the intended use subject to the implementation of the limited mitigation measures that are identified and which have been included within the detailed part of the development. There would not be unacceptable harm to the amenity of surrounding land or buildings, and the development would be acceptable including in relation to Policy 7.6 of the London Plan.

Air Quality

236. The site is located within an Air Quality Management Area (AQMA). The ES includes an assessment of air quality and potential impacts when the development is operational, as well as the requirement for any mitigation measures. An assessment of impacts of construction-related traffic was not undertaken as traffic data indicated that there would be a negligible increase in air quality as a result of construction traffic.

237. The assessment shows that subject to adequate ventilation design to the basement parking (which would affect the outline development area of the site), air quality on the site would be suitable for end users without any requirement for specific mitigation measures. The design requirement for the ventilation to the basement parking would form part of a future Reserved Matters application, at which time measures would be incorporated to ensure that air quality requirements are met.

238. On completion of the development, the ES assessment shows that potential emissions from the resulting road traffic and from the proposed energy centre would not result in any significant impact on air quality, with dispersion modelling demonstrating that the height of the stack proposed to serve the energy centre would be adequate so as not to result in exceedance of air quality objectives.

239. An Air Quality Neutral Assessment has also been submitted with the application, demonstrating that the development would comply with air quality neutral objectives set out within the Mayor's Sustainable Design and Construction SPG. Off-setting provisions such as green walls planting and screens to absorb or suppress pollutants would be considered as part of the development in line with provisions of the SPG.

240. During construction works, construction impacts including through dust would be managed through inclusion in the Construction Environmental Management Plan (CEMP) that is to be produced, and this would ensure that there are no significant air quality impacts during development. As a result, it is considered that air quality impacts to and as a result of the development are acceptable in accordance with national policy in the NPPF, as well as local and Mayoral policy requirements.

Energy and sustainability

Policy background

241. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy CP19, demonstrating at the design stage how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per day. Major commercial floorspace is required to achieve a BREEAM 'Excellent' rating and this also needs to be clearly evidenced. Policy DMP9B of Brent's Local Plan also requires sustainable drainage measures to be adequately implemented.

242. Major residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2013 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy 5.2. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.

243. In terms of non-domestic floorspace, the policy target is a 35% on-site reduction, and this must be separately evidenced within a submitted Energy Assessment. However, significant weight is also placed on the Intend to Publish London Plan policy SI2, which applies the zero carbon standard (with 35% reduction on on-site emissions) to both residential and commercial elements of the scheme.

Carbon emissions and energy saving

244. The Planning Statement supporting the application advises that the development is designed to meet sustainable construction standards, and the submission includes an Energy Statement. This explains in detail how the development would meet relevant requirements in relation to energy efficiency and energy supply. The assessment shows that the development would make significant carbon dioxide savings over target rates which would be achieved through energy efficiency measures, the use of combined heat and power, and inclusion of solar photovoltaic (PV) panels to the roofs of Blocks G and H within Phase 3 of the proposal. Potential sites in the later phases may be possible but would be identified during the reserved matters of those phases.

245. The Energy Statement highlights that energy demands of the development have been reduced by measures including through the materials to be used; air tightness; ventilation system selection; efficient space and water heating; efficient lighting; and consideration within the design and layout to mitigate overheating risks.

246. The potential for connection of the site to existing district heat networks was considered as is required by London Plan Policy 5.6. However, there are no existing networks in proximity to the site. The proposals do nevertheless include a site wide heat network, with a decentralised Energy Centre. This would supply heat from the central energy centre proposed beneath Building D which would accommodate a Combined Heat and Power (CHP) facility.

247. The scope to incorporate renewable energy technologies has been considered by the applicant. This assessment indicated that PV panels would be suitable, although the brown roofs proposed to the majority of the site were considered to reduce the area that these would be appropriate. As noted above, the roofs of blocks G and H have been identified as potential locations for PV panels.

248. These measures would result in anticipated carbon dioxide savings of 48.7% for the residential development and 37.4% for the non-residential development, equivalent to 48.6% overall. This would exceed the requirements of the London Plan, and remaining domestic carbon

dioxide emissions would be offset in accordance with the Mayor's Housing SPG, with this offset to be secured via a s106 agreement.

249. The GLA have noted that the development would broadly follow the energy hierarchy, although further details were requested to verify the findings of the Energy Statement and the applicant has provided details as requested. The development would therefore meet relevant energy targets, subject to planning obligations being secured, and is acceptable in accordance with Brent and London Plan policies.

Sustainable design and construction

250. In addition to the measures that would ensure energy targets are met, sustainability has been considered throughout the design of the development as set out within the submitted Sustainability Statement which includes discussion of the sustainable design and construction methods, energy and water saving measures, waste reduction techniques and measures to enhance the ecological value of the site that are to be incorporated as part of the development.

251. The Statement highlights the sustainable location of the site with access to public transport and connections for walking and cycling, and notes that through the development there would be significant improvements to existing routes on the site and in the area promoting sustainable transport options. The range of uses that are proposed as part of the development would also help to meet day-to-day needs of the existing and proposed community in the area, reducing the need to travel.

252. Provision for waste and recycling would be made both to serve all future occupiers, and as part of the construction works on the site. Sustainable construction methods would also be utilised including consideration for the selection of materials and management of construction impacts.

253. Surface water would be managed within the site using SuDS, and in addition to energy saving measures as noted above, the applicants have confirmed that flow control devices and water efficient fixtures and fittings would be installed to all homes, targeting a minimum water efficiency standard of 105 litres/person/day. All homes would also be provided with a 'Home Information Manual' that would provide advice and information on operating services within the homes in order to reduce energy and water use. Commercial units would similarly be provided with guidance to reduce their energy and water demand.

254. Brown roofs are proposed to large proportions of the site, and these would provide a range of sustainability benefits including localised cooling and management of surface water, and they would also provide ecological habitats. However, full details of these roofs would be secured by condition 15 and/or reserved matters application(s).

255. A Dynamic Overheating Assessment has been submitted for the detailed area of the development and indicates how overheating risks have been minimised through design measures including solar control glazing and natural and mechanical ventilation to result in an acceptable level of overheating against relevant criteria without the need for air conditioning systems. The layout also avoids excessive solar gains for non-residential uses and these principles would be carried forward to the design of the later phases of development. The GLA requested further details to confirm that comfort recommendations would be met which have been provided by the applicant, and the development is therefore considered to effectively manage potential risks of overheating.

256. The Sustainability Statement notes that the proposed non-residential units would achieve a minimum of BREEAM 'Excellent' standard as is targeted by Core Strategy Policy CP19, Policy 5.15 of the London Plan and Policy SI5 of the ITP London Plan. A requirement for all non-residential floorspace to meet BREEAM 'Excellent' is included in the Heads of Terms for the Section 106 agreement as proposed.

Urban Greening Factor

257. Policy 5.10 of the London Plan and Policy G5 of the ITP London Plan emphasise the importance of urban greening in development. The proposal would have an Urban Greening Factor (UGF) of 0.36 which falls short of the target score of 0.4 for residential developments. However, the strategy has been considered by the GLA to be of a high quality and consists of high scoring greening factors. Given the high quality of the greening proposed, the shortfall is considered acceptable in this instance.

Ground Condition, Soils and Contamination

258. The site is previously developed and the past use as an industrial estate together with nearby uses could have resulted in contamination. The Environmental Statement supporting the application therefore includes a full assessment of ground conditions and the potential for any impacts, as was submitted with the original Masterplan.

259. This assessment demonstrates that there are potential sources of contamination from contaminated soils, made ground, buried infrastructure and organic soils that could result in ground gas or soil vapour concentrations. However, implementation of a Construction Environmental Management Plan (CEMP) during construction works would ensure that there are no unacceptable impacts to the surrounding environment or to ground workers. In addition, provision would be made for remediation as part of the development which would mean that there would be no residual risk to future occupiers, and the risk to the environment would be reduced in comparison to the existing site circumstances. Measures to manage ongoing risks of contamination would be provided such as well-maintained petrol and oil interceptors. The ES therefore demonstrates that the development would achieve safe and suitable conditions for end users and that potential risks during construction works would be managed.

260. The London Plan supports remediation of contaminated land and making beneficial use of such sites, and the reduced risk of contamination and pollution from the site would be a further potential benefit of the proposals being brought forward on the site.

261. The Environmental Health Officer has advised that the submitted reports provide a comprehensive review of previous site investigations and note that remediation works will be needed. Therefore conditions to ensure that a site investigation, remediation and verification details are submitted.

262. The development also includes restoration works to the waterside edges of the application site, and further details of measures to ensure ground stability as part of these works would be required by condition.

263. Appropriate measures would therefore ensure that the development would not activate or spread contamination to the surrounding environment, or in land instability, and there would be no unacceptable risk to future occupiers. The land would therefore be suitable for the intended use. Implementation of necessary measures, including for management of works and provision for remediation would be secured by condition, and on this basis the development would be acceptable in accordance with relevant policies.

Flood Risk and Run-Off

264. The majority of the northern part of the application site is Flood Zone 1 (low probability of fluvial flooding), although there is an area of Flood Zone 2 (medium probability) at the lower lying north eastern part of the site. The southern part of the site is within Flood Zone 3a (higher probability), with an area of Flood Zone 3b (functional flood plain) at the south. There is a low probability of surface water runoff flooding to the site.

265. National and local policy require that development does not increase flood risk and that development is resilient to flooding. The NPPF also requires a sequential approach to steer development to areas with the lowest probability of flooding.
266. The application is supported by a Flood Risk Assessment which includes a Sequential Test Assessment, and a Drainage Strategy. The Flood Risk Assessment demonstrates how the potential risk of and from flooding for the proposed development has been considered, and illustrates how the development would increase flood storage capacity on the site. Flood resilience and resistance measures have been identified and would ensure that the development is safe.
267. Within the site, the proposed layout responds to flood risk with residential development (which is more vulnerable to flood risk) to the northern part of the site within Flood Zones 1 and 2 and with uses at ground floor level generally comprising less vulnerable commercial uses. Employment uses which are less vulnerable would also be accommodated on the southern part of the site, although no built structures are proposed within the Flood Zone 3b functional floodplain area.
268. The Sequential Test Assessment report has considered the potential to accommodate the development proposed on sites at lower risk of flooding, and it is considered that the submitted report does demonstrate that there would be no sequentially preferable sites to accommodate the development. The proposal therefore satisfies the requirements of the Sequential Test set out within national policy and guidance.
269. While the Environment Agency initially sought further detail around the provision of flood compensation measures, following clarification from the applicant the Environment Agency have no objection to the development on flood risk grounds.
270. The Environment Agency did also request further information in relation to works to the banks of the River Brent to demonstrate that it would be possible to meet standards required in order to address flood risk and ecology considerations. However following further discussions and clarification from the applicant, the EA have confirmed they are satisfied that the proposals would be acceptable in principle, subject to a condition requiring full details of works to the river banks are submitted for their approval before any relevant works commence.
271. With regard to surface water on the site, the Drainage Strategy submitted with the application illustrates that the development would incorporate a SuDS strategy. This would provide betterment to the existing discharge rates from the site by restricting surface water flow to three times greenfield runoff rate; a substantial reduction on the existing site circumstances. While the underlying geology means that surface water ground infiltration techniques cannot be used, the development incorporates swales and permeable paving to manage flows, and modular attenuation tanks would be provided to control discharge rates. Although it was initially proposed that surface water would be discharged to the River Brent and Grand Union Canal, discharge to the canal is no longer proposed. Provision would be made for pollution control and for management and maintenance of the drainage network and SuDS systems which would ensure protection for the environment and the long-term performance of the drainage network.
272. The main site falls within Flood Zone 1 and the risk of flooding is low. The River Brent is in very close proximity and the flood risk is high at this location. The development floor levels would be much higher than the flood level. The developer are reducing the surface water discharge from 2200 l/sec to 125 l/sec and this would reduce the flood risk in this area. Therefore, they are satisfied with the proposals.
273. As such, the development proposed would make adequate provision for the management of flood risk and surface water within the site and there would not be unacceptable impacts to the surrounding area. The proposals are therefore acceptable in accordance with national, local and Mayoral policy requirements.

Fire Safety

274. Policy D12 (Fire Safety) of the ITP London Plan seeks to ensure that new development is designed to incorporate appropriate features which reduce the risk to life in the event of fire, are constructed in a way to minimise the risk of fire spread, provide suitable means of escape and adopt a robust strategy for evacuation.

275. The applicants have provided a fire strategy which seeks to address the points raised above, the key points of which are summarised below:

- All residential units (including the affordable housing) will be fitted with fire detection systems and sprinklers, and all corridors would be fitted with smoke extraction systems. The proposed basement(s) will also be fitted with a fire detection and alarm system.
- The proposed external facades would predominantly be predominantly brick, and would incorporate non-combustible insulation.
- A full fire evacuation strategy would be provided for all residents on a building by building, phase by phase basis.
- With regard to emergency vehicle/fire apparatus access, access points are proposed to be located within 18m of the main entrance to each residential core, with fire hydrant points located within 90m of inlets, in line with LFB guidance. The proposed vehicular access across the development would allow for fire apparatus access to within the vicinity of all the proposed buildings.

276. The London Fire Brigade were consulted, however no response has been received. Nevertheless, approval by the Fire Brigade would be required through the Building Regulations and for the purpose of this planning application, there is no reason to believe that the layout of the development could not achieve compliance. The London Fire Brigade would also be consulted on any subsequent Reserved Matters application.

277. The GLA have assessed the submitted details consider that the measures outlined in the fire safety statement are sufficient, but a detailed strategy for each phase should be secured via condition, which has been recommended by officers. Further information on fire safety would be secured for later phases during the relevant reserved matters applications.

Waste Water

278. There is a network of sewers serving the existing site, and in addition to surface water as considered above, the submitted Drainage Strategy Report provides details of how foul water would be managed within the development.

279. The Strategy advises that the proposals for waste water have considered existing capacity in the area, with the Phase 1 development intended to discharge to the public foul sewer in Beresford Avenue and the remainder of the site to discharge to the Brent Valley trunk sewer (northern site), and the public sewer adjacent to the River Brent (southern site). Thames Water have not raised an objection to the application but have advised that the existing foul water network requires upgrading to accommodate the full needs of the development and have recommended conditions to provide for details of phasing of development and provision for supporting infrastructure.

280. Thames Water have also requested further details of piling works on site during construction to ensure that there is no impact on existing underground sewage infrastructure, and informatives are also suggested.

281. Subject to recommended conditions, the development would ensure appropriate provision is made for waste water and is acceptable in accordance with local and Mayoral policies.

Archaeology

282. A Desk-Based Archaeological Assessment and Heritage statement were submitted as part of the previous application. These highlighted that the site was considered to have low archaeological potential, including as a consequence of the past use of the site and associated ground disturbance and that while there could be previously unknown archaeological remains, these are likely to be of low importance. The proposed scheme would not have materially different impacts on archaeology/heritage than this consented scheme. As such, these elements have been excluded from the scope of the ES. However, the relevant Archaeological and Heritage Statements were attached to the appendices of the ES.

283. The development would not therefore require any archaeological mitigation, would not cause harm to archaeological assets, and complies with relevant policies. No objection has been received from English Heritage

Ecology and Nature Conservation

284. The application is supported by Ecological Baseline Reports including an Ecological Update and Preliminary Ecological Appraisal, Aquatic Ecology Baseline Report, and Reptile Method Statement which were submitted with the consented scheme as part of that ES. The proposal does not materially change the impact of the scheme on biodiversity and these documents are considered to remain relevant.

285. These reports highlight that the site currently has limited ecological habitats and biodiversity value, with habitats restricted to scattered trees. However, the site is adjacent to the River Brent and Grand Union Canal which are both designated as Sites of Importance for Nature Conservation (SINCs). The submitted assessments recognise the potential for impacts of development on these, and also illustrate the potential for enhancement arising as a consequence of the proposed development.

286. During the development process, mitigation measures are proposed to ensure that there would be no harm to ecology. These would include avoiding harm to reptiles, managing invasive species, and consideration for the aquatic environment, and further details of measures would be provided through method statements.

287. The development includes extensive areas of landscaping and open space provision, together with planting that would all provide for increased opportunities for biodiversity. The provision of extensive areas of brown roofs would further support ecology on the site. As part of the development, there would be works to restore the waterside edges of the site and significant areas of habitat creation are proposed to be concentrated within the corridors of the River Brent and canal, including the Riverside Meadows area at the east which is proposed to include a range of appropriate species. These improvements are welcomed and would improve the contribution of the site to the ecological value of the local area.

288. The development proposals would therefore maintain and enhance biodiversity and ecology on the site and would comply with relevant national requirements and local and Mayoral policy.

Trees

289. The application is supported by an Arboricultural Impact Assessment which considers the impact of the development on existing trees on the site. This assessment indicates that these existing trees are of varying quality with none of the highest quality (category A).

290. The development proposals would result in the removal of trees and hedgerows from the site, including 31 trees subject to a Tree Preservation Order (TPO). However, only one of these is

category B tree with the rest being category C, of low quality or value. Where trees are to be retained, the Assessment indicates there would be protection provided to ensure their longevity.

291. While trees would be removed from the site, the development includes for significant replacement planting as part of the extensive landscaping proposals, which go further than the outline Masterplan and offer significant benefits to the wider area. Approximately 220 trees would be planted as part of the Phase 3 proposals, which would comprise species appropriate to the site and area, and the proposed replacement trees would make a positive and longer-term contribution to the local landscape. This is also reflected in the Urban Greening Factor score of 0.36, which is considered to be very good given the industrial, brownfield nature of the existing site.

292. Given this mitigation and the enhancement of the site and wider Beresford Avenue through the significant new tree planting, the removal of the proposed trees is acceptable and complies with relevant Brent and Mayoral policy.

Operational Waste

Revised Masterplan

293. As with the original Masterplan, this revised application is accompanied by an Operational Waste and Recycling Management Strategy which provides details of the estimated waste arising from the development and of how these would be managed. The Strategy has been updated to reflect the 320 additional units proposed across the site.

294. The Strategy aims to contribute to national and local targets for waste minimisation, recycling and reuse, achieve high standards of waste and recycling performance and provide a convenient, clean and efficient waste management strategy for the site.

295. The Strategy estimates that for Phase 3, the development would produce approximately 33,760 litres of waste per week. Estimates are also provided for the outline element of the site, with a predicted 279,800 litres of storage capacity required on a weekly basis. However, these would be subject to the actual detail of development as it comes forward.

296. The Strategy advises that full provision for storage of recyclable and non-recyclable waste would be made for the development, including for mixed dry recyclables, food waste and residual waste. A permanent centralised waste storage facility is proposed to be built as part of the Phase 4 design, with the expectation that it would be located within Building K, which would service the entirety of the new development (with the exception of Phase 1) and have separate storage areas for residential and commercial waste.

297. Until that permanent facility is provided, a temporary waste storage facility would be provided within Phase 3, as agreed in March 2020 as part of a discharge of condition application (ref. 20/0355). Details of the new location of the temporary Central Waste Storage Facility will be submitted as part of the submission to discharge Condition 27 in respect of Phase 2a. This will ensure that Phase 3 can be delivered and that the relevant parts of the development can be served by a temporary Central Waste Storage Facility as necessary.

298. The Operational Waste and Recycling Management Strategy submitted demonstrates that there would continue to be sufficient capacity to manage waste as part of the development in accordance with requirements, despite the additional uplift in residential units proposed, and is considered acceptable.

Operational Waste for Phase 3

299. With regard to refuse storage and collection, residents in Buildings G and H will carry their separated refuse, MDR and food waste to their allocated refuse stores located in the basement level via the stairs or internal lifts. The refuse stores have been sufficiently sized for a daily

collection of the bins by the internal management team. They will accommodate at least two bins for each waste stream (refuse, MDR and food waste). Once full, the bins will be replaced with empty ones and transferred by the internal management team to the temporary central waste storage facility, which will have sufficient storage capacity to accommodate the total number of bins required for Buildings G and H. The same method would be used when the permanent facility becomes available.

300. Residents in Building J will carry their separated refuse, MDR and food to the refuse store located on the ground floor level via the internal lifts. The refuse store has been sufficiently sized for a daily collection of the bins by the internal management team. It will accommodate at least two bins for each waste stream (refuse, MDR and food waste). The bins would then be transferred to the temporary (and then permanent) waste storage facility in the same way as Buildings G and H.

301. Phase 3 only includes 74 sqm of flexible commercial floorspace, however an estimated 429 litres of waste would be produced per week, requiring 2 x 240l bins (one for refuse and one for mixed recycling). The interim storage of non-residential waste will be allocated within the curtilage of individual units, with commercial tenants being responsible for the provision of internal refuse and recycling storage to suit their own operations. With regard to collection, the internal management team will again collect this from individual non-residential units and transfer it to the separate non-residential waste storage area within the temporary Central Waste Storage Facility with the aid of tow tugs, ready for collection by an external contractor(s). The specific days and times for collection of non-residential waste from the temporary Central Waste Storage Facility will be agreed within the lease agreements for these units, so as not to coincide with the collection of residential waste, which will take priority, and this is considered appropriate.

302. To ensure this would work in practice, including the opportunity for review of working practices as the development evolves, condition is recommended to secure a Waste Management Scheme be provided to, and approved by the Local Planning Authority for each relevant building/phase. A further condition is recommended to ensure that later phases are in accordance with Brent's Waste Planning Guidance, unless otherwise agreed in writing by the Local Planning Authority.

Site Waste Management Plan – construction phases

303. In addition to waste once the development is occupied, the proposal would result in generation of waste during the construction process. The submitted Sustainability Statement advises that a Site Waste Management Plan would be prepared prior to construction to establish ways to minimise waste at source, consider reuse and recycling of materials both on and off site and prevent illegal waste activities.

304. The Sustainability Statement states that as part of their commitment to divert construction waste from landfill, the applicant would monitor and record performance against a target benchmark of at least 95% non-hazardous waste (by volume) to be diverted from landfill. Waste minimisation measures that may be considered to achieve this are highlighted as opportunities to reduce and avoid waste from excavation or groundworks; design standardisation of components and use of fewer materials; design for off-site or modular build; return of packaging for reuse; community reuse of surplus materials; and engaging with supply chains and including waste minimisation incentives and targets in tenders and contracts.

305. These measures would minimise the generation of waste during construction work and would reduce the impact of development on natural resources, and are supported.

Conclusion

306. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of a

S106 DETAILS

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

1. Payment of the Council's legal and other professional costs on completion of the deed in (i) preparing and completing the agreement and (ii) monitoring its performance;
2. Notification of material start of the revised Masterplan 20 days prior to commencement and associated covenant to not implement the underlying permission for Phases 3-7 (i.e. the development being superseded);
3. Continued adherence to Considerate Constructors scheme;
4. The Owner will provide a minimum of 35% of the dwellings (by habitable room) within the Development as Affordable Housing;
 - a. Tenure
 - i) 70% Affordable Rented Units at a rent of no more than 80% of local openmarket rent (including service charge where applicable) and capped at Local Housing Allowance rates;
 - ii) 30% Shared Ownership (subject to a £90,000 household income cap to be increased in accordance with the London Plan AMR 1);
 - iii) in relation to the affordable housing provision arising from the proposed additional homes (320 dwellings, of which 35% (by habitable room) are to be affordable), the tenure breakdown is as follows:
 - 30% London Affordable Rent;
 - 40% Affordable Rent; and
 - 30% Shared Ownership (subject to a £90,000 household income cap to be increased in accordance with the London Plan AMR).
 - b. Freehold (or minimum 125 year leasehold) disposal of all Affordable Units to an approved Registered Provider;
 - c. 100% Council nomination rights to all Affordable Rented Units on first lettings, 75% nomination rights on subsequent lettings, secured under appropriate Nominations Agreement;
 - d. No more than 50% of the Private Dwellings per Phase shall be occupied until the Affordable Housing has been constructed and transferred to an approved RP(freehold or 125 year lease). Ready for occupation prior to 70% of Private Dwellings being occupied.
5. Early Stage Review Mechanism

In the event that the development has not been Substantially Commenced within the agreed timescales for the first phase of the Revised Masterplan (subject to extensions in the event of specified force majeure events), an appropriate early-stage review mechanism will secure the provision of additional on-site affordable housing (subject to the viability review mechanism demonstrating that the development can support it). The viability review wording to be agreed following further discussions.
6. Sustainability / Carbon
 - a. To provide for a connection to a Decentralised Heat / Energy Network should one be implemented in the area in the future;

- b. All residential units will be constructed to be compliant with minimum standards for water consumption (105 litres/person/day);
- c. All residential units to meet zero carbon target (off-site energy efficiency measures or a cash-in-lieu payment for failure to meet);
- d. All non-residential units to achieve a 35% reduction in carbon emissions over Building Regulations Part L 2013 (off-site energy efficiency measures or a cash-in-lieu payment for failure to meet);
- e. Owner to pay 50% of the carbon offset contribution prior to Material Start per residential phase.
- f. To prepare and obtain approval of an Energy Assessment for the non-residential element. Once approved, the recommendations of the assessment shall be implemented.
- g. The Owner shall prepare and submit a Carbon Review Assessment for the non-residential phases of development no later than 40 working days after first occupation.

7. Health Care Facility

The developer will provide up to 800sqm (GIA) of fitted out health centre floorspace (GP Surgery) prior to Occupation of 600 units, unless otherwise agreed in writing by the LPA. The final quantum of floorspace, specifications of the fit out and commercial terms must be agreed by the CCG and the Council.

8. Training and employment

- a) Development to be delivered in accordance with the approved Construction Employment and Training Plan under the extant planning permission;
- b) Requirement for approval of an Operational Employment and Training Plan (as per specifications set out by the extant permission) 6 months before Practical Completion of the relevant phase;
- c) Use reasonable endeavours to continue engagement with Brent Works as per the extant planning permission and reasonable endeavours obligation to employ 20% Local People in operational phase; and
- d) Report 3 months from Practical Completion of the relevant Phase.

9. Employment

As per the relevant detailed consents, all employment floorspace shall be delivered under the extant consent (Phases 1, 2 and the Generator). For completeness, this comprises.

- a) Delivery of the Generator prior to the commencement of Phase 4b;
- b) A minimum of 1,390 sqm (GIA) of temporary floorspace referred to as the Creative Quarter will be made available for Occupation no later than 24 months post Commencement of Superstructure Works of Phase 1;
- c) The provision of 380 sqm GIA of permanent 'Affordable Workspace' (Use Class B1) at no more than 50% of the market rate, prior to the occupation of more than 600 units delivered pursuant to the extant consent (to the extent not already delivered by the extant planning permission);
- d) Affordable Workspace to be occupied in accordance with the Affordable Workspace Plan (to be approved before Occupation of any part of the Affordable Workspace).

10. Travel Plan

- a) The development shall be implemented and comply with all approved construction, residential and commercial travel plans unless otherwise agreed in writing by the Council.
- b) The Owner will retain the incumbent Travel Plan co-ordinator unless otherwise agreed in writing by the Council.

11. CPZ Contribution

- a) A contribution of £150,000 to be paid when called for by the Council towards the carrying out by the Council of a consultation on new and extended CPZ's in the vicinity of the site (unless already paid pursuant to the extant planning permission).
- b) A further £600,000 contribution to be paid when called for by the Council (after Commencement of Development) in the event that a CPZ scheme (new or extension) is approved for implementation and only in the event that it has not already been paid by the extant planning permission.

12. Bus Service Contribution

Any outstanding contributions owed of the already agreed £4.7 million to be paid towards the provision of bus service improvements in the vicinity of the Development. The first three tranches of the Bus Services Contribution are anticipated to arise during development pursuant to the extant permission, with the fourth and fifth tranches falling due during development pursuant to the slot-in permission.

13. Stonebridge Park Station Contribution

A contribution of up to £2 million to be paid towards improvements to gateline capacity at Stonebridge Park Station, to be paid only where payment has not yet been made under the extant planning permission.

14. Parking Permit Restriction

A parking permit restriction agreement withdrawing the right of future occupiers of the development to on-street parking permits.

15. Highway Works

a) Undertaking of local highway junction modelling to the satisfaction of TfL and Brent Council at the following junctions, unless otherwise agreed as unnecessary by TfL and Brent Council:

1. A406 - Abbey Road
2. Ealing Road - Mount Pleasant
3. Ealing Road - Bridgewater Road
4. A406 Hanger Lane Junction
5. A406 - A404 Harrow Road
6. Ealing Road - Carlyon Road

b) To the extent not already paid pursuant to the extant permission Funding of mitigation measures identified through the junction modelling and agreed by TfL and Brent Council as being required as a result of the development, up to £400,000.

c) Safeguarding of land for a period of 25 years following completion of Phase 2 in location of originally proposed New Footbridge across the Grand Union Canal (exact location to be agreed) development site to link the site to the canal towpath. Requirement to offer to transfer the safeguarded land to the Council at nil consideration upon the Council's request.

d) Developer to secure that relevant interests in the Wycombe Road Land and Green Land are bound by the obligations in the agreement before making a Material Start on those areas of land.

16. Public Open Space

a) To prepare and obtain approval of a Public Realm and Open Space Delivery Plan that sets out appropriate delivery, maintenance and management measures.

b) To prepare and obtain approval of a Public Realm and Open Space Management Plan.

17. Other

- a) To prepare and obtain approval of a Public Art Strategy that sets out the Developer's proposals for the provision of Public Art within the development (to the extent that a strategy has not already been prepared and approved under the extant planning permission). The development is to be delivered in accordance with the approved Public Art Strategy.
- b) Indexation of contributions in line with date of original permission
- c) Any other planning obligation(s) considered necessary by the Head of Planning.

CIL DETAILS

This application is liable to pay **£7,245,114.77** * 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): 0 sq. m.

Total amount of floorspace on completion (G): 26474 sq. m.

| Use | Floorspace on completion (Gr) | Eligible* retained floorspace (Kr) | Net area chargeable at rate R (A) | Rate R: Brent multiplier used | Rate R: Mayoral multiplier used | Brent sub-total | Mayoral sub-total |
|---------------------------|-------------------------------|------------------------------------|-----------------------------------|-------------------------------|---------------------------------|-----------------|-------------------|
| (Brent) Dwelling houses | 20147 | 0 | 20147 | £200.00 | £0.00 | £5,990,134.82 | £0.00 |
| (Brent) Shops | 72 | 0 | 72 | £40.00 | £0.00 | £4,281.43 | £0.00 |
| (Brent) Social housing | 6255 | 0 | 6255 | £200.00 | £0.00 | £1,859,745.54 | £0.00 |
| (Mayoral) Dwelling houses | 20147 | | 20147 | £0.00 | £60.00 | £0.00 | £1,246,244.7 |
| (Mayoral) Shops | 72 | | 72 | £0.00 | £60.00 | £0.00 | £4,453.75 |
| (Mayoral) Social housing | 6255 | | 6255 | £0.00 | £60.00 | £0.00 | £386,919.20 |

| | | |
|--|----------------------|----------------------|
| BCIS figure for year in which the charging schedule took effect (Ic) | 224 | 323 |
| BCIS figure for year in which the planning permission was granted (Ip) | 333 | |
| TOTAL CHARGEABLE AMOUNT | £7,854,161.79 | £1,637,617.72 |

*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.



DECISION NOTICE – APPROVAL

Application No: 20/2784

To: Rebecca Burnhams
QUOD
Ingeni Building
17 Broadwick Street
London
W1F 0DE

I refer to your application dated **29/09/2020** proposing the following:

Hybrid planning application comprising:-

Outline planning permission for the demolition of existing buildings and structures on the site, all site preparation works and redevelopment to provide new buildings to accommodate new homes (Use Class C3), flexible commercial uses, new basement level, associated cycle and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works, various temporary meanwhile uses, interim works and infrastructure with all matters reserved - appearance, access, landscaping, layout and scale.

Detailed planning permission for Phase 3 (Buildings G, H and J) for the demolition of existing buildings and structures, all site preparation and infrastructure works and the development of new homes (Use Class C3) and flexible commercial floorspace; together with new basement level, associated storage, cycle and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works.

APPLICATION SUBJECT TO AN ENVIRONMENTAL STATEMENT

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

at **Land Former 17 Northfields, Beresford Avenue, Wembley, HA0 1NW (Known as "Grand Union")**

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: 02/02/2021

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

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

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Wembley Area Action Plan (2015)

Emerging Policy

- The Intend to Publish London Plan (2020)
- Brent's Local Plan (Reg 19 Version – 2019)

Supplementary Planning Guidance / Documents

- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's Housing SPG (2016)
- SPD1 Brent Design Guide (2018)
- Brent's Basements SPD (2017)

1

- 1 The detailed element of the development hereby authorised must be begun not later than the expiration of 6 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

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

Outline Drawings:

| | |
|---|----------------------------------|
| Site location Plan | NGU-SRO-ZZ-00-DR-A-02100 Rev P01 |
| Parameter Plan Detailed and Outline Components | NGU-SRO-ZZ-00-DR-A-02110 Rev P01 |
| Parameter Plan Ground Floor Level Heights (FFL) | NGU-SRO-ZZ-00-DR-A-02111 Rev P01 |
| Parameter Plan Ground Floor and Above Plot Extent | NGU-SRO-ZZ-00-DR-A-02112 Rev P01 |
| Parameter Plan Maximum Building Heights | NGU-SRO-ZZ-XX-DR-A-02113 Rev P01 |
| Parameter Plan Access | NGU-SRO-ZZ-00-DR-A-02114 Rev P01 |
| Parameter Plan Open Spaces | NGU-SRO-ZZ-XX-DR-A-02115 Rev P01 |
| Parameter Plan Basement Extent | NGU-SRO-ZZ-B1-DR-A-02116 Rev P01 |
| Parameter Plan Demolition | NGU-SRO-ZZ-XX-DR-A-02117 Rev P01 |

Phase 3 Drawings:

| | |
|--|-----------------------------------|
| Plot G & H Basement Plan | NGU-SRO-BZZ-B1-DR-A-02119 Rev P01 |
| Plot G, H & J Ground Floor Plan | NGU-SRO-ZZ-00-DR-A-02120 Rev P02 |
| Plot G, H & J First Floor Plan | NGU-SRO-ZZ-01-DR-A-02121 Rev P01 |
| Plot G, H & J Second Floor Plan | NGU-SRO-ZZ-02-DR-A-02122 Rev P01 |
| Plot G, H & J Third - Fifth Floor Plan Rev P01 | NGU-SRO-ZZ-XX-DR-A-02123 |
| Plot G, H & J Sixth Floor Plan | NGU-SRO-ZZ-06-DR-A-02124 Rev P01 |
| Plot G, H & J Seventh - Ninth Floor Plan | NGU-SRO-ZZ-XX-DR-A-02125 Rev P01 |
| Plot G, H & J Tenth Floor Plan | NGU-SRO-ZZ-10-DR-A-02126 Rev P01 |
| Plot G, H & J Eleventh - Thirteenth Floor Plan P01 | NGU-SRO-ZZ-XX-DR-A-02127 Rev |
| Plot G, H & J Fourteenth Floor Plan | NGU-SRO-ZZ-14-DR-A-02128 Rev P01 |
| Plot G, H & J Fifteenth - Twenty Fourth Floor Plan NGU-SRO-ZZ-XX-DR-A-02129 Rev P01 | |
| Plot G, H & J Twenty Fifth Floor Plan | NGU-SRO-ZZ-25-DR-A-02130 Rev P01 |
| Plot G, H & J Roof Plan | NGU-SRO-ZZ-26-DR-A-02131 Rev P01 |
| Plot G, H & J Street Frontage Elevation A-A NGU-SRO-ZZ-XX-DR-A-02201 P02 | |
| Plot G, H & J Green Finger Frontage Elevation B-B NGU-SRO-ZZ-XX-DR-A-02202 P02 | |
| Plot G, H & J Short Elevations C-C D-D | NGU-SRO-ZZ-XX-DR-A-02203 P01 |
| Plot G, H & J Long Section Q-Q | NGU-SRO-ZZ-XX-DR-A-02301 P01 |

| | |
|--------------------------------------|----------------------------------|
| Plot G Ground Floor Plan | NGU-SRO-BG-00-DR-A-02151 Rev P01 |
| Plot G First Floor Plan | NGU-SRO-BG-01-DR-A-02152 Rev P01 |
| Plot G Typical Floor Plan | NGU-SRO-BG-XX-DR-A-02153 Rev P01 |
| Plot G Terrace Level Plan | NGU-SRO-BG-06-DR-A-02154 Rev P01 |
| Plot G Typical Upper Floor Plan | NGU-SRO-BG-XX-DR-A-02155 Rev P01 |
| Plot G Roof Plan | NGU-SRO-BG-10-DR-A-02156 Rev P01 |
| Plot H Ground Floor Plan | NGU-SRO-BH-00-DR-A-02157 Rev P02 |
| Plot H First Floor Plan | NGU-SRO-BH-01-DR-A-02158 Rev P01 |
| Plot H Typical Floor Plan | NGU-SRO-BH-XX-DR-A-02159 Rev P01 |
| Plot H Terrace Level Plan | NGU-SRO-BH-10-DR-A-02160 Rev P01 |
| Plot H Typical Upper Floor Plan | NGU-SRO-BH-XX-DR-A-02161 Rev P01 |
| Plot H Roof Plan | NGU-SRO-BH-14-DR-A-02162 Rev P01 |
| Plot J Ground Floor Plan | NGU-SRO-BJ-00-DR-A-02163 Rev P01 |
| Plot J First Floor Plan | NGU-SRO-BJ-01-DR-A-02164 Rev P01 |
| Plot J Typical Lower Floor Plan | NGU-SRO-BJ-XX-DR-A-02165 Rev P01 |
| Plot J Typical Mid Floor Plan | NGU-SRO-BJ-XX-DR-A-02166 Rev P01 |
| Plot J Typical Upper Floor Plan | NGU-SRO-BJ-XX-DR-A-02167 Rev P01 |
| Plot J Roof Amenty Floor Plan | NGU-SRO-BJ-25-DR-A-02168 Rev P01 |
| Plot J Roof Plan | NGU-SRO-BJ-26-DR-A-02169 Rev P01 |
| Plot G Elevations E-E F-F | NGU-SRO-BG-XX-DR-A-02251 Rev P01 |
| Plot G Elevations G-G H-H | NGU-SRO-BG-XX-DR-A-02252 Rev P01 |
| Plot H Elevations I-I J-J | NGU-SRO-BH-XX-DR-A-02253 Rev P01 |
| Plot H Elevations K-K L-L | NGU-SRO-BH-XX-DR-A-02254 Rev P02 |
| Plot J Elevations M-M N-N | NGU-SRO-BJ-XX-DR-A-02255 Rev P01 |
| Plot J Elevations O-O P-P | NGU-SRO-BJ-XX-DR-A-02256 Rev P01 |
| Plot J Section R-R | NGU-SRO-BJ-XX-DR-A-02351 Rev P01 |
| Elevation Bay Study - G - Large Grid | NGU-SRO-BG-XX-DR-A-02401 Rev P01 |
| Elevation Bay Study - G - Small Grid | NGU-SRO-BG-XX-DR-A-02402 Rev P01 |
| Elevation Bay Study - G - Entrance | NGU-SRO-BG-XX-DR-A-02403 Rev P01 |
| Elevation Bay Study - G - Retail | NGU-SRO-BG-XX-DR-A-02404 Rev P01 |
| Elevation Bay Study - H - Large Grid | NGU-SRO-BH-XX-DR-A-02405 Rev P01 |
| Elevation Bay Study - H - Small Grid | NGU-SRO-BH-XX-DR-A-02406 Rev P01 |
| Elevation Bay Study - H - Entrance | NGU-SRO-BH-XX-DR-A-02407 Rev P01 |

| | |
|-------------------------|----------------------------------|
| Elevation Bay Study - J | NGU-SRO-BJ-XX-DR-A-02408 Rev P01 |
| Elevation Bay Study - J | NGU-SRO-BJ-XX-DR-A-02409 Rev P01 |
| Elevation Bay Study - J | NGU-SRO-BJ-XX-DR-A-02410 Rev P01 |
| Elevation Bay Study - J | NGU-SRO-BJ-XX-DR-A-02411 Rev P01 |
| Elevation Bay Study - J | NGU-SRO-BJ-XX-DR-A-02412 Rev P01 |

Apartment Layouts (BLOCK G) Type AR1 1B/2P NGU-SRO-BG-XX-DR-A-02801 Rev P01
Apartment Layouts (BLOCK G) Type AR2 1B/2P NGU-SRO-BG-XX-DR-A-02802 Rev P01
Apartment Layouts (BLOCK G) Type AR3 2B/3P NGU-SRO-BG-XX-DR-A-02803 Rev P01
Apartment Layouts (BLOCK G) Type AR5 1B/2P NGU-SRO-BG-XX-DR-A-02804 Rev P01
Apartment Layouts (BLOCK G) Type AR6 2B/3P NGU-SRO-BG-XX-DR-A-02805 Rev P01
Apartment Layouts (BLOCK G) Type AR8 1B/2P NGU-SRO-BG-XX-DR-A-02806 Rev P01
Apartment Layouts (BLOCK G) Type AR8W 1B/2P NGU-SRO-BG-XX-DR-A-02807 Rev P01
Apartment Layouts (BLOCK G) Type AR9 2B/3P NGU-SRO-BG-XX-DR-A-02808 Rev P01
Apartment Layouts (BLOCK G) Type AR9W 2B/3P NGU-SRO-BG-XX-DR-A-02809 Rev P01
Apartment Layouts (BLOCK G) Type AR10 2B/3P NGU-SRO-BG-XX-DR-A-02810 Rev P01
Apartment Layouts (BLOCK G) Type AR10W 2B/3P NGU-SRO-BG-XX-DR-A-02811 Rev P01
Apartment Layouts (BLOCK G) Type AR11 2B/3P NGU-SRO-BG-XX-DR-A-02812 Rev P01
Apartment Layouts (BLOCK G) Type AR11W 2B/3P NGU-SRO-BG-XX-DR-A-02813 Rev P01
Apartment Layouts (BLOCK G) Type AR12 3B/5P NGU-SRO-BG-XX-DR-A-02814 Rev P01
Apartment Layouts (BLOCK G) Type AR13 3B/4P NGU-SRO-BG-XX-DR-A-02815 Rev P01
Apartment Layouts (BLOCK G) Type AR14 3B/6P NGU-SRO-BG-XX-DR-A-02816 Rev P01
Apartment Layouts (BLOCK G) Type AR16 4B/6P NGU-SRO-BG-XX-DR-A-02817 Rev P01
Apartment Layouts (BLOCK H) Type SO1 1B/1P NGU-SRO-BH-XX-DR-A-02818 Rev P01
Apartment Layouts (BLOCK H) Type SO2 1B/2P NGU-SRO-BH-XX-DR-A-02819 Rev P01
Apartment Layouts (BLOCK H) Type SO3 1B/2P NGU-SRO-BH-XX-DR-A-02820 Rev P01
Apartment Layouts (BLOCK H) Type SO4 1B/2P NGU-SRO-BH-XX-DR-A-02821 Rev P01
Apartment Layouts (BLOCK H) Type SO7 2B/3P NGU-SRO-BH-XX-DR-A-02822 Rev P01
Apartment Layouts (BLOCK H) Type SO8 2B/3P NGU-SRO-BH-XX-DR-A-02823 Rev P01
Apartment Layouts (BLOCK H) Type SO9 1B/2P NGU-SRO-BH-XX-DR-A-02824 Rev P01
Apartment Layouts (BLOCK H) Type SO9W 1B/2P NGU-SRO-BH-XX-DR-A-02825 Rev P01
Apartment Layouts (BLOCK H) Type SO10 2B/3P NGU-SRO-BH-XX-DR-A-02826

Rev P01
Apartment Layouts (BLOCK H) Type SO10W 2B/3P NGU-SRO-BH-XX-DR-A-02827
Rev P01
Apartment Layouts (BLOCK H) Type SO11 2B/3P NGU-SRO-BH-XX-DR-A-02828
Rev P01
Apartment Layouts (BLOCK H) Type SO11W 2B/3P NGU-SRO-BH-XX-DR-A-02829
Rev P01
Apartment Layouts (BLOCK H) Type P1 1B/1P NGU-SRO-BH-XX-DR-A-02830 Rev
P01
Apartment Layouts (BLOCK H) Type P2 1B/2P NGU-SRO-BH-XX-DR-A-02831 Rev
P01
Apartment Layouts (BLOCK H) Type P3 1B/2P NGU-SRO-BH-XX-DR-A-02832 Rev
P01
Apartment Layouts (BLOCK H) Type P4 1B/2P NGU-SRO-BH-XX-DR-A-02833 Rev
P01
Apartment Layouts (BLOCK H) Type P5 1B/2P NGU-SRO-BH-XX-DR-A-02834 Rev
P01
Apartment Layouts (BLOCK H) Type P6 2B/3P NGU-SRO-BH-XX-DR-A-02835 Rev
P01
Apartment Layouts (BLOCK H) Type P7 2B/3P NGU-SRO-BH-XX-DR-A-02836 Rev
P01
Apartment Layouts (BLOCK H) Type P8 1B/2P NGU-SRO-BH-XX-DR-A-02837 Rev
P01
Apartment Layouts (BLOCK H) Type P8W 1B/2P NGU-SRO-BH-XX-DR-A-02838 Rev
P01
Apartment Layouts (BLOCK H) Type P9 2B/3P NGU-SRO-BH-XX-DR-A-02839 Rev
P01
Apartment Layouts (BLOCK H) Type P10 2B/4P NGU-SRO-BH-XX-DR-A-02840 Rev
P01
Apartment Layouts (BLOCK H) Type P11 2B/3P NGU-SRO-BH-XX-DR-A-02841 Rev
P01
Apartment Layouts (BLOCK H) Type P11W 2B/3P NGU-SRO-BH-XX-DR-A-02842
Rev P01
Apartment Layouts (BLOCK J) Type P12 1B/1P NGU-SRO-BJ-XX-DR-A-02843 Rev
P01
Apartment Layouts (BLOCK J) Type P13 1B/2P NGU-SRO-BJ-XX-DR-A-02844 Rev
P01
Apartment Layouts (BLOCK J) Type P14 1B/2P NGU-SRO-BJ-XX-DR-A-02845 Rev
P01
Apartment Layouts (BLOCK J) Type P15 3B/5P NGU-SRO-BJ-XX-DR-A-02846 Rev
P01
Apartment Layouts (BLOCK J) Type P16 3B/4P NGU-SRO-BJ-XX-DR-A-02847 Rev
P01
Apartment Layouts (BLOCK J) Type P17 2B/4P NGU-SRO-BJ-XX-DR-A-02848 Rev
P01
Apartment Layouts (BLOCK J) Type P18 2B/4P NGU-SRO-BJ-XX-DR-A-02849 Rev
P01

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

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

- (a) Layout;

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

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

- 4 All applications for Reserved Matters pursuant to Condition 2 shall be made to the Local Planning Authority, before the expiration of 20 years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 and since a period of 20 years is considered to be a reasonable time limit in view of the extent and timescale of the proposal.

- 5 The development to which this permission relates shall begin not later than whichever is the later of the following dates: (a) expiration of six years from the date of this outline planning permission or (b) the expiration of two years from the date of approval for the final approval of reserved matters, or in the case of different dates, the final approval of the last such matter to be approved.

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

- 6 The outline development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s) unless otherwise agreed in writing by the LPA:

Parameter plans:

Parameter Plan Detailed and Outline Components NGU-SRO-ZZ-00-DR-A-02110 Rev P01

Parameter Plan Ground Floor Level Heights (FFL) NGU-SRO-ZZ-00-DR-A-02111 Rev P01

Parameter Plan Ground Floor and Above Plot Extent NGU-SRO-ZZ-00-DR-A-02112 Rev P01

Parameter Plan Maximum Building Heights NGU-SRO-ZZ-XX-DR-A-02113 Rev P01

Parameter Plan Access NGU-SRO-ZZ-00-DR-A-02114 Rev P01

Parameter Plan Open Spaces NGU-SRO-ZZ-XX-DR-A-02115 Rev P01

Parameter Plan Basement Extent NGU-SRO-ZZ-B1-DR-A-02116 Rev P01

Parameter Plan Demolition NGU-SRO-ZZ-XX-DR-A-02117 Rev P01

Framework Design Code NGU-SRO-ZZ-XX-RP-A-02002 Rev P01

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

- 7 The development hereby approved shall not be commenced until a phasing plan showing the location of phases, the sequencing for those phases and indicative timescales for their delivery shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the plan thereby approved. The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority.

Reason: To allow the Local Planning Authority to understand the relevant phase of development that is subject to condition discharge and/or reserved matters, and to ensure coordination between the phasing plan as approved and the triggers in any

relevant agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended).

- 8 Prior to the commencement of works on a relevant part of the development hereby approved, a CIL chargeable developments plan, including projections for the commencement and completion of development, as it relates to that part of the development shall be submitted to the Local Planning Authority.

Reason: To define the extent of a CIL phase for the purposes of the CIL Regulations 2010 as amended.

- 9 Any plant shall be installed, together with any associated ancillary equipment, so as to minimise the transmission of noise. The rated noise level from all plant and ancillary equipment shall be equal to background noise level when measured at 1m from the window of the nearest noise sensitive receptor unless otherwise agreed in writing by the Local Planning Authority. Prior to the installation of plant, an assessment of the expected noise levels of any plant shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be carried out in material compliance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and shall include any mitigation measures necessary to achieve the above required noise levels. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels in the interest of the amenities of sensitive uses, and in accordance with Policy 7.15 of the London Plan (2016)

- 10 A scheme of sound insulation measures to address potential noise transfer between Class E(g)(iii) and B8 uses and residential uses within the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the superstructure of buildings that include both Class E(g)(iii) and/or B8 uses and residential uses. The approved measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels in the interest of the amenities of sensitive uses, and in accordance with Policy 7.15 of the London Plan (2016)

- 11 Part A: Prior to the commencement of each phase of the development hereby approved, except for site preparation works, details of the sound attenuation to protect against externally generated (environmental) noise sources so as to achieve the internal ambient noise levels detailed in BS8233:2014 shall be submitted to and approved in writing by, the Local Planning Authority. The measured or calculated noise levels shall be determined in accordance to the latest British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings. These criteria apply with windows shut and with an appropriate ventilation system installed. Any mechanical ventilation system shall not give rise to a noise level greater than the above internal noise standards, or a noise rating of NR25 within bedrooms, and NR30 within living/dining rooms.

Part B: The approved works are to be completed prior to occupation of the residential development for that phase and retained for the lifetime of the development for that phase.

Part C: Prior to first occupation of any relevant phase, a Post Completion Report

demonstrating compliance with the mitigation measures in A above shall be submitted to and approved in writing by the Local Planning Authority for that phase.

Reason: In order to safeguard the amenities, health and safety of neighbouring properties and occupiers and of the area generally, and to ensure compliance with Policy 7.15 of the London Plan (2016).

- 12 The relevant phase of the development hereby approved shall not commence unless a site investigation is carried out and remediation strategy is prepared by an appropriate person in accordance with of BS 10175:2011 + A2:2017 and 'Model Procedures of for the Management of Land Contamination – Contaminated Lane Report 11' (CLR 11) (or other such updated British Standard) to determine the nature and extent of any contamination present. The investigation and strategy shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works for that relevant phase of the development, that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found.

If during works new areas of contamination are encountered, which have not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with Policy 5.21 of the London Plan (2016)

- 13 Prior to first residential occupation of a relevant phase, or the commencement of the use within the relevant part of the development hereby approved, a verification report written by a suitably qualified person in accordance with of BS 10175:2011 + A2:2017 and 'Model Procedures of for the Management of Land Contamination – Contaminated Lane Report 11' (CLR 11) (or other such updated British Standard) must be submitted to and approved in writing by the Local Planning Authority stating that remediation has been carried out in accordance with the remediation scheme approved pursuant to condition 13 and the site is safe for end use.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with Policy 5.21 of the London Plan (2016).

- 14 The development hereby permitted shall be in accordance with the private residential mix unless otherwise agreed in writing with the Local Planning Authority:

Site Wide Private Residential Mix

| Size | No of Homes | % |
|-----------|-------------|-----|
| Studio | 139 | 9 |
| 1 bed | 470 | 30 |
| 2 bed | 525 | 34 |
| 3 bed (+) | 429 | 27 |
| Total | 1563 | 100 |

Reason: To ensure that the Development is undertaken in accordance with the approved drawings and documents and the assessed Environmental Statement.

- 15 Prior to the commencement of works on the superstructure of a relevant phase hereby approved, a scheme for the landscape works and treatment of that part of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the earlier of first occupation or first use of the relevant phase of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:
- a) a planting plan (including species, plant sizes and planting densities);
 - b) details of root management systems for all trees;
 - c) proposed walls and fences, indicating siting, materials and heights;
 - d) any proposed contours and ground levels;
 - e) areas of hard landscape works and external furniture, and proposed materials;
 - f) the detailing and provision of green/brown roof(s);
 - g) Details of the proposed arrangements for the maintenance of the landscape works; and,
 - h) Details of the proposed lighting design and arrangements for these areas.

Any tree or shrub that is part of the approved scheme that, within a period of five years after planting, is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development, to ensure that it enhances the visual amenity of the area and to ensure a satisfactory environment for future residents, occupiers and other users

- 16 Prior to the commencement of works for each phase excluding site preparation works, details of the design, implementation, maintenance and management of the sustainable drainage scheme for each phase shall be submitted to, and approved in writing by, the Local Planning Authority. Those details shall include:
- i) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
 - ii) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
 - iii) Flood water exceedance routes, both on and off site;
 - iv) A timetable for its implementation, and
 - v) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Once approved, the scheme shall be implemented, retained, managed and maintained in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with Policy 5.13 of the London Plan.

- 17 A minimum of 10% of all residential units hereby approved shall be provided as wheelchair easily adaptable accommodation (Part M4(3)(2)(a)) for residents who are

wheelchair users unless otherwise agreed in writing by the Local Planning Authority, with the remaining 90% of units achieving Building Regulations requirement M4(2) -'accessible and adaptable dwellings'. Reserved matters applications that include such accommodation shall demonstrate that these minimum targets will be achieved.

Reason: To ensure that the development is suitably accessible.

- 18 Applications for the approval of Reserved Matters relating to phases that include residential floorspace (Use Class C3) shall demonstrate how the design standards set out in Policy D6 of the ITP London Plan are met for the residential development, unless otherwise agreed with the Local Planning Authority, to ensure that a good standard of residential accommodation is provided.

Reason: To ensure a satisfactory standard of residential accommodation.

- 19 Prior to the commencement of works to the superstructure on the relevant phase of the development as hereby permitted, excluding site preparation works, details of the following as they relate to that part of the development shall be submitted to and approved in writing by the Local Planning Authority, either within the Reserved Matters applications (if specifically referenced within that submission) or under separate cover unless otherwise agreed in writing with the Local Planning Authority.

- a) Details of materials for all external surfaces, including samples which shall be made available for viewing on site or in another location as agreed;
- b) Details of any plant, including locations, external appearance and any proposed screening;
- c) Details of any CCTV; and,

The approved details shall be implemented in full prior to first occupation or use of the relevant part of the development.

Reason: To ensure a satisfactory development, in the interest of residential amenity, design quality and visual appearance, highway flow and safety and sustainable development.

- 20 Prior to commencement of works to the superstructure within a relevant phase of the development as hereby permitted excluding site preparation works, details of the following as they relate to that part of the development shall be submitted to and approved in writing by the Local Planning Authority, either within the Reserved Matters applications (if specifically referenced within that submission) or under separate cover unless otherwise agreed in writing with the Local Planning Authority.

- a) Highway, footpath and cycle way layout, within the relevant phase of the development including connections and traffic management measures, sub-surface details, surfacing materials and street furniture;
- b) Details of cycle storage, including the number of spaces (which shall accord with London Plan 2016 standards), structures, layout, equipment, access, security and weather proofing appropriate to the type of cycle storage;
- c) Details of any motorcycle and car parking provision, including layouts, cumulative (site-wide) parking provision to include disabled parking provision comprising 3% of allocation for residential parking spaces and 10% allocation for commercial premises comprising of both designated bays, and enlarged bays (in line with Table 10.6 of the Draft London Plan dated December 2017) ;
- d) Details of electric vehicle charging points, which shall comprise a minimum of:

- i. 20% of car parking spaces with active and 20% with passive charging points for residential development;
- ii. 20% active and 10% passive for office development;
- iii. 10% active and 10% passive for retail parking spaces; and
- iv. 10% active and 10% passive for leisure.

Reason: To ensure compliance with policy DMP12.

- 21 Part A: Prior to the commencement of works to the superstructure within a relevant phase of the development as hereby permitted, excluding site preparation works and Phase 3, an updated air quality assessment and air quality neutral assessment shall be submitted and approved by the Local Planning Authority in line with national best practice guidance and other guidance provided by/or published by the Local Planning Authority and the Greater London Authority (GLA) for that phase unless otherwise agreed in writing with the Local Planning Authority.

Part B: All mitigation measures as identified within the approved air quality assessment and air quality neutral assessment that are to be installed during the course of the development for the relevant phase shall be carried out in full in relation to the relevant part of the development.

Part C: All measures identified within the approved air quality assessment and air quality neutral assessment that will be implemented or continue to be implemented after the completion of the relevant development will be completed within agreed timescales. A report demonstrating that all such measures have been installed will be provided to the satisfaction of and approved in writing by the Local Planning Authority upon completion of the development.

Reason: To protect local air quality, in accordance with Policy 7.14 of the London Plan (2016), and protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

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

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

- 23 Development for each phase, excluding site preparation works, and Phase 3, shall not commence until a drainage strategy for each phase detailing any on and/or off site drainage works, has been submitted in writing to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker unless otherwise agreed in writing with the Local Planning Authority. No discharge of foul or surface water from the relevant phase shall be accepted into the public system or River Brent until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid

adverse environmental impact upon the community.

- 24 Prior to the commencement of development in each relevant phase, excluding site preparation works, and Phase 3, impact studies of the existing water supply infrastructure shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water for that phase unless otherwise agreed in writing with the Local Planning Authority. The studies shall determine the magnitude of any new additional capacity required in the system, a suitable connection point, and any mitigation where necessary. Any necessary mitigation measures identified by the impact studies shall be submitted to and approved in writing by the Local Planning Authority and carried out in full in accordance with the approved details prior to first occupation of each relevant phase.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with London Plan (2016) policies 5.14 'Water Quality and Wastewater Infrastructure' and 5.15 'Water Use and Supplies'.

- 25 Prior to the commencement of a relevant phase of development, a Construction Method Statement (CMS) shall be submitted to and agreed by the Local Planning Authority for that phase which will outline the different activities and procedures to be undertaken in order to complete the various construction works within the relevant phase unless otherwise agreed in writing by the Local Planning Authority. The CMS shall include the following items:
- The detailed construction programme for works, highlighting the various stages and their context within the project, including a full schedule of plant, vehicles and equipment schedules;
 - Site layout arrangements (including requirements for temporary works), plans for storage, accommodation, vehicular parking areas, wheel washing facilities, delivery and site access and egress;
 - Details of operations that are likely to result in disturbance, in particular dust and noise, with an indication of the expected duration of operations with key dates, including a procedure for prior notification of the Local Planning Authority and relevant statutory and non-statutory parties so that local arrangements can be agreed; and,
 - Consultation on the enabling works, demolition and construction methods and plant type to be used for work near to the Thames Water sewer networks.

Reason: The CMS will be used to inform the phase specific Construction Environmental Management Plan and ensure that mitigation measures outline within the January 2018 ES are sufficient for the specific works to be undertaken by the contractor within each phase of the development.

- 26 No phase of the development hereby approved shall commence until a phase specific Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority for the relevant phase. The CEMP shall provide details of how interim and construction works, based on the CMS for that phase, are to be undertaken and will include the following unless otherwise agreed in writing by the Local Planning Authority:
- a) Details of the controls with regard to general site layout and operations, working hours, site lighting, security, community engagement arrangements, emergency planning and response, fire prevention and control, utility works, and worker access and welfare; and,
 - b) Specific management measures and mitigation on matters such as noise and

air quality management (including Air Quality Dust Management Plan), pollution incident response, lighting management, traffic management, water management, ecology, trees and landscape management and heritage management, as required.

The development shall be carried out in accordance with the approved details and mitigation measures. Additionally the site Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out on the site. All sub-contractors shall be required to demonstrate adherence to policies and procedures set out within the CEMP.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance and in the interest of highway and pedestrian flow and safety.

- 27 Details of a scheme setting out the collection and storage of waste and recycled materials for a relevant building shall be submitted in writing to and for approval by the Local Planning Authority prior to the commencement of any superstructure works excluding site preparation works, for that building, unless otherwise agreed in writing by the Local Planning Authority.

The scheme shall address:

- 1) Waste and recycling collection frequency, following liaison with Brent's Waste Management Team
- 2) The collection storage areas
- 3) Temporary waste facilities

The details shall be implemented as approved prior to the occupation of the development for residential purposes, and maintained thereafter.

Reason: to protect the amenity of the locality.

- 28 Prior to the commencement of works within a relevant phase of development, a Construction Logistics Plan (CLP), which has been based on the Framework Construction Method Statement and Logistics Plan, shall be submitted to and approved in writing by the Local Planning Authority for that phase. The approved CLP shall be implemented for the duration of interim works and construction of that phase unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway and pedestrian flow and safety.

- 29 No piling for a relevant phase of development shall take place until a Piling Method Statement (which details the proposed programme, depth and type of piling works; construction methodology and measures to prevent/minimise the potential for damage to subsurface sewerage infrastructure, and the Grand Union Canal where appropriate) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water (and the Canal and Rivers Trust where appropriate) for that phase unless otherwise agreed in writing by the Local Planning Authority. 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.

- 30 Prior to the commencement of works within a relevant phase of development, excluding site preparation works and Phase 1, an Ecological Mitigation and Enhancement Plan (EMEP) shall be submitted to and approved in writing by the Local Planning Authority for that phase. The EMEP shall be implemented and complied with, unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to ensure that the authorised development makes a positive contribution to biodiversity in accordance with Policies 7.18 and 7.19 of the London Plan (2016).

- 31 A management plan, detailing the maintenance and cleaning regime for the public and communal external spaces within each relevant phase of development, shall be submitted to and approved in writing by the Local Planning Authority in writing prior to first use of the public or communal spaces within that phase of development. The approved plan shall be updated where required and implemented for the life of this development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a good quality of environment is provided.

- 32 Applications for the approval of Reserved Matters for a relevant phase of the development that include residential floorspace (within Use Class C3) shall be accompanied by details of the provision of play and recreational space and any associated equipment within the communal parts the relevant part of the development and shall adhere to the Mayor's 'Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance' (2012) unless otherwise agreed in writing with the Local Planning Authority. The approved play and recreational space and any associated equipment situated within the relevant part of the development site shall be implemented prior to first occupation of the relevant part of the development. The playspace shall thereafter be retained and maintained in accordance with the manufacturers specifications.

The details submitted to the Local Planning Authority must also include an update detailing the overall provision of play space and recreational facilities across the application site.

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

- 33 Prior to first occupation of a relevant phase of development, a Delivery and Servicing Plan (DSP) based on the framework DSP shall be submitted to and approved in writing by the Local Planning Authority for that phase and the approved DSP shall be implemented for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway and pedestrian flow and safety.

- 34 Details of the wind mitigation measures, including any screening or other measures around balconies or communal amenity areas and how the design of blocks respond to micro-climate issues shall be submitted to and approved in writing by the Local Planning Authority with the submission of each reserved matters application unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the outdoor amenity areas hereby approved are usable.

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

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

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

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

- 37 All relevant Phases/Buildings (as applicable) shall comply with Brent's Waste Planning Guidance (or any such document which may replace this guidance) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate storage for household and commercial waste is available to occupiers of the development.

- 38 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.

- 39 No development shall take place until a detailed scheme for the proposed works to the banks of the River Brent is submitted and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

The scheme shall include:

- Channel cross sections and details of any re-profiling works to the river bank;
- Plans showing the extent and layout of the buffer zone;
- Details of any proposed footpaths, fencing, lighting etc.;
- Construction methods;
- Measures to be used in order to minimise environmental impact of the works (considering both potential disturbance and pollution);
- Any necessary pollution protection methods;

- Timing of the works.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for enhancing the site's nature conservation value in line with NPPF paragraphs 170 and 175 and the London Borough of Brent Development Management Policy 9b. To manage and reduce the risks of flooding in line with paragraph 163 of the NPPF and Brent Development Management Policy 9a.

- 40 The development hereby approved shall contain no more 686 sqm of commercial floor space which shall not be used other than for purposes within the following Use Classes:

Class E(a) - Shops

Class E(b) - Restaurants

Class E(c) - Financial, professional or other services which can be carried out in a commercial, business or service locality

Class E(d) - Indoor sport, recreation or fitness centres

Class E(e) - Medical or health services

Class E(f) - Creches, day nurseries and day centres

Class F1 - Learning and non-residential institutions, with the exception of places of worship

Sui Generis - restricted to Public Houses, Drinking establishments with food provision

as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the proposed commercial uses within this part of the development are compatible with the predominant residential uses on upper floors of the building, and provide a degree of active frontage to this part of the development.

INFORMATIVES

- 1 In dealing with this application, the London Borough of Brent has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to foster the delivery of sustainable development in a positive and proactive manner.
- 2 The Community Infrastructure Levy will be collected by Brent after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.
- 3 The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:
 - 8.00am - 6.00pm Monday to Friday
 - 8.00am - 1.00pm Saturday
 - and not at all on Sundays and Bank Holidays.
- 4 The applicant's attention is drawn to the Party Wall Act 1996 which sets out

requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

- 5 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.
Attenuation of Storm Flows. Combined Sewer drain to nearest manhole.
- 6 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.
- 7 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover. Water Main Crossing Diversion (Thames Water)
- 8 There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
- 9 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 10 Commercial Business must ensure all waste produced on site are disposed of responsibly under their duty of care within Environmental Protection Act 1990. It is for the business to arrange a properly documented process for waste collection from a licensed contractor of their choice. Documentation must be kept by the business and be produced on request of an authorised Local Planning Authority Official under section 34 of the Act. Failure to do so may result in a fixed penalty fine or prosecution through the criminal Court system.
- 11 The applicant is advised that prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in

accordance with the correct procedure prior to any demolition or construction works carried out.

- 12 The new development will require naming. The applicant should contact LBB Local Land Charges at least six weeks before the relevant development phase is occupied on 020 8489 5573 to arrange for the allocation of a suitable address.
- 13 The Environment Agency has provided advice to the applicant in respect of Ground Water Protection and Land Affected by Contamination. This advice is available on the Local Planning Authority's website using the application reference number.
- 14 The following highways licences may be required: crane licence, hoarding licence, on-street parking suspensions. The applicant must check and follow the processes and apply to the HA.
- 15 This is a phased development for the purposes of the CIL Regulations (2010 as amended). The extent of the CIL phase will be defined on a relevant CIL phasing plan.
- 16 Site Preparation Works: these comprise site preparation and temporary works including but not limited to the demolition of existing buildings and structures; surveys; site clearance; archaeological works; ground investigation; remediation; the erection of fencing or hoardings; the provision of security measures and lighting; the erection of temporary buildings or structures associated with the development; the laying, removal or diversion of services; construction of temporary access; temporary highway works; and temporary internal site roads.
- 17 The management and maintenance plan for the sustainable drainage scheme for the lifetime of the development will be a live document that will be updated as and when each phase of the development comes forward for development.
- 18 The necessary environmental permits and consents for works to the River Brent and Grand Union Canal are to be obtained, as required, from the Environmental Agency and the Canal and River & Trust and submitted to Local Planning Authority.
- 19 It is likely that during the course of ground works that you will encounter invasive species of flora such as Japanese Knotweed, Giant Hogweed and Himalayan Balsam. Correct disposal of invasive non-native species biological material is vital in order to avoid the risk of spreading the species beyond the site/location. If in doubt, always contact the relevant agency for advice on disposal as there statutory regulations which must be adhered to which cover the composting, burning and burials of plant materials on-site and the transfer and disposal of material including ash to licensed or permitted landfill sites. Large volumes of waste requiring burial on site may require a licence under the Pollution Prevention and Control Regulations 2002.
- 20 Wycombe Road shall be stopped up as public highway under S247 of the Town & Country Planning Act 1990 prior to any building works commencing on the area of land currently occupied by the road.

21 **Definitions**

Substructure:

Substructure works are defined as building foundations or underlying building supporting substructure

Superstructure:

Superstructure works are defined as part of the building above its foundations

Phase:

A phase of development comprises a phase defined for the purposes of CIL and/or a phase defined for the purposes of an application for reserved matters and/or a phase defined for the purposes of the discharge of planning conditions and/or a construction phase or sub-phase, and for the purposes of discharging relevant planning obligations. A phase can comprise site preparation works, demolition works, sub-structures, and/or buildings, plots or groups of plots.

Interim Works:

Interim works comprise temporary works and uses associated with the development necessary to complete the development which may arise during the construction period.

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 February, 2021
04
20/3156

SITE INFORMATION

| | |
|---|---|
| RECEIVED | 30 September, 2020 |
| WARD | Alperton |
| PLANNING AREA | |
| LOCATION | 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0 |
| PROPOSAL | Demolition of the existing buildings and the erection of a mixed use development of buildings ranging between 3 and 16 storeys in height, comprising residential units, flexible commercial floorspace, affordable workspaces and community use floorspace, associated car parking, landscaping and ancillary facilities (phased development) |
| PLAN NO'S | Refer to condition 2. |
| LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION | <p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "20/3156" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab |

RECOMMENDATIONS

RECOMMENDATION

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

1. Payment of Council's reasonable legal and professional costs
2. Notification of commencement 28 days prior to material start
3. Provision of 65 affordable rented units [16x 1 bed, 26x 2 bed, 23x 3 bed] at London Affordable Rent levels, in accordance with the Mayor of London's Affordable Housing Programme 2016-2021 Funding Guidance (dated November 2016) or the necessary guidance as it is updated and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights on first lets and 75% nomination rights on subsequent lets for the Council.
4. Provision of 87 affordable rented units [28x 1 bed, 56x 2 bed, 3 x 3 bed] at no more than 65% of open market rents, inclusive of service charges, and capped at Local Housing Allowance rates), disposed on a freehold / minimum 125 year leasehold to a Registered Provider and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council on initial lets and 75% nomination rights for the Council on subsequent lets.
5. Provision of 66 Shared Ownership units [17x 1 bed, 12x 2 bed, 37x 3 bed] as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider.
6. Early stage viability review (drafted in line with standard GLA review clause wording) to be submitted where material start in relation to the first residential phase does not commence within 2 years of planning permission date. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Any additional on-site affordable housing to target a policy compliant tenure split unless an alternative approach is agreed with the LPA. Viability review to be based on an agreed Benchmark Land Value of £27,025,000.
7. Late stage viability review (drafted in line with standard GLA review clause wording) to be submitted at or after 75% occupation of the private residential development. An offsite affordable housing payment to be made where an uplift in profit is identified. Viability review to be based on an agreed Benchmark Land Value of £27,025,000. Not more than 90% of the private dwellings to be occupied until viability review approved in writing by the LPA.
8. Provision of 693sqm of affordable workspace - to be disposed of for no more than 50% of OMR/OMV for a minimum term of 15 years, remain affordable for the lifetime of the development and be leased to an affordable workspace provider approved by the Council.
9. To not commence phase 5 of the development until the affordable workspace has been leased to an affordable workspace provider, unless agreed in writing by the Council.
10. In the event that an affordable workspace provider cannot be secured following a suitable period of marketing, pay a commuted sum commensurate with the value of the affordable workspace (as demonstrated through financial viability).
11. Not later than 3 months prior to the anticipated date of practical completion of phase 4 of the development, procure that the affordable workspace provider submits an affordable workspace plan for the Council's approval. Following this, to not commence phase 5 of the development until the affordable workspace plan has been approved in writing by the Local Planning Authority and thereafter implemented, including details of fit out not including any furniture. This requirement to fall away in that event that the above obligation is triggered.
12. Provision of 128sqm of floorspace to be constructed and first made available for at least a 5 year lease by an operator for use as a hall or meeting place for the principal use of the local community

(Use Class F2(b)).

13. In the event that a community use cannot be secured following 12 months of marketing (with those 12 months to take place following the completion of the community floor space) at a rate appropriate for use as a multi-functional community centre (including after the unit becomes vacant), the identified unit can be used for purposes within the E, F1, F2 and Sui Generis public house, wine bar, drinking establishment or drinking establishment with expanded food provision Use Classes.
14. Contribution towards carbon offsetting in line with GLA formula.
15. Achievement of BREEAM 'Excellent' within the commercial floor space of the development.
16. Submission and approval and implementation of Training and Employment plan.
17. A sum of £150,000 towards the implementation of a Controlled Parking Zone in the area.
18. S38/S278 highway works under the Highways act 1980 to provide: (i) construction and adoption of the main site access road connecting Mount Pleasant and Woodside End in general accordance with the layout set out in drawing 17-335-501B, including 2m wide footways, 2m kerb radii at the entrance to the northern car park and dropped kerbs and tactile paving at all junctions; (ii) construction and adoption of the northern site access road from Woodside Place including a turning head and pedestrian link to Woodside Close in general accordance with the layout set out in drawing BM32835/02-00-SH-A-01-0001/D0-1; (iii) construction of a traffic calming scheme in Woodside Avenue and adjoining streets incorporating speed reducing features at intervals of 60-90m, improved footway surfacing and dropped kerbs/tactile paving at all junctions, in general accordance with the layout set out in drawing 17-335-501B; and (iv) construction of improvements to the existing pedestrian crossing points on either side of the junction of Mount Pleasant and Woodstock Avenue including enlarged traffic islands, dropped kerbs and tactile paving.
19. a restriction to prohibit future residents from obtaining on-street parking permits in any future CPZ that is introduced in the area.
20. submission and approval of a Residential Travel Plan prior to occupation of the development including the establishment of a Car Club within the site (including the provision of suitable parking spaces) and the provision of two years' free Car Club membership for all residents.
21. Construction of a pedestrian path alongside the Grand Union Canal with pedestrian links from the main spine road through the site and designation of those routes as permissive paths.
22. To notify the LPA prior to the first occupation of any part of the commercial floor space and to confirm the use class/es under which that part of the commercial floor space will operate. Thereafter, a contribution will be payable, prior to the first occupation of the relevant part of the commercial floor space, towards bus capacity. The payment amount required will vary as follows (final figures to be subject to agreement with Transport for London):
 - in respect of a part of that Contributing Floorspace to be used within Use Class E(a) the sum of £284 per square metre GIA;
 - in respect of a part of that Contributing Floorspace to be used within Use Classes E(d), E(e), E(f), F1, F2(c), F2(d) or a closely related Sui Generis use the sum of £213 per square metre GIA; and
 - in respect of a part of that Contributing Floorspace to be used within Use Classes E(b), E(c) or E(g) or other use the sum of £145 per square metre GIA.
23. Contribution towards accessibility improvements at Alperton Station: £166,000 (final figure subject to agreement with TfL).
24. Unless revised plans are submitted to the Council which propose a revised on-site play space arrangement which effectively addresses the proposal's shortfall in play space provision, a commensurate contribution towards child play facilities improvements at a local park is to be paid (amount to be confirmed).
25. Indexation of contributions in line with inflation.
26. Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

Conditions

Compliance

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

Pre-commencement

21. Submit CIL chargeable developments plan
22. Submit Construction Logistics Plan
23. Submit CMS
24. Submit survey of the waterway wall
25. Submit Canal impact assessment
26. Submit Risk Assessment and Method Statement for the moorings
27. Submit CEMP in relation to drainage

Post-commencement

28. Submit Land Contamination study
29. Submit piling method statement
30. Submit details of Electric Vehicle Charging points
31. Submit external material samples
32. Submit changes to the external noise report
33. Submit landscaping and external lighting proposals
34. Submit PV panel details

Pre-occupation

35. Wastewater network upgrades or occupation phasing plan
36. Extraction of effluvia for commercial kitchens
37. Submit car parking management plan
38. Submit delivery and servicing plan

Post-occupation

39. Submit plant noise testing if necessary

Informatives

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

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

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

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

SITE MAP



Brent

Planning Committee Map

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

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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the full clearance of the existing site and re-development of the land to provide six residential buildings ranging in height from three storeys to sixteen storeys and a three storey terrace of four family houses. A single storey commercial building is also proposed at the canal edge. The buildings are to contain predominantly residential development however ground floor/first floor commercial floorspace will be provided within Blocks F, G and the single storey commercial building located alongside the canal. The overall number of residential units proposed across the site is 684 split between 323x 1 bedroom units, 245x 2 bedroom units and 116x 3 bedroom units. The percentage of family sized homes (3 bed+) across the scheme is 17%.

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

EXISTING

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

The site is described within Brent's site specific allocations document (2011) as "vacant and poor quality industrial buildings embedded within suburban residential fabric. Disused community facility in current grounds.

SUMMARY OF KEY ISSUES

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

- i. **Representations received:** 385 properties were notified of the development, in addition to site notices and a press notice being published. Objection letters from seven nearby households as well as an objecting petition on behalf of residents of Woodside End was received in relation to the proposal. Objections were made on grounds of overdevelopment, excessive height/massing and associated impact relating to light loss, concerns over parking and disruption and concerns about strain on local services.
- ii. **Provision of new homes, commercial units (including affordable workspace) and community space:** Your officers give great weight to the viable delivery of a substantial number of private and affordable housing (684 units) and new private, affordable and community dedicated commercial floorspace (1,933sqm), in line with the adopted Development Plan.
- iii. **The impact of a building of this height and design in this location:** The proposal replaces a 1930s industrial estate with a modern residential development spread across 7 residential buildings. The development's architecture and built form strikes a balance between respecting its surrounding suburban context and establishing a density that responds positively to the borough's housing delivery requirements. The use of tall buildings (up to 16 storeys) is considered to be justified

since these elements are located centrally in the site and are to be surrounded by lower scale development which would establish a suitable transition between the denser proposed development and the existing context comprised of lower-scale suburban housing,

- iv. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality. The flats would generally have good outlook and light. The levels of external amenity space within the proposed development do not accord with the targets specified within Policy DMP19. However, given the level and quality of amenity space proposed including provision of new public open space within the site, the quality of accommodation for future residents is considered to be good and is an improvement on the previously considered scheme. A financial contribution will also be secured towards the enablement and improvement of off-site play spaces to address a shortfall in on-site play space provision.
- v. **Affordable housing and mix of units:** The maximum reasonable amount of affordable housing has been provided on a near policy compliant tenure split. This includes 35.5% affordable housing provision when measured in terms of habitable rooms with its tenure split in a ratio of 30:40:30 between London Affordable Rented / Affordable Rented / Shared Ownership flats. The viability has been robustly tested and it has been demonstrated that this is considerably in excess of the maximum reasonable amount that can be provided on site. The requirements of affordable housing obligations are considered to have been met and a two stage viability review will be secured through S106, to ensure any uplift in revenues beyond those assumed can be captured in either further on-site or off-site provision. The mix of units accords relatively closely with the standards within the local plan, with 17% of the homes overall being comprised of family homes (increasing to 29% within the affordable tenures).
- vi. **Neighbouring amenity:** There would be a loss of light and sunlight to some windows of surrounding buildings. The impact is considered to be acceptable given the urban context of the site. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits.
- vii. **Highways and transportation:** The scheme would provide suitable provision of car and cycle parking and will encourage sustainable travel patterns. Additional highway improvements will be secured to ensure the development would not have a negative impact on the existing highway. To encourage sustainable travel patterns, the scheme will provide 1,307 cycle parking spaces, 166 car parking spaces and will be permit restricted with the exception of blue badge parking spaces. Financial contributions of £150,000 towards extending CPZs into the area, between £513,000 and £717,250 towards bus service enhancements and £166,000 towards step free accessibility improvements to Alperton Station are to be made (subject to final agreement with TfL).
- viii. **Trees, landscaping and public realm:** Significant landscaping improvements are proposed with a large net gain in green spaces and tree planting across the site (203 trees to be planted across the site), including the establishment of an attractive public pedestrian route alongside the Grand Union Canal. Significant publicly accessible soft landscaping and play spaces are proposed, centred on a wide 'boulevard' style route between Mount Pleasant and the canal, a landscape transition zone between blocks north of the new public road through the site and alongside the new pedestrian canalside route. This will be secured through various condition and S106 obligations.
- ix. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. The S106 agreement will require the development's commercial floor space to achieve BREEAM 'Excellent'.

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

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) |
|-------------|----------|----------|------|-----|----------------|
|-------------|----------|----------|------|-----|----------------|

Monitoring Residential Breakdown

| Description | 1Bed | 2Bed | 3Bed | 4Bed | 5Bed | 6Bed | 7Bed | 8Bed | Unk | Total |
|-------------|------|------|------|------|------|------|------|------|-----|-------|
|-------------|------|------|------|------|------|------|------|------|-----|-------|

RELEVANT SITE HISTORY

18/4919: Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising residential units (use class C3), flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development).

The above application was recommended for approval subject to conditions as set out in the committee report, stage 2 referral to the GLA and completion of a satisfactory section 106 agreement by officers and presented to Planning Committee on 17th March 2020 and 6th May 2020. Members resolved to overturn the officer recommendation and refuse the application at the committee meeting on 6th May 2020. As part of the stage 2 response, the GLA confirmed that they were satisfied that they did not wish to call the application in and that the Local Planning Authority were able to proceed with issuing the decision notice. The application was refused on 9th July 2020 for the following reasons:

1. *The proposed development would fail to deliver the maximum reasonable amount of affordable housing and would therefore be contrary to policy 3.12 of the London Plan (consolidated with alterations since 2011); policy DMP15 of Brent's Development Management Policies (2016) and policies H5 and H6 of the emerging London Plan (Intend to publish version 2019).*
2. *The proposed development would result in a significant increase in the local population without securing the provision of commensurate improvements to local facilities, with particular reference to leisure and multi-use community facilities and as such, is likely to result in an adverse impact to the availability of local community facilities. This would be contrary to policy CP23 of Brent's Core Strategy (2010), as well as policy S1 of the emerging London Plan (Intend to Publish Version 2019) and policies BP7, BSI1 and site allocation BSWSA5 contained within Brent's emerging Local Plan (Reg 19 version 2019).*
3. *In the absence of a legal agreement to control such matters, the development would not secure:*
 - *Sustainability measures;*
 - *Job and training opportunities for local residents;*
 - *Necessary highway improvement works;*
 - *Necessary pedestrian environment improvement works;*
 - *A travel plan, inclusive of car club measures;*
 - *Sufficient affordable workspace through the incorporation of appropriate safeguarding mechanisms;*
 - *Necessary contributions towards the expansion of controlled parking zones and removal of rights for parking permits for future residents and business users;*
 - *Necessary contributions towards the expansion of local public transport capacity and accessibility.*

As a result, the proposal would fail to comply with policies 4.12 and 5.2 of the London Plan (consolidated with alterations since 2011); policies CP1 and CP19 of Brent's Core Strategy (2010); policies DMP1, DMP11, DMP12 and DMP13 of Brent's Development Management Policies (2016); policies E3, E11, S11, S12, T4, T6 and T9 of the emerging London Plan (intend to publish version 2019); policies DMP1, BP7, BSU1, BSUI2, BT1, BT2, BT3 and BT4 and site allocation BSWSA5 of Brent's emerging Local Plan (Reg 19 Version 2019) and the guidance contained within Brent's S106 Planning Obligations SPD (2013).

CONSULTATIONS

On 27/10/2020, 385 properties were notified of the development proposal in the surrounding area. A notice of the application was printed in the local press on 05/11/2020. In addition, site notices were erected at the entrances to the manufacturing estate on 10/11/2020.

Re-consultation was carried out on 11th January 2021 to 391 properties (those consulted above and any additional addresses who commented on the application) due to the submission of a revised Daylight and Sunlight Assessment. The application was re-advertised in the local press on 14th January 2021 and new site notices displayed on 11th January 2021.

Public Consultation

Letters of objection were received from seven individual addresses. An objecting petition on behalf of the residents of Woodside End was also submitted was also received; the applicants have advised that they have liaised with residents of Woodside End following the submission of the petition, to discuss their concerns. The comments made by local stakeholders are summarised as follows:

| Ground of Objection | Officer Response |
|--|---|
| Overdevelopment in an already tight neighbourhood with hardly any ability for vehicles to move. | This is addressed at paragraphs 6 – 10 and 59 – 77. |
| The number of units is too many and should be reduced. Alperton cannot cope with the increase in its population, as there is a heavy strain on Doctors, Schools, A&E services and leisure centres. There have been no new schools or services added to the area. | The necessary infrastructure required to support development is set out within the Local Plan is supported through the Infrastructure Delivery Plan. The development will contribute significant Community Infrastructure Levy funding towards this. |
| The local roads are often gridlocked and local tube stations are packed. The development will contribute to overcrowding. | The development will financially contribute to offset the pressures it will place on local transport infrastructure on, including contributions to local bus capacity and improvements to Alperton tube station. This is discussed in more detail at paragraphs 247 – 258. |
| The number of homes has increased from 581 in the previous application to 684 in this application, without public consultation. | The Council has consulted local residents on the current application for 684 homes in October 2020 and January 2021. The applicants have also undertaken their own consultation processes with local residents. |
| A road linking Mount Pleasant and Woodside End is already in place. | This would result in a more direct connection and improve permeability within the local area. Traffic calming measures will be used to prevent the road being useful for by-passing peak hour queues |

| | |
|--|---|
| | <p>along Mount Pleasant.</p> <p>See paragraphs 235 – 244.</p> |
| <p>There has been little consideration of the impact of this development on the canal.</p> | <p>Significant consultation has been undertaken with the Canal and River Trust. A number of conditions are imposed which will safeguard the canal.</p> <p>See paragraph 298.</p> |
| <p>An increase in moorings along the canal appears to have come alongside the new developments. This has resulted in towpaths being subject to fly-tipping, littering and vermin.</p> | <p>This is not related to the development proposal.</p> |
| <p>The scale of the development is too significant and the density is too great. The development will block views, light, sunlight, air movement and will pollute the environment for surrounding residents.</p> | <p>This impact is discussed at paragraphs 72 – 77 and 112 – 216.</p> <p>Air quality is discussed at paragraphs 302 to 303.</p> |
| <p>Current conditions with constant large lorries and other vehicle movements in the area makes existing life difficult. There is a lack of parking locally.</p> | <p>This is addressed at paragraphs 219 – 227. A controlled parking zone is proposed to formalise parking arrangements in the streets surrounding the development to improve parking experiences for local residents.</p> |
| <p>The current free parking arrangement works well for residents and the implementation of a CPZ will result in an unnecessary cost for residents.</p> | <p>This is acknowledged, however there is significant benefit in formalising a parking arrangement through a CPZ to facilitate growth, which officers afford substantial weight.</p> |
| <p>A CPZ cannot be operational for 24 hours, therefore residents of this development will, at some point during the day, be able to park on existing residents' streets.</p> | <p>Hours of CPZ operation are subject to local consultation.</p> |
| <p>A parking space for all residents should be provided in an underground car park.</p> | <p>The development is proposed with a parking ratio of 0.24 car parking spaces per home. This is a suitable amount which balances environmental considerations with the needs of residents in this location.</p> <p>See paragraphs 219 – 227.</p> |
| <p>It should be conditioned that residents of the development will have no access to residential permits for the area.</p> | <p>This will be secured in a legal agreement.</p> |
| <p>The development should be accessed from Mount Pleasant only and not from Woodside End.</p> | <p>The development is to be accessible at both ends so as to ensure it integrates well with the surrounding areas and to maximise permeability</p> |
| <p>Residents of the proposed development will be expected to rely on public transport yet Alperton station has no step free access. Alperton station is not on TfL's list to be upgrade to step free.</p> | <p>The developer is contributing monies towards the step free conversion of the station as part of this application.</p> |

| | |
|---|--|
| The construction works will cause major disruption and inconvenience for existing residents. | A construction management plan will be secured and agreed by condition prior to works commencing to ensure that these disturbances will be minimised as much as reasonably possible. |
| The development is out of character in its surroundings and the height of the development will have an adverse effect on the skyline. In time, the buildings will look like old council towers and estates that have been plagued by anti-social behaviour, crime and an outdated appearance. | The urban design and layout is considered to be positive and is discussed at paragraphs 59 –80. |
| Blocks A, B and C will overlook neighbouring properties and overshadow their gardens. | These impacts in relation to Blocks A, B and C are discussed at paragraphs 118 – 124 and 175 – 184. |
| The tall buildings that dominate either side of the canal towpaths detract from the canal's amenity and enjoyment. | The urban design of the development, including the creation of a large landscapes space alongside the canal is considered to benefit the canal-side environment. |

Internal Consultations

Environmental Health - No objection, subject to conditions.

External and Statutory Body Consultations

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

| Comment | Officer Response |
|---|---|
| Redevelopment of this brownfield site to provide a residential-led mixed-use development accords with local and strategic policy aspirations for the site and is therefore strongly supported in principle | Noted and agreed. |
| The proposed 35.5% affordable housing offer falls short of the 50% Fast Track Route threshold for industrial land and therefore must be considered under the Viability Tested Route. GLA officers do not consider that the maximum amount of affordable housing has been assuredly confirmed and have requested significant amendments to the applicant's Financial Viability Assessment. | Officers at Brent have robustly scrutinised the financial viability of the scheme and are satisfied that an increase in the affordable housing offer could not reasonably be required |
| The proposal optimised the residential capacity of the site and the approach to layout, height, and massing is supported. Details regarding accessible dwellings should be secured. | Noted and agreed. The accessible dwellings (10% to be wheelchair adaptable) will be secured by condition. |

| | |
|---|--|
| Further work is required in respect of ATZ, trip generation, car parking, and cycle parking. A contribution will be sought to mitigate impacts on the bus network. A Delivery and Servicing Plan, detailed Construction Logistics plan, and Travel Plan must be secured | Brent's highways officers are satisfied that these aspects have been adequately addressed. These matters will be discussed further with the GLA as part of a Stage 2 referral. The delivery and servicing, construction logistics and travel plans will be secured through conditions and Section 106 obligations as appropriate. |
| The submitted energy strategy, drainage strategy, and flood risk assessment generally comply with London Plan and Intend to Publish London Plan Policies. Further work is required regarding whole life-cycle carbon. | More detailed discussions between the applicant and the GLA are taking place ahead of a Stage 2 referral. |

The Canal and River Trust

Broadly support the scheme subject to conditions relating to the following matters:

- Canal Waterway Wall Surveys to be submitted
- Canal Impact Assessment to be submitted
- Canal Risk Assessment to be submitted
- Canal-side Landscaping to be amended
- Drainage into the canal to be addressed
- Construction Environmental Management Plan in relation to the Canal to be submitted

Further comments from the Canal and River Trust are set out and addressed later in this report.

Thames Water

Conditions requested in relation to confirming suitable capacity of foul water infrastructure to accommodate development, and for a piling method statement to be conditioned.

Pre-application Consultation

During September 2018, the applicants held two public exhibitions to give the local community an opportunity to view, consider and provide feedback on the similar proposals put forward under the previous application (18/4919). The full details of this are contained within the publicly available committee report for application 18/4919.

Owing to restrictions relating to the Covid-19 pandemic, a further exhibition could not be held in relation to the preparation of this application. However, the applicants carried out an independent leaflet drop to around 500 nearby homes, including all residents along Woodside End, Woodside Avenue, Woodside Place, Woodside Close and a part of Mount Pleasant. The leaflet set out the key aspects and benefits of the development, confirmed the process for viewing the application on Brent's website and provided a feedback form for residents to fill in and return to the applicants for consideration. The applicants have confirmed that they did not receive any responses in relation to this leaflet drop.

POLICY CONSIDERATIONS

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

The London Plan (2016)

2.13 – Opportunity areas and intensification areas

3.3 - Increasing Housing Supply

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

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP5: Placemaking
- CP6: Design & Density in Place Shaping
- CP8: Alperton Growth Area
- CP15: Infrastructure to Support Development
- CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21: A Balanced Housing Stock
- CP23: Protection and Enhancement of Community Facilities

Brent Development Management Policies (2016)

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

Site Specific Allocations Document (2011) -

A.6 – Woodside Avenue

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

Emerging policy context

Intend to Publish London Plan

On 21 December 2020 the Mayor sent a revised “intend to publish” version of his London Plan to the Secretary of State (SoS). This followed a letter from the SoS to the Mayor on 10 December 2020 which included a schedule of changes relating to the 11 directions issued in March 2020 and two further directions.

The SoS has until 1 February to consider the Plan and to decide whether to make any further directions. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

Relevant policies in the ‘intend to publish’ London Plan include:

- D1 London’s form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards

D7 Accessible housing
 D8 Public realm
 D9 Tall buildings
 D10 Basement development
 D11 Safety, security and resilience to emergency
 D12 Fire safety
 D14 Noise
 H1 Increasing housing supply
 H4 Delivering affordable housing
 H5 Threshold approach to applications
 H6 Affordable housing tenure
 S1 Developing London's social infrastructure
 S4 Play and informal recreation
 E3 Affordable Workspace
 E11 Skills and opportunities for all
 G1 Green infrastructure
 G5 Urban greening
 G6 Biodiversity and access to nature
 G7 Trees and woodlands
 SI 1 Improving air quality
 SI 2 Minimising greenhouse gas emissions
 SI 3 Energy infrastructure
 SI 4 Managing heat risk
 SI 5 Water infrastructure
 SI 12 Flood risk management
 SI 13 Sustainable drainage
 SI 15 Water Transport
 SI 16 Waterways – use and enjoyment
 SI 17 Protecting and enhancing London's waterways
 T1 Strategic approach to transport
 T2 Healthy Streets
 T3 Transport capacity, connectivity and safeguarding
 T4 Assessing and mitigating transport impacts
 T5 Cycling
 T6 Car parking
 T7 Deliveries, servicing and construction
 T9 Funding transport infrastructure through planning

Brent's Draft Local Plan 2020

The Council is at a significant stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. The planning Inspectorate is still considering the Plan prior to undertaking a final stage of consultation on a set of proposed main modifications before the Plan can be adopted. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officers that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Relevant policies include:

General:

DMP1 – Development Management General Policy

Place:

BP7 – South West Place
 BSWGA1 – Alperton Growth Area
 BSWSA5 – Abbey Industrial Estate

Design:

BD1 – Leading the way in good design
 BD2 – Tall buildings in Brent
 BD3 – Basement Development

Housing:

BH1 – Increasing Housing Supply
BH2 – Priority Areas for Additional Housing Provision within Brent
BH5 – Affordable Housing
BH6 – Housing Size Mix
BH13 – Residential Amenity Space

Social Infrastructure:

BSI1 – Social Infrastructure and Community Facilities

Economy and Town Centres:

BE1 – Economic Growth and Employment Opportunities for All

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent
BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent
BSUI2 – Air Quality
BSUI3 – Managing Flood Risk
BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

BT1 – Sustainable Travel Choice
BT2 – Parking and Car Free Development
BT3 – Freight and Servicing, Provision and Protection of Freight Facilities
BT4 – Forming an Access on to a Road

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)
Mayor of London's Affordable Housing and Viability SPG 2017
Mayor of London's Housing SPG 2016
SPD1 Brent Design Guide 2018
Basements SPD 2017

DETAILED CONSIDERATIONS

Background

1. This application represents an amendment to a previous application with reference 18/4919 that was determined in July 2020. The previous application had the following description:

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

2. The application was recommended for approval subject to conditions as set out in the committee report, stage 2 referral to the GLA and completion of a satisfactory section 106 agreement by officers and presented to Planning Committee on 17th March 2020 and 6th May 2020. Members resolved to overturn the officer recommendation and refuse the application at the committee meeting on 6th May 2020. As part of the stage 2 response, the GLA confirmed that they were satisfied that they did not wish to call the application in and that the Local Planning Authority were able to proceed with issuing the decision notice. The application was refused on 9th July 2020 for the following reasons:

- *The proposed development would fail to deliver the maximum reasonable amount of affordable housing and would therefore be contrary to policy 3.12 of the London Plan (consolidated with alterations since 2011); policy DMP15 of Brent's Development Management Policies (2016) and policies H5 and H6 of the emerging London Plan (Intend to publish version 2019).*
- *The proposed development would result in a significant increase in the local population without securing the provision of commensurate improvements to local facilities, with particular reference to leisure and multi-use community facilities and as such, is likely to result in an adverse impact to the availability of local community facilities. This would be contrary to policy CP23 of Brent's Core Strategy (2010), as well as policy S1 of the emerging London Plan (Intend to Publish Version 2019) and policies BP7, BSI1 and site allocation BSWSA5 contained within Brent's emerging Local Plan (Reg 19 version 2019).*
- *In the absence of a legal agreement to control such matters, the development would not secure:*
 1. *Sustainability measures;*
 2. *Job and training opportunities for local residents;*
 3. *Necessary highway improvement works;*
 4. *Necessary pedestrian environment improvement works;*
 5. *A travel plan, inclusive of car club measures;*
 6. *Sufficient affordable workspace through the incorporation of appropriate safeguarding mechanisms;*
 7. *Necessary contributions towards the expansion of controlled parking zones and removal of rights for parking permits for future residents and business users;*
 8. *Necessary contributions towards the expansion of local public transport capacity and accessibility.*

As a result, the proposal would fail to comply with policies 4.12 and 5.2 of the London Plan (consolidated with alterations since 2011); policies CP1 and CP19 of Brent's Core Strategy (2010); policies DMP1, DMP11, DMP12 and DMP13 of Brent's Development Management Policies (2016); policies E3, E11, S11, SI2, T4, T6 and T9 of the emerging London Plan (intend to publish version 2019); policies DMP1, BP7, BSU1, BSUI2, BT1, BT2, BT3 and BT4 and site allocation BSWSA5 of Brent's emerging Local Plan (Reg 19 Version 2019) and the guidance contained within Brent's S106 Planning Obligations SPD (2013).

3. The applicants have lodged an appeal against the decision of the LPA in relation to 18/4919.
4. The decision on the previous application is important in the context of the current proposal and forms a material planning consideration in its assessment.
5. The similarities and differences between the refused and proposed applications will be discussed in detail below. The headline differences between the two schemes can be summarised as follows:

| Category | Refused application (18/4919) | Proposed application (20/3156) |
|--|--|--|
| Total number of homes | 581 | 684 |
| Number of affordable homes | 75 | 218 |
| Ratio between affordable rented and affordable intermediate homes | 70% London aff rented 30% intermediate | 30% London aff rented 40%: aff rented 30% intermediate |
| Mix of homes | 254x 1 bed (43%) 213x 2 bed (37%) 114x 3 bed (20%) | 323x 1 bed (47%) 245x 2 bed (36%) 116x 3 bed (17%) |
| Market commercial floor space | 709sqm | 1,112sqm |
| Affordable Workspace floor space | 545sqm | 693sqm |

| | | |
|--|----------------------|----------------------|
| Dedicated community floor space | 0sqm | 128sqm |
| Range of building heights | 3 storeys–14 storeys | 3 storeys–16 storeys |

Principle of development

6. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the current London Plan includes a minimum annual monitoring target for Brent at 1,525 additional homes per year between 2015 and 2025. This target is proposed to increase to 2,325 dwellings per annum for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London. Emerging local plan policy BH1 reflects this target.
7. Within local policy, Brent Policy CP8 sets out a target of at least 1,600 new homes being delivered in the Alperton Growth Area between 2019/20 – 2028/29, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 6,000 homes across the same growth area within the emerging Local Plan (policy BSWGA1). Whilst the development meets the requirements of Core Strategy policy CP2 in principle, the need for housing has increased significantly since the adoption of this policy in 2010 and these increasing targets necessitate the need for a greater delivery of homes within Brent than is anticipated in adopted policy.
8. The site forms part of a wider site allocation. It is specifically allocated by the Council for mixed but residential-led uses in both the adopted 2011 Site Specific Allocations DPD (with an indicative capacity of 220 residential units) and site allocation BSWSA5 in the emerging Local Plan (with an increased indicative capacity of 490 residential units). Brent's adopted site specific allocation describes an acceptable development of the site as follows:

“Mixed use including residential, amenity space and workspace for appropriate B1, D1 and A Class Uses. The Council will expect a comprehensive development following an agreed masterplan that sets out land uses and proposed development in more detail. The development will bring forward a proportion of managed affordable workspace. Improvements will be sought to public transport as part of any proposal to develop the site. The development will exploit the canal-side location. Proposals should conserve and enhance the adjacent canal's site of metropolitan nature conservation importance designation.”
9. Brent's emerging site specific allocation indicates that the following uses for re-development are allocated: “Mixed use residential-led development incorporating replacement industrial space, small scale retailing/commercial leisure and community uses (e.g. nursery)”.
10. The proposed volume of residential units (684) exceeds the indicative capacity of the site (490 units) by 40%. The increase in unit numbers from the allocation document is supported in principle subject to appropriate demonstration that design, impact and amenity provisions will not be unreasonably compromised as a result of the density of the development proposal. This approach would be in keeping with the design-led approach to optimising site capacity that is required and set out in emerging London Plan policy D3.
11. Within the emerging site allocation, it recognises the need for some re-provision of industrial floorspace along the ground floors of the new buildings to be provided, given that the site is non-designated industrial land and Brent's status as a provide capacity borough. In addition the emerging site allocation supports the use of other potential uses such as small scale retail, commercial leisure or community uses (e.g. nursery). The plans propose four separate commercial units.
12. On the north side of the site the commercial offer is formed of a 679sqm market commercial space within a ground floor commercial unit (Block G), a 395sqm affordable workspace within an upper ground floor commercial unit directly above the market unit (also Block G), a 298sqm affordable workspace unit on the first floor above the larger affordable workspace unit (also Block G) and a 128sqm dedicated community facility adjacent to the affordable workspace unit on the first floor (also Block G). On the south side of the site, the commercial offer is in the form of a 319sqm ground floor market commercial space and a separate 50sqm ground floor market commercial space (both in Block F) for use within the E, F1, F2 and Sui Generis drinking establishment use classes, and 64sqm of retail floor space (also within the same flexible use classes) is to be provided within a small pavilion building at the south western corner of

the site, at the point where the linear park connects with the main canal side frontage. Overall, the commercial provisions amount to:

- 1,112sqm of market commercial space
- 693sqm of affordable workspace
- 128sqm of community space

13. The above uses represent an overall commercial offer of 1,933sqm which is split between 57% market, 36% affordable and 7% community. The market commercial space will be secured for flexible use within the E, F1, F2 and Sui Generis drinking establishment use classes, the affordable workspaces will be secured for use within the E(g)(i) and E(g)(iii) use classes and the community floorspace will be secured for uses within the E(e), F1 and F2 use classes specifically.
14. The commercial offer is positive and the significant proportion of affordable and community workspace (43% overall) is welcomed and responds positively to the expectations of the site allocation, which seeks a meaningful replacement of employment uses (which would be secured within the affordable workspace floorspace), offsetting the net loss of industrial floor space (notwithstanding that the site has been de-designated as employment land) and supports community uses. The affordable workspace is to be secured at no more than 50% of the market rent. The affordable workspaces and community floorspace will also benefit from shared access to a generous roof terrace on the second floor of Block G, which will enhance the quality and desirability of these units and is strongly welcomed.
15. The market commercial unit is more than 500sqm in size and Brent policies CP16 and DMP2 are of relevance. The site is not within a designated town centre and DMP2 stipulates that units larger than 500sqm should not be supported outside of town centres unless demonstrated as acceptable by an accompanying Retail Impact Assessment. A condition will therefore require that no retail units shall operate that are larger than 499sqm in size, unless otherwise agreed in writing by the LPA. This condition will necessitate the subdivision of the 679sqm market commercial unit, unless suitable Retail Impact Assessments confirm acceptability, or a use that meets a local need (e.g. health services) is to be provided. This obligation will not apply to affordable workspaces.

Consideration of the non-residential use proposals in the context of the previous application (18/4919)

16. Application 18/4919 for a very similar development was refused planning permission in July 2020, with one of the reasons for this being:

The proposed development would result in a significant increase in the local population without securing the provision of commensurate improvements to local facilities, with particular reference to leisure and multi-use community facilities and as such, is likely to result in an adverse impact to the availability of local community facilities. This would be contrary to policy CP23 of Brent's Core Strategy (2010), as well as policy S1 of the emerging London Plan (Intend to Publish Version 2019) and policies BP7, BS11 and site allocation BSWSA5 contained within Brent's emerging Local Plan (Reg 19 version 2019).

17. The proposed flexible commercial floorspace (which also formed part of the previous application) allows for a range of uses, including a community facility; however given the flexible nature of the approved use classes, the scheme could come forward without a community use.
18. In order to address this reason for refusal, the applicants have incorporated a 128sqm community facility within Block G of the development, which would also have its own dedicated rooftop garden space that could be shared with the affordable workspace units to which it would be adjacent.
19. There is no explicit requirement in the site allocation for community uses to be provided, however community uses do form one of four identified uses for which the site has been allocated as set out under the 'allocated use' heading within site allocation BSWSA5 of Brent's emerging Local Plan. Furthermore, Brent's CP23 policy supporting text requires proposed developments which would have a significant impact to contribute towards the provision of additional visitor facilities where appropriate. In addition, Brent's BP7 policy within its emerging Local Plan requires developments within the South West part of Brent (where the application site is located) to meet social infrastructure requirements by securing provision for needs arising from new housing development, with specific reference to community facilities. The scheme also provides a significant amount of new public open space for which there is an identified need within adopted and emerging policy to support the growth in population within the local area.

- 20. Given the above policy context, officers consider that the incorporation of a reasonably sized unit that would be safeguarded for community uses in addition to the public open spaces, would appropriately mitigate the previous reason for refusal. Beyond this bespoke addition to the application, the development will contribute a significant Community Infrastructure Levy payment which would be put towards further social infrastructure projects identified by the Council.
- 21. In addition to the community use benefit, this application will deliver further benefits beyond that of the previous scheme, with an increase in the amount of commercial floorspace and affordable workspace compared with the refused scheme. A comparison of this quantum is set out below:

| Use | Quantum proposed under 18/4919 | Quantum proposed under 20/3156 |
|----------------------|--------------------------------|--------------------------------|
| Market commercial | 709sqm | 1,112sqm |
| Affordable workspace | 545sqm | 693sqm |
| Community facility | 0sqm | 128sqm |
| Total commercial | 1,254sqm | 1,933sqm |

Consideration of the remainder of the site allocation

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

23. There is a current application proposing residential development within the adjoining triangular piece of land which is under consideration by the Council for the “erection of 14 dwellinghouses, provision for blue badge car parking space, cycle parking and private and communal amenity space” (LPA Ref: 20/1096).

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

24. The developer has made efforts to acquire all of the land parcels within the site prior to engaging with the planning process. However, some land parcels within the site remain outside of the developer’s ownership. The Council would not ordinarily grant planning permission in the absence of a completed section 106 agreement which bound all necessary interests. That is not possible where ownership has not been acquired.

25. Given this situation, a planning condition which would prevent development from occurring unless and until all parties with any legal or equitable interest in the land comprised in that part or phase of development are subject to and bound by the terms of the section 106 agreement (necessary to mitigate the impacts of the development) is being recommended for this application. This type of condition was applied by the London Borough of Islington in the planning permission for the development of the Arsenal FC’s Emirates Stadium (hence these are now commonly referred to as ‘Arsenal conditions’).

26. Government guidance (planning practice guidance) states as follows in relation such conditions:

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

is important in the interests of maintaining transparency.

However, in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate, where there is clear evidence that the delivery of the development would otherwise be at serious risk (this may apply in the case of particularly complex development schemes). In such cases the 6 tests should also be met.”

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

proceed in phasing.

33. In terms of the drafting of the condition, the following wording is proposed and has been agreed as robust with the Council's legal team:

No part or phase of development (save for enabling works and demolition) shall commence within Phases 2, 3, 4, 5, 6, 7 and/or 8 as shown on the approved Phasing Plan with reference PL1, unless and until all estates and interests comprised in that part or phase of development are subject to and bound by the terms relating to Phase 1, as appropriate, set out in the Section 106 Agreement dated [] made between the Council (1) and [(2)] (with the intent that all of the covenants contained therein will be enforceable without limit of time not only against all of the owners of the land, but also their successors in title and any person corporate or otherwise claiming through or under them an interest or estate in the land)

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

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

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

Housing mix, affordable housing provision and tenure mix

Policy background

37. Brent's adopted local Policies CP2 and DMP15 set out the requirements for major applications in respect of affordable housing provision, and stipulate that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction in affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target). As such, it does not require all schemes to deliver 50% Affordable Housing.
38. The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing.
39. The emerging London Plan (Intend to Publish Version) affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and that the following split of affordable housing provision is applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.
40. Brent's emerging Local Plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (emerging Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split. Brent draft Policy BH5 sets a target of 70% of those affordable homes being for social rent or London

Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.

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

42. The policy requirements can be summarised as follows:

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

Affordable housing offer

43. The applicant's affordable housing offer is for 35.5% of the habitable rooms (31.9% by unit number) delivered within the scheme to be affordable. The applicants have submitted a Financial Viability Assessment (FVA) to justify this level of provision, as it does not meet the fast track 50% threshold for industrial land as discussed above and as set out in Brent's Local Plan. The FVA identifies that the delivery of zero affordable housing on the site would be more than the maximum reasonable amount of affordable housing given the projected costs and revenues of the development when totalled and scaled in the context of a reasonable benchmark land value for the site. Brent has commissioned its own consultant (BNP Paribas) to robustly scrutinise this FVA on behalf of the Local Planning Authority. BNP Paribas did not agree with some assumptions made by the applicants on the projected costs and revenues, but did consider that the scheme would still return a deficit of circa £23m (down from the applicant's estimate of circa £27.5m), thereby confirming that significantly more than the maximum reasonable amount of affordable housing has been put forward and should be accepted, subject to the affordable housing being comprised of suitable affordable tenures, in line with policy. BNP Paribas have noted that the development is subject to some unavoidable extenuating costs including: the nature of land assembly given the fragmented ownership across the site, significant soil contamination, the need to redeliver a Thames Water pumping station and the need to extend Woodside End to adoptable standard between its current end and Mount Pleasant, which has resulted in the development being especially costly and therefore having a lower level of viability compared to many other schemes.

44. The affordable housing offer is fully broken down in terms of tenure as follows:

Units

| Unit type | Private units | London Affordable Rent units | Affordable Rent units (capped at 65% of OMR) | Shared Ownership units | Total |
|-------------------------|---------------|------------------------------|--|------------------------|--------------|
| 1 bedroom | 262 | 16 | 28 | 17 | 323 (47.2%) |
| 2 bedroom | 151 | 26 | 56 | 12 | 245 (35.8%) |
| 3 bedroom | 53 | 23 | 3 | 37 | 116 (17.0%) |
| Total | 466 (68.1%) | 65 (9.5%) | 87 (12.7%) | 66 (9.7%) | 684 (100.0%) |
| Affordable 31.9% | | 29.8% / affordable | 40.0% / affordable | 30.2% / affordable | |

Habitable rooms

| Unit type | Private units | London Affordable Rent units | Affordable Rent units (capped at 65% of OMR) | Shared Ownership units | Total |
|---------------------------|---------------|------------------------------|--|---------------------------|----------------|
| 1 bedroom | 524 | 32 | 56 | 34 | 646 (34.9%) |
| 2 bedroom | 453 | 78 | 168 | 36 | 735 (39.8%) |
| 3 bedroom | 216 | 92 | 12 | 148 | 468 (25.3%) |
| Total | 1,193 (64.5%) | 202 (10.9%) | 236 (12.8%) | 218 (11.8%) | 1,849 (100.0%) |
| Affordable = 35.5% | | <i>30.8% / affordable</i> | <i>36.0% / affordable</i> | <i>33.2% / affordable</i> | |

45. Under the emerging Local Plan aspirations, London Affordable Rent is underrepresented within the affordable housing offer, comprising 30% of the offer rather than 70%; however, as discussed above, the emerging Local Plan carries limited weight at present given that the inspector's recommendations arising from its examination have not yet been published. However, the tenure split is very well attuned to meet the requirements of affordable housing policy to which greater weight and full weight can be given, providing 70% affordable rents (thereby meeting adopted local plan requirements), 30% intermediate products (thereby meeting adopted local plan and emerging London Plan requirements) and 30% London Affordable Rents (thereby meeting emerging London Plan requirements). It should be noted that the applicant is offering its standard affordable rented housing for a greater discount than falls within the standard definition for affordable rented housing, confirming that a rent cap (inclusive of service charges) will be set at 65% of the open market rent and at local housing allowance rates (whichever is the cheaper). Whilst not likely to be as affordable as London Affordable Rents, this is still significantly more affordable than affordable housing as standardly defined which is for rents (inclusive of service charges) to be capped at 80% of the open market rent and represents a betterment over the minimum policy requirements for housing that falls within this tenure.

46. Despite the offer being policy compliant as it exceeds the maximum reasonable amount of affordable housing that the site can deliver, the offer falls short of the 50% policy target set out in policy DMP15. A late stage review mechanism will therefore be secured in the section 106 agreement to capture any uplift in affordable housing. An early stage review will also be applied to capture additional on-site affordable housing (where demonstrated as viable) arising from changes in market conditions in the event that development does not commence within 36 months. Ordinarily, the early stage review period would cover a 24 month period, however given the risks associated with the early stages of delivering this development (namely the difficulties associated with land assembly and the implications of applying the 'Arsenal' condition), officers are satisfied that this extended period of time would present as a reasonable compromise position. Similarly, an expanded timeframe for implementing the consent (from 3 years as standard to 5 years) will also be applied through condition. These same allowances were also recommended by officers in relation to the previous application.

47. All buildings are to be provided with entrances of a similar standard, ensuring that the development will be tenure blind.

Comparison with affordable housing offer of previous scheme

48. Application 18/4919, for a very similar development, was refused partly on the basis that it did not provide the maximum reasonable amount of affordable housing.

49. The housing mix and affordable housing provision has been significantly revised for this iteration of the scheme. A comparison of the 18/4919 (refused) and 20/3156 (live) affordable housing offers are set out below:

18/4919 affordable housing offer

(confirmed as more the maximum reasonable amount of affordable housing in financial viability terms)

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

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

| | | | | |
|--|--|-------------------|---------------------|--|
| | | Affordable | Intermediate | |
|--|--|-------------------|---------------------|--|

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

20/3156 affordable housing offer

(confirmed as more than the maximum reasonable amount of affordable housing in financial viability terms)

(31.8% affordable housing by unit, weighted 70%/30% towards Affordable Rented [30%/40%/30% - London Affordable Rent / Affordable Rent / Shared Ownership]

(35.5% affordable housing by habitable room, weighted 67%/33% towards Affordable Rented [31%/36%/33% - London Affordable Rent / Affordable Rent / Shared Ownership]

| | | Affordable | Affordable | Intermediate | |
|--------------|-----------|------------------------|--|------------------|------------|
| Units | Private | London Affordable Rent | Affordable Rent (capped at 65% of market rent and LHA rates) | Shared ownership | Total |
| 1 bed | 262 | 16 | 28 | 17 | 323 (47%) |
| 2 bed | 151 | 26 | 56 | 12 | 245 (36%) |
| 3 bed | 53 | 23 | 3 | 37 | 116 (17%) |
| Total | 466 (68%) | 65 (9.5%) | 87 (13%) | 66 (9.5%) | 684 (100%) |

50. The 2018 application would have delivered 16.8% affordable housing measured by habitable rooms (on a 78/22 London Affordable Rent/Shared Ownership tenure split) and 12.9% affordable housing measured by unit (on a 70/30 London Affordable Rent/Shared Ownership tenure split). The offer was also robustly scrutinised by BNP Paribas on behalf of the Council and it was confirmed that the offer represented more than the maximum reasonable amount of affordable housing.
51. Ultimately, the 18/4919 affordable housing offer was refused by the Planning Committee, on the basis that it did not provide the maximum reasonable amount of affordable housing. The application was thereafter formally issued for refusal in July 2020.
52. The proposed application significantly increases the quantum of affordable housing delivery compared with the offer put forward under 18/4919, largely enabled by the increased scope of the scheme as a whole (for an additional 103 homes). The overall number of affordable homes has increased from 75 to 218 between the two proposals, with the London Affordable Rent tenure increasing from 53 to 65 units, the Affordable Rent (65% OMR cap) tenure increasing from 0 to 87 units and the Shared Ownership tenure increasing from 22 to 66 units. The increase in affordable housing quantum has been achieved alongside a refining of the tenure split which strikes an optimal balance between both adopted and emerging policy requirements.

Greater London Authority Position on Affordable Housing

53. The GLA have reviewed both the applicant's FVA and BNP Paribas' response FVA and consider that a number of the agreed assumptions are inaccurate and that it has not been confirmed that the scheme is delivering the maximum reasonable amount of affordable housing. The main points of disagreement are summarised below:

| GLA Comment | Brent / BNPP Response |
|--|--|
| <p>The sales values of the units are underestimated and this element should be informed by comparables with advertised asking prices of the Liberty Wharf and Grand Union developments.</p> | <p>In line with guidance, actual sales values must be used when establishing the value of homes in the local area. It is possible that advertised asking prices may not be achieved, and they cannot reasonably be used to inform actual revenues. Nearby similar developments that have confirmed sales values (e.g. The Rise, Ealing Road) have formed the reasonable comparison basis for estimating revenue. Should an uplift in sales values occur later, this will be captured through the review mechanisms secured within the S106 agreement.</p> |
| <p>The developer's profit assumptions do not reflect the low risk of this scheme, since the scheme is part of a regeneration area with proven market demand. The profit assumptions should be reduced from 20% to 17.5% (for private residential) and from 17.5% to 15% (for commercial uses) to reflect risk.</p> | <p>The specified profit levels reflect the industry standard for a development of moderate risk. Nonetheless, the risk of this scheme is considered to be higher than average given the significant land assembly, contamination and pumping station relocation requirements of the development. The delivery of mostly affordable housing for the first few years of the build further increases risk, as does the ongoing pandemic situation.</p> |
| <p>The 'existing use value + premium' approach to assessing the benchmark land value has overestimated the value of the existing industrial units. A rateable values approach (based on rental streams and lettings information) would be a more appropriate means of establishing land value.</p> | <p>Consultants working on behalf of the Council have estimated the existing use value by looking at the nature and condition of each of the commercial units together with comparable evidence. It is not accepted or best practice to disregard comparable evidence in the local area and to instead rely on site specific rateable values. A significant amount of evidence has been provided within the FVA which supports the estimated rental values informing the existing use value. The estimated value based on this evidence has been agreed between a number of professional parties appointed by both the applicant and Brent, including Montagu Evans, BNP Paribas, Colliers International and Gateley Hamer.</p> |

54. It should be noted that the GLA's comments on the viability of the scheme are near identical to those made by it during the previous planning application and, as was the case previously, Brent would consider these arguments to be a diversion from RICS guidance on viability assessments and standard industry practice without justification. The approach taken by Brent officers is robust and in line with best practice guidance, and this demonstrates that the scheme would deliver more than the maximum reasonable amount of Affordable Housing. Nevertheless, should there be a change in scheme viability, this would be captured through the review mechanism.

Acceptability of the wider tenure split

55. Adopted policy CP2 seeks a target for 25% of new homes within the Borough to be delivered as family sized units (three bedrooms or more) and emerging policy BH6 seek for one in four new homes to be family sized (three bedrooms or more) on individual sites. The previous scheme proposed 20% family homes whilst the revised proposal will provide two additional 3 bedroom homes but, by virtue of the overall increase in the number of homes, will see the proportion of homes within the 3 bedroom category

reduced from 20% to 17%. There is a fine viability balance to be struck between the delivery of 3 bedroom homes (which have a lower £/sqft value than other homes) and the delivery of affordable homes and the applicant advised that they have reduced the proportion of family size housing to address the concerns raised by members regarding the level of Affordable Housing while ensuring that the scheme would remain deliverable. The modest reduction in the proportion of 3 bedroom homes is acknowledged as being detrimental in the context of CP2 and BH6 policies but is overall considered to be commensurate with the increase in the proportion of affordable homes that the scheme proposes to deliver.

56. Whilst the family home percentage is below policy targets, the amount of family housing within the affordable tenures is above the policy requirements, at 29%. The greatest need within affordable tenures is for three bedroom homes and the over-delivery against policy expectations within the affordable tenures is strongly welcomed. It is also noted that 54% of the scheme's family homes are provided within the affordable tenures, including 35% family provision within the London Affordable Rented tenure, 3% family provision within the Affordable Rented tenure and 56% family provision within the Shared Ownership tenure.

Distribution of affordable homes

57. The affordable housing is proposed to be contained entirely within the northern site, specifically within blocks G, H, J, K and M. There are two London Affordable Rented blocks (J and M), two Shared Ownership blocks (G and K) and there is one Affordable Rented block (H). Blocks H and K also contain 4 London Affordable Rented units each at ground floor level, but are otherwise comprised entirely of Affordable Rented and Shared Ownership units respectively. It is welcomed that two of the affordable blocks are mixed, but the self-containment of single tenures within the other blocks is understood as being necessary for ease of management by a registered provider. This results in all of the northern site being affordable aside from one block (L), which forms a terrace of 4x3 bedroom houses.

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

| Affordable Block | London Affordable Rent Units | Affordable Rent Units | Shared Ownership Units | Total Units |
|-------------------------|-------------------------------------|------------------------------|-------------------------------|------------------------------|
| G | 0 | 0 | 28 (9x1, 2x2, 17x3) | 28 (9x1b, 2x2b, 17x3b) |
| H | 4 (3x1, 1x2) | 87 (28x1, 56x2, 3x3) | 0 | 91 (31x1b, 57x2b, 3x3b) |
| J | 44 (6x1, 19x2, 19x3) | 0 | 0 | 44 (6x1b, 19x2b, 19x3b) |
| K | 4 (2x1, 2x3) | 0 | 38 (8x1, 10x2, 20x3) | 42 (10x1b, 10x2b, 22x3b) |
| M | 13 (5x1, 6x2, 2x3) | 0 | 0 | 13 (5x1b, 6x2b, 2x3b) |
| Total | 65 (16x1, 26x2, 23x3) | 87 (28x1, 56x2, 3x3) | 66 (17x1, 12x2, 37x3) | 218 (71x1b, 94x2b, 63x3b) |

Design

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

Layout and public realm

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

Layout of Northern Side

61. The northern half of the development proposal is formed of predominantly low-rise flatted development, with an urban grain that is defined by a continuation of the cul-de-sac roads which currently terminate at the edges of this part of the site. This includes Woodside Close and Woodside End, which would be extended southward and eastward respectively from their current ends to intersect in the central eastern part of the site. Woodside End is then proposed to extend further east to form a new T-junction with Mount Pleasant and would act as the main thoroughfare across the site from east to west; this would also form the only new road within the development site that is proposed to be adopted and open to public vehicular traffic. The final additional vehicular road would be Woodside Place, extended eastward from its current end to intersect with the extended Woodside Close in the north-eastern part of the site. Aside from Woodside End (the main road through the site), the new road from Woodside Place would be closed off to local traffic by bollards and would be for pedestrian use and essential vehicular use (e.g. Refuse collection, deliveries) only. Woodside Close would connect to the site by pedestrian access only. This would be soft landscaped and comprised of a narrower pedestrian pathway and play space, having the feel of a small pocket park. This landscaped transition space would act as both an attractive street feature as well as an effective means of addressing level change across this part of the site. All of new roads internal to the site would be formed of a shared surface to emphasise pedestrian priority.
62. The western side of the north part of the site is formed of two partial perimeter blocks in the form of a part 3, part 4 and part 5 storey L-shaped building (fronting Woodside Close and Woodside Place) containing 42 units (block K) and a part 4, part 5, part 8 and part 12 storey U-shaped building (fronting Woodside Place, Woodside Close and Woodside End) containing 135 units (blocks H and J). This marks the second tallest part of the development, with the 12 storey massing fronting on the corner of Woodside End (the main road through the site) and Woodside Close. Given its central location in the site, the 12 storey building, whilst certainly tall in the local context is broadly supported as a reasonable height increase appropriate for the centre-of-site location. These two buildings are to be provided with rear garden spaces away from the streets they front. The U-shaped building's garden will be podium form with a parking basement underneath (accessed from ramp on Woodside End), also containing cycle and bin stores.
63. The eastern side of the north part of the site is formed of three smaller buildings: A part 4 and part 7 storey building (fronting Woodside End and Woodside Close) containing 28 units and a large commercial space at ground, first and second floor levels (block G), a 4 storey building to the north (fronting Woodside Close) containing 13 units (block M) and finally a 3 storey terrace of 4 townhouses to the north eastern edge of the site, also fronting Woodside Close (block L). The houses forming block L represent the only non-flatted development in the site and will offer family homes with large private gardens.
64. The proposals for the northern site are summarised in the table below:

| Blocks | G | H | J | K | L | M |
|---------------------------------------|---|-----------------|-----------------|------------------|-------------|-----------------|
| Height/s | 4 & 7 storeys | 5 & 12 storeys | 4 & 8 storeys | 3, 4 & 5 storeys | 3 storeys | 4 storeys |
| Commercial use at lower levels | 679sqm – Market 693sqm – Affordable 128sqm - Communit | None | None | None | None | None |
| Residential units | 28 x Affordable | 91 x Affordable | 44 x Affordable | 42 x Affordable | 4 x Private | 13 x Affordable |
| Total Residential units | 222 Units – (4 x Private [2%] & 218 x Affordable [98%]) | | | | | |

Layout of Southern Side

65. The southern half is taller and denser and is formed of a large city/perimeter block in the west and the centre (blocks B, C, D and E) and a smaller building that separates the city block from a 'linear park' style public recreation area along the eastern edge of this part of the site (blocks A and F). The buildings along this section front the Grand Union Canal on their south sides and define the focal spaces for the development site, which is to be the linear park corridor (shared across the boundary with Liberty Wharf to the east) and the canal front, accessed from the linear park link. The city block is varied in its heights, ranging from 5 to 16 storeys (containing 315 units), whilst the smaller building is 9 storeys in height, with a reduced central section that is 5 metres in height (containing 147 units). The smaller building is to contain a commercial focus at ground floor, with affordable workspace being provided at this level. The

focus of commercial floorspace on the eastern side of the site, close to the junction with Mount Pleasant is logical and should help to establish a stronger neighbourhood centre. The 16 storey massing is focused at the centre point of the development, along the new Woodside End frontage and aligned centrally at the southern end of the extended Woodside Close to frame the view along it. The 16 storey massing is also directly opposite the 12 storey massing (the tallest point of the development on the north side of the road) forming the dense centre part of the site.

66. A large podium garden is proposed centrally in the city block atop a basement car park which is to be accessed from a minor access road which spurs off from Woodside End.
67. A final new route through the site is a large pedestrianised corridor between the city block and the eastern block and linear park on the east side which leads to a wide flight of steps down to the canal frontage. The steps address the level change that is seen in this part of the site. This presents an alternative means of access to the canal aside from the linear park and would be more direct for residents in the northern half of the site. The steps are supported as both a means of access and as a visual feature of the environment, an alternative ramped route for disabled users is achievable through the linear park link which runs parallel to this route.
68. The proposals for the southern site are summarised in the table below:

| Blocks | A | B | C | D | E | F |
|---------------------------------------|--|----------------|---------------|------------------|-------------------|-----------------|
| Height/s | 5 & 9 storeys | 5 & 10 storeys | 5 & 9 storeys | 6, 7 & 8 storeys | 7, 8 & 16 storeys | 5 & 9 storeys |
| Commercial use at lower levels | None (64sqm – Market commercia in pavilion to south) | None | None | None | None | 369sqm - Market |
| Residential units | 81 x Private | 73 x Private | 86 x Private | 65 x Private | 91 x Private | 66 x Private |
| Total Residential units | 462 Units [100% Private] | | | | | |

Removal and re-provision of pumping station

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

Public Realm

70. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. Largely, all building facades that front a street within the development site are active at ground floor level, with the focus generally on residential frontages although commercial frontage along parts of the extended Woodside End also form a notable element of the scheme. Ground floor units front onto the street and are accessible from the street rather than from the cores. This will significantly increase street activity and further embed a residential character. Appropriate defensible spaces, which form part of the landscaping plan, will establish a suitable soft landscaped privacy buffer between the ground floor residential windows and the defensible spaces.
71. The development site will involve a substantial coverage of new public realm, including high value public realm fronting the canal. An extensive landscaping proposal has been submitted incorporating a large amount of street tree planting and numerous landscaping features. The pedestrian corridor along the eastern edge of the site and the canal frontage itself is the clear focal point of the landscaping strategy, being the prime connection between the commercial node at Mount Pleasant and the canal. The environment along this corridor is to be shared with the consented Liberty Wharf development.

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

Height and Massing

72. Policy BD2 of the emerging Local Plan directs tall buildings to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. This site sits within the tall building zone. Furthermore, the emerging site allocation notes that development coming forward should be denser than the surrounding suburban character. The allocation states that the site is suitable for tall buildings of a mid-rise height, which sit well subject to detailed design analysis showing no adverse impacts and a satisfactory relationship in terms of scale and massing. This should be delivered in context with the residential properties in the neighbouring Liberty Wharf development which rises to six storeys and the surrounding two storey residential properties elsewhere that are likely to remain.
73. Whilst clearly of substantially greater massing than Liberty Wharf in its central core, the massing would, from most viewpoints, appear less prominent in this location, being buffered from view by the surrounding built form which is of a lower height that evokes the scale of Liberty Wharf more strongly. Officers consider that the general approach to massing is comfortable. The approach sees:
- 3 to 6 storey massing at the edges of the site where the adjacent context is suburban housing;
 - 9 storey massing adjacent to the 6 storey Liberty Wharf development;
 - Up to 10 storey massing fronting the Grand Union Canal;
 - Greater massing located centrally in the development, away from the lower scale context, 7 to 12 storeys in the northern part of the site and 16 storeys in the southern part of the site.
74. This approach establishes a clear transition from smaller buildings close to the suburban edges of the site, stepping up to the tallest features centrally. It is acknowledged that the central massing, particularly the 16 storey high point of the development, is development which would be significantly higher than its surroundings, however officers note that the majority of the site will be comprised of moderately sized buildings which would relate suitably to their surroundings whilst also establishing a denser suburban fabric as required by the site allocation briefs. The denser nature of this development compared to its surroundings would also be conducive to meaningful housing delivery in line with emerging London Plan housing targets for the borough, and thus making efficient use of this brownfield site. In summary, a key part of the height and massing strategy's success is the positioning of lower buildings around the periphery of the site, forming a substantial visual buffer between the surrounding streetscene and the central part of the site, obscuring much of the prominence of the 16 storey high point of the proposal.
75. The previously refused application (18/4919) was for a slightly lower scale development. This application has seen most of the buildings within the scheme increased in height, either by one storey or two storeys depending on the sensitivity of the location. The proposal has also seen a connecting block being added to the scheme between Blocks A and F (previously an open space between the two blocks).
76. These two elements of increased massing have accommodated the additional 103 units beyond the 18/4919 iteration that have been important in improving scheme viability to accommodate additional affordable housing. On a building by building basis, the increase in height will be modest and not starkly noticeable from street level, nonetheless, an appropriate assessment of the impact of this additional massing has been undertaken by officers to ensure this is acceptable in line with Brent's design guidance (SPD1) and the BRE guidelines in relation to daylight and sunlight impact, and this is discussed later in this report.
77. The specific increases in height and massing within this application compared to the refused application are set out below:
- Block A increase from 8 storeys to 9 storeys (+1)
 - Block B maximum height increase from 8 storeys to 10 storeys (+2)
 - Block C maximum height increase from 8 storeys to 9 storeys (+1)
 - Block D maximum height increase from 7 storeys to 8 storeys (+1)
 - Block E maximum height increase from 14 storeys to 16 storeys (+2)
 - Block F increase from 8 storeys to 9 storeys (+1)
 - Block G maximum height increase from 6 storeys to 7 storeys (+1)
 - Block H maximum height increase from 11 storeys to 12 storeys (+1)
 - Block J maximum height increase from 6 storeys to 8 storeys (+2)
 - Block K unchanged at 5 storeys
 - Block L unchanged at 3 storeys

- Block M unchanged at 4 storeys
- Addition of a 5 storey 'link block' to connect Blocks A and F

Architecture and Materiality

78. The applicant's plans indicate a strong focus on 1930s light industrial vernacular in terms of architecture and materiality. The key visual motif across the development site is the use of typical industrial style saw-tooth roof forms in different arrangements atop the blocks and a combination of red brick, light brick and metallic style panels (some in silver colour, some in salmon colour and some in gold colour) with a corrugated appearance along the external walls. All of these features strongly evoke the location's industrial heritage but also present a pleasing and distinctive visual design language, especially in the post-industrial context of this site. The 16 storey building at the centre of the development site would have a different design language, comprised of grey brickwork of two complementary shades and arranged in a way that would frame different sections of the building, providing a strong vertical emphasis and a more light-weight and neutral appearance compared with the more overt vernacular of the buildings that would surround it. The top level brick frame of the building would retain a saw-tooth appearance to ensure an element of design continuity with other parts of the proposal. The approach to a different materiality for the tallest building element is supported and would help to soften the visual prominence of this element. The architecture and materiality is supported in principle. The material palette will foster a strong residential feel at the lower levels but still evoke the neighbourhood's industrial past at the upper levels when seen from a greater distance.
79. The scale, massing and visual design of the proposed buildings will clearly appear different from the long-established suburban dwellinghouses that define the surrounding context. The focus on traditional brick facades for the buildings and the approach to limiting height and massing around the edges of the site would provide an element of continuity between the surrounding houses and the new developments whilst the more modern approach to the architecture and denser core elements would provide a suitable response to current housing pressures and would also provide an element of continuity with the Liberty Wharf development on the adjacent site.
80. The architecture and materials approach is supported, subject to a standard condition will require material samples to be submitted for officer approval.

Quality of residential accommodation

Internal design quality

81. The quality of the proposed residential units is high with deck access cores which generally have fewer than 8 units allowing for a high proportion of dual aspect units. Higher numbers of units per core are seen in the lower floors of Blocks A (10 units per core) and F (9 units per core) but otherwise the guidance is met in this respect. All units, including bedrooms, meet the relevant internal space standards as set out within emerging London Plan policy D6. The orientation of the blocks means that most of the units have east/west aspect maximising penetration of sunlight. 10% of homes have been designed to be adaptable for disabled users, meeting relevant London Plan policy requirements.

Aspect

82. A number of the proposed buildings have been designed to maximise dual aspect flats through deck access design, utilising communal access corridors to flats which are open air and located along the outside edges of the buildings. This allows internal rooms which are positioned adjacent to these corridors to still benefit from outlook visible from across the corridor. Within the corridors, openings have been placed appropriately to ensure that windows to habitable rooms are able to benefit from the outlook beyond these corridors. Blocks K, J, H and M in the north site and blocks B, C, D and E in the south site utilise this to achieve a greater number of flats with dual aspect than they would otherwise. In the north site 55% of flats have dual aspect, whilst in the south site 48% of flats have dual aspect, resulting in a scheme wide average of 50%. This is considered to be an acceptable amount within this form of development.

Amenity Space and Open Space

83. Policy DMP19 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20

sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms).

84. The DMP19 requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
85. With regard to quality of the space, the supporting text to policy DMP19 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
86. Emerging London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m is reconfirmed in the emerging policy.
87. Each flat in the development will be provided with its own private terrace or balcony. All of these terraces will comply with the London Plan standards and many will be very generously sized, utilising both internal and external outdoor spaces to maximise balcony space, with a number being as large as 30sqm in size. The proposal also incorporates four high quality communal gardens for the use of residents at ground level. One of these is to be located centrally between blocks B, C, D and E, serving all residents of these blocks and measuring 694.2sqm in size. Secondly, a fourth floor podium garden measuring 117.4sqm links together blocks B and C and would be usable by all residents in these blocks. Thirdly, a ground floor garden is provided for all residents in blocks J (an affordable block) and H measuring 832.2sqm in size and a fourth garden serves block K (also an affordable block) on the ground floor, measuring 705.6sqm in size. Private ground floor residential gardens are also provided for the terrace of four houses (block L) (about 50sqm on average).
88. All of the amenity spaces mentioned above were included within the previously refused application (18/4919). Through the amended plans within this scheme, the applicants have sought to increase the provision of amenity space compared to the previous application through the use of the rooftops for communal and private amenity areas. Rooftop amenity spaces have been incorporated atop Blocks A and F in the south site and atop Block G in the north site. The rooftop amenity spaces are well designed, attractive and usable for all residents and, by virtue of being located within the 'saw-tooth' roof forms of these blocks, offer a mixture of more open and enclosed open air spaces, improving their usability and adaptability. The saw-tooth roof forms for the relevant blocks have been established with gaps and openings within them to ensure a good mixture of open and enclosed spaces, whilst also retaining the integrity of the roof form as seen from the street and farther afield. The new application has been devised during the Covid-19 pandemic and the additional rooftop amenity spaces therefore have heightened importance.
89. Overall, the amenity space provision, and associated shortfalls below DMP19 (where relevant) is as follows:

Southern Site

| Block | A | B | C | D | E | F | Total |
|--|---------|---------|---------|---------|---------|-------|---------|
| Number of 1 and 2 bed units (20sqm) | 72 | 65 | 75 | 52 | 83 | 66 | 413 |
| Number of 3 bed units (50sqm) | 9 | 8 | 11 | 13 | 8 | 0 | 49 |
| Amenity space standard sqm (DMP19) | 1,890 | 1,700 | 2,050 | 1,690 | 2,060 | 1,320 | 10,710 |
| Shortfall in amenity sqm (incl. private) | 1,210.6 | 1,003.6 | 1,342.9 | 1,144.9 | 1,354.7 | 726.5 | 6,783.2 |

| | | | | | | | |
|---|-------|-------|---------|-------|---------|-------|---------|
| Total share of communal space sqm | 348.8 | 210.5 | 248.2 | 147.3 | 206.3 | 228.6 | 1,389.7 |
| Adjusted shortfall sqm (incl. private & communal) | 861.8 | 793.1 | 1,094.7 | 997.6 | 1,148.4 | 497.9 | 5,395.5 |

Northern Site

| | | | | | | | |
|---|---------|---------|---------|---------|-----|---------|---------|
| Block | G (aff) | H (aff) | J (aff) | K (aff) | L | M (aff) | Total |
| Number of 1 and 2 bed units (20sqm) | 11 | 88 | 25 | 20 | 0 | 11 | 155 |
| Number of 3 bed units (50sqm) | 17 | 3 | 19 | 22 | 4 | 2 | 67 |
| Amenity space standard sqm (DMP19) | 1,070 | 1,910 | 1,450 | 1,500 | 200 | 320 | 6,450 |
| Shortfall in amenity sqm (incl. private) | 823.6 | 1,204.4 | 1,038.9 | 977 | 0 | 182.8 | 4,226.7 |
| Total share of communal space sqm | 313.4 | 561.0 | 271.2 | 705.6 | 0 | 0 | 1,851.2 |
| Adjusted shortfall sqm (incl. private & communal) | 510.2 | 643.4 | 767.7 | 271.4 | 0 | 182.8 | 2,375.5 |

90. In the context of this scheme, DMP19 would stipulate an amenity space standard of 17,160sqm (previous application: 15,100sqm) and, taking the above into account, the proposal sees a shortfall against this policy standard of 7,770sqm (previous application: 7,684sqm). Overall, whilst the scheme does not comply with the levels of amenity space set out in DMP19, the amenity space is considered to be of good quality, resulting in a high standard of residential accommodation.

91. Despite an increase in the number of units by 103, the shortfall against the required amount of amenity space is less than the previous scheme's shortfall in percentage terms. 50% of the required amenity space is provided in the southern site whilst 63% of the required amenity space is provided in the northern site. By comparison, the previous application proposed to deliver 41% of the required amenity space in the southern site and 61% of the required amenity space in the northern site.

92. In considering the acceptability of the amenity space offer, particularly in view of the proposals falling short of the quantum of amenity space specified in policy, officers would note that the proposal will deliver large areas of new landscaped public realm, both in the form of green space for general recreation and as designated child play space, referred to as doorstep play (more information on total play provision below). These spaces will most directly benefit residents of this development and in particular the residents whose blocks sit alongside the relevant public amenity spaces, but will also be accessible to the wider community.

93. Officers would highlight the following parts of the development's open space as having significant landscaping benefit and therefore warranting of being factored into the overall judgement of the acceptability of the open space and amenity space offer for residents of the scheme:

- Southern site (1,319sqm):

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

(191sqm)

- Northern site (421sqm):

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

94. Therefore, the shortfall below policy targets of 7,770sqm is partially off-set by the provision of 1,740sqm of new public open space within the scheme.
95. In addition, officers would note that three existing public open spaces would be accessible to residents within a 10 minute walk of the site: Mount Pleasant Open Space (3 min walk), Heather Park (7 min walk) and One Tree Hill Recreation Ground (10 min walk), providing a further amenity offer to residents. Furthermore, additional open spaces are to be delivered as part of the Grand Union development to the east, with the Grand Union site being accessible within a 6 minute walk.
96. To summarise, the amount of external amenity space for a number of homes falls below the targets expressed within policy DMP19. However, having regard to the proximity to nearby open spaces and the quality and quantity of on-site provision, the new homes would nonetheless have access to external space that is sufficient in size and type to satisfy the needs of future residents. The limited conflict is considered to be outweighed by the benefits of the proposed development, including the provision of new homes in the borough.

Play Space

97. Policy 3.6 of the London Plan requires that on site play space is provided to service the expected child population of the development. The applicants have set out a play space strategy which provides on-site play spaces in line with GLA's child yield matrix. The child yield matrix would require 3,326sqm of on-site play space based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting. This quantum of play space would be split between enclosed courtyard podium play for 0-4 year olds (1,515sqm) and equipped doorstep play for 5-11 year olds (1,184sqm). Roof top play for all age groups (110sqm) would be provided across the newly added rooftop gardens to the scheme. Neighbourhood play for 11+ year olds would not be provided on site and the nearby parks of Mount Pleasant Open Space and Heather Park would effectively serve this purpose.
98. The enclosed courtyard podium playspaces are provided within all three of those spaces within the scheme, with a 453sqm play space forming part of blocks' B, C, D and E podium garden, a 598sqm play space forming part of blocks' J and H podium garden and a 464sqm play space forming part of block K's podium garden. Together, these play spaces amount to 1,515sqm of 0-4 year old play space, and the two larger play spaces (those serving blocks J, H and K) will be accessible to residents of the affordable blocks H, J and K. The all age rooftop play will be provided atop block F's rooftop garden (45sqm) and atop block G's rooftop garden (65sqm).
99. The equipped doorstep play is proposed within 5 separate spaces around the public parts of the site, which also form part of the public amenity space offer of the development. The largest (421sqm) will be in the landscaped transition space between blocks J, H and G, two smaller spaces (224sqm + 171sqm) will be provided along the western side of the linear park space between blocks A, F and the Liberty Wharf development and two other spaces (191sqm + 179sqm) will be within the canal frontage. These spaces together comprise 1,186sqm of 5-11 year old play space and will also be play spaces that will benefit the wider public.
100. Together, the play spaces amount to 2,811sqm, falling 515sqm (15%) short of the expected on site quantum (3,326sqm). The onsite provision has prioritised the lower age groups, meaning that higher age groups can rely on the nearby parks of Mount Pleasant Open Space and Heather Park, as well as the emerging open spaces within the Grand Union scheme, for recreation.
101. The previous application (18/4919) had a lower child play requirement of 2,706sqm (620sqm less than the current application). The scheme is offering 110sqm additional play space compared with that of the previous scheme, although the overall shortfall against child play provision has increased from a 5sqm (0.18%) shortfall to a 515sqm (15%) shortfall.
102. The increased shortfall in play space provision compared with the previous application is considered to be material and Brent would therefore seek mitigation to address this shortcoming. Brent's Parks services have confirmed that the child play facilities at local parks to this site (Mount Pleasant Open

Space, Heather Park and One Tree Hill Open Space) are all in a position to benefit from improvement to support the increasing population. A financial contribution towards this can therefore be secured in the S106 agreement. This obligation will apply unless the applicant instead submits revised plans which effectively address the shortfall through increased on-site provision.

103. Detailed plans of the play spaces and their individual features will be secured through the landscaping condition. The development is considered to be acceptable in terms of its play space offer.

Privacy and relationships between blocks

104. The distances between the facades of blocks that face one another within the scheme range between 19 metres and 22 metres in most instances. These distances comply with SPD1 standards for suitable privacy separations across private environments, but nonetheless are separations across public streets in this case. These separations mirror the established separations of the surrounding residential streets of Woodside End and Woodside Place. A reduced 18 metre separation is established between Blocks J and K at the corner of the extended Woodside Place and Woodside Close and a further reduced separation of 15 metres is present between blocks F and G across the extended Woodside End. Given the public setting of these relationships, the separations are still considered to be generous and would continue to adhere with SPD1 guidance as the 18 metre standard is only required where windows face one another across private settings.

105. The separation between blocks A and F (at the upper floors, above the link block) in the south site is 16m and is a separation across private space. Within the two facing elevations are secondary habitable room windows. The architects have designed the scheme so as to place the windows such that they are deliberately offset from one another's line of sight to reduce the potential for overlooking between these habitable rooms. Whilst falling 2 metres short of the guidance, officers consider that the 16m separation between Block A's northern façade and block F's southern façade is justified in a scheme of this layout and density and would not result in a relationship which unduly detracted from the privacy of the units. The windows in the facades of blocks A and F, as discussed above, will face each other across the private rooftop gardens of the four units adjacent to the roof level of the link block. These garden spaces are generously size (54sqm) but will be overlooked because of this and will therefore have their desirability for use lessened; however each of the four affected flats also benefits from a separate London Plan compliant balcony which would not be overlooked. As such, the additional private rooftop gardens, whilst compromised in privacy terms to an extent, should still be supported.

106. Block G's northern flank will face Block M's southern flank and Block M's northern flank will face Block L's southern flank across distances of 5m in a public setting. Between Blocks G and M, only secondary windows that are offset from each other's direct line of sight are to be provided, with the primary windows provided in the eastern and western frontages. Between Blocks M and L, secondary windows are to be placed in the northern flank of Block M whilst the southern flank of Block L will not contain any windows. As such, it is not considered that an unacceptable overlooking relationship will be established between units in these locations.

107. The communal garden to Blocks B, C, D and E and the communal garden to Blocks H and J will be surrounded by residential facades on four sides and three sides respectively, thus enabling a direct line of sight between opposite facades. However, the separation distances in the context of these podium gardens are generous, with 23m (east to west) and 37m (north to south) separations being present across the B, C, D, E communal garden and a 27m separation being present across the H, J communal garden. These distances are significantly in excess of the 18m standard set out in guidance and will not result in undue overlooking.

Development Phasing

108. The development is to be phased as follows:

Pre-construction phases

- Demolition and decontamination of the north site (carried out prior to construction phase 1)
- Demolition and decontamination of the south site and relation of the pumping station (carried out prior to construction phase 5)

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

- Construction of blocks **M** and **L** - Phase 1
- Construction of block **K** - Phase 2
- Construction of basement below blocks **J** and **H** and new road through the centre of site – Phase 3
- Construction of blocks **J**, **H** and **G** - Phase 4
- Construction of basement below B, C, D and E - Phase 5
- Construction of blocks D and C - Phase 6
- Construction of blocks E and B - Phase 7
- Construction of blocks F and A - Phase 8

109. The phasing plan would see all of the scheme's affordable housing delivered within the first four construction phases which is welcomed.

110. The applicants have confirmed that the first residential completions are planned to be delivered within 3.5 years of consent being granted and continuing at a rate of about 100 units per year. This would result in a total build period of around 10 years. The phasing would see the site developed from north to south.

111. A number of the conditions within the decision notice as well as clauses within the S106 agreement have time triggers that account for the phasing plan.

Impact on amenities of neighbouring properties

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

Privacy, Overshadowing and Losses of Light

113. In order to maintain acceptable levels of privacy to neighbouring properties, SPD1 states:

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

114. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 states the following:

“The building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of two metres.”

“The 1:2 guidance for two storey extensions outlined in the Residential Extensions and Alterations SPD2 applies for commercial developments next to residential as well as between residential developments. This requires new buildings and extensions to not extend further beyond the neighbouring building line than half the distance to the centre of the nearest habitable room. Towards public streets and spaces, it is expected that buildings continue the established building line.”

115. In the event that these relationships cannot be achieved, a careful balance of this harm in the context of the other considerations should be made. A full test of daylight and sunlight impact on surrounding properties can also assist in understanding and weighing up the harm in the balance of considerations. Daylight and sunlight testing has been carried out and is discussed in the next section.

116. Given the extent of the site, the tests of privacy, overshadowing and light loss as per the SPD1

criteria will be reported building by building, as per the below. It should be clarified that whilst the heights of all but Blocks K, L and M have increased compared with the previous application (18/4919), the building placement remains identical to the proposal that was previously considered. The only exception to this is the addition of the link block between Blocks A and F, which forms additional coverage of development footprint compared with the previous scheme.

117. Members did not refuse the previous application on the basis of the impact on surrounding properties.

South site

Block A

118. Block A borders with Liberty Wharf to the east and 119 to 125 Carlyon Road to the south, across the Grand Union Canal. The separation with Liberty Wharf (21m) is substantial and complies with guidance for privacy separations. The red line boundary between these sites sits about halfway between the two facades. Given that the development faces Liberty Wharf across the linear park, a public pedestrian thoroughfare, the test of 30 degrees does not apply between Block A and Liberty Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship is considered to be acceptable.

119. At its closest point, the block will sit 34.75m from the boundary with residential gardens along Carlyon Road (119 Carlyon Road is the closest). This level of separation significantly exceeds the standard within guidance for retaining suitable privacy levels. Block A and the Carlyon Road properties would be separated by a significant expanse of the Grand Union Canal and 30 degree and 45 degree testing is therefore not relevant in the context of this relationship.

120. Block A will not directly impact the outlook to any other properties.

Blocks B and C

121. Blocks B and C border with 87 to 113 Carlyon Road to the south, industrial units to the west and 34 and 36 Woodside End to the north.

122. To the south, Block B will sit about 32.5m from the Carlyon Road gardens (at the closest point, to 113 Carlyon Road) and 45m from the Carlyon Road dwellinghouses (at the closest point, to 109 Carlyon Road), thus exceeding relevant guidance for privacy. These blocks and the Carlyon Road properties would be separated by a significant expanse of the Grand Union Canal and 30 degree and 45 degree testing is therefore not relevant in the context of this relationship.

123. To the north, the block will sit 22m from the rear boundary of properties along Woodside End, 38m from the rear wall of 34 Woodside End and 41m from the rear wall of 36 Woodside End. The 45 degree and 30 degree tests are relevant in this context and the tests are comfortably passed relative to these properties. At these distances, all relevant privacy relationships will also exceed the guidance requirement,

124. To the west, the industrial context would not warrant consideration against these criteria. The block sits about 7m from the boundary with the industrial properties, although will not have any habitable windows which would rely on outlook across this site. As such, the placement of this block within 7m of the neighbouring industrial site is not considered to result in any prejudice to the ability of the neighbouring site to be developed.

Block D

125. Block D borders with 36 Woodside End to the west.

126. Block D has been designed to give significant clearance to 36 Woodside End as Block D's central garden space will sit largely along the edge of this property. For the 3 metres of depth beyond the dwellinghouse and into the garden of 36 Woodside End, the development will project at a distance of 9.4m, which exceeds the standard for ensuring suitable privacy, as set out in SPD1. Given the side-to-side relationship between Block D and 36 Woodside End, the 1:2 relationship, set out in SPD1 and SPD2, is considered to be the most appropriate test for judging the acceptability in relation to the building's massing, as Block D has a side-to-side relationship with the rear of a domestic property. The

1:2 rule relationship complies with guidance when tested in the context of no. 36 Woodside End. The property at 36 Woodside End would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character.

Block E

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

Block F

128. Block F is located along the eastern edge of the site, across from the emerging Liberty Wharf development. The separation with Liberty Wharf (21m) is substantial and complies with guidance for privacy separations. The red line boundary between these sites sits about halfway between the two facades. Given that the development faces Liberty Wharf across the linear park, a public pedestrian thoroughfare, the test of 30 degrees does not apply between Block F and Liberty Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship is considered to be acceptable.

North site

Block G

129. Block G sits adjacent to the rear boundary of 148 and 150 Mount Pleasant. 148 and 150 Mount Pleasant is a solely commercial retail building and does not warrant testing against residential amenity standards. Nonetheless, a distance of about 17.8m is present between the nearest upper floor windows on the block facing the site and the affected site itself, confirming that the potential future development of this site will not be prejudiced by this proposal, in accordance with SPD1 guidance.

130. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.

Block H

131. Block H borders with 11 Woodside End.

132. Similar to the approach taken with Block D, block H has been designed to give significant clearance to its neighbouring property as its central garden space will sit largely along the edge of this property. For 1.5 metres of depth beyond the dwellinghouse and into the garden of 11 Woodside End, the development will project at a relatively close distance of 3.75m. This relationship would meet the 1:2 rule test. The projecting stairwell of the block would project out from the main building by an additional 3.5m, resulting in a total projection beyond the rear wall of 11 Woodside End of around 5m. The stairwell element is set in by about 9m from the nearest habitable room window at the property, meaning that this element marginally fails the 1:2 relationship by about 0.5m of width. The property at 11 Woodside End would otherwise be given a generous clearance by the proposed development, being adjacent to a communal garden space that is 40m in width and which would fully comply with the 45 degree test for the remainder of its extent. The majority of the garden to 11 Woodside End would therefore largely continue to feel unconstrained and open in character. Nonetheless, the marginal shortfall in guidance criteria when assessed against the 1:2 rule relationship is acknowledged.

133. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.

Block J

134. Block J borders with 12 Woodside Place.

135. Similar to the approach taken with Blocks D and H, block J has been designed to give significant clearance to its neighbouring property as its central garden space will sit largely along the edge of this property. For 4.2 metres of depth beyond the dwellinghouse and into the garden of 12 Woodside Place the development will project at a relatively close distance of 3.6 metres. This relationship would not meet 1:2 rule guidance, being about 2m deeper than would be needed to meet this test. The projecting

stairwell of the block would project out from the main building by an additional 3.5m, resulting in a total projection beyond the rear wall of 12 Woodside Place of around 7.7m. The stairwell element is set in by about 9m from the nearest habitable room window at the property, meaning that this element fails the 1:2 relationship by about 3m of depth. Nonetheless, this stairwell element would be fully buffered from view by the 3.5m projection of the main building as seen from the rear windows of 12 Woodside Place. The property at 12 Woodside Place would otherwise be given a generous clearance by the proposed development, being adjacent to a communal garden space that is 40m in width and which would fully comply with the 45 degree test for the remainder of its extent. The majority of the garden to 12 Woodside Place would therefore largely continue to feel unconstrained and open in character.

136. Nonetheless, the lack of full guidance compliance when assessed against the 1:2 rule relationship is acknowledged.
137. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.

Block K

138. Block K borders with 11 Woodside Place, 36 Woodside Close and the neighbouring open space which forms the other part of the site allocation.
139. The siting, height and massing of Block K has not changed from the previous application.
140. Similar to the approach taken with Blocks, D, H and J, block K has been designed to give significant clearance to its neighbouring property at 11 Woodside Place as its central garden space will sit largely along the edge of this property. For 4.5 metres of depth beyond the dwellinghouse and into the garden of 11 Woodside Place the development will project at a relatively close distance of 3.8 metres. This relationship would fail 1:2 rule testing by about 3m of depth. As with Blocks H and J, a projecting stairwell projects further beyond the rear wall of the property (to about 8m) at a separation distance of about 8m from the nearest habitable room window of the property. This also fails 1:2 testing being about 4m too deep, but, as with Block J, this stairwell element would be fully buffered from view by the 4.5m projection of the main building as seen from the rear windows of 11 Woodside Place. The property at 11 Woodside Place would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character. Nonetheless, the lack of full guidance compliance when assessed against the 1:2 rule relationship is acknowledged.
141. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.
142. The northern part of this block borders close to the rear garden boundary with 36 Woodside Close. 36 Woodside Close's main rear elevation does not face towards the development, although block K will extend within close proximity of the garden (about 2.5m). The first 6m of the garden will see a noteworthy breach of the 45 degree line in terms of impact on that part of the rear garden of 36 Woodside Close. The building of block K will extend about 7m above the 45 degree line taken from this boundary. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.
143. The block will not come within close proximity of the boundary with the open space to the north, accessible from Woodside Avenue, which is a separate parcel within the site allocation. Only non-habitable windows will face the development site and not from a distance of less than about 20.5 metres (or 17m in the case of the window to the projecting stairwell). At this distance, the development fully complies with guidance and would not prejudice the ability for the neighbouring site to be developed.

Blocks L and M

144. The siting, height and massing of Blocks L and M has not changed from the previous application.
145. Block L borders with the rear gardens of 124-132 Mount Pleasant.
146. Block L is the smallest block and is formed of four terraced town houses to a height of three storeys. When testing the proposed block in the context of the affected houses, all of the relevant testing with the 45 degree and 30 degree lines is passed.

147. Block M borders with 134-146 Mount Pleasant.
148. Block M is formed of one of the smaller blocks of apartments on the north site, rising to a height of 4 storeys. When testing the proposed block in the context of the affected houses, all of the relevant testing with the 45 degree lines is passed, however when considering windows at the rear of the outriggers to these properties, the 30 degree line testing is marginally failed, with the worst breach being by a height of 1.75m.
149. In terms of privacy between blocks, the distance from the rear facing windows of the blocks to the rear of the original houses is 18m, however, where these houses have been extended this distance is reduced. The closest relationship is between windows serving the communal corridor to Block M and the rear wall of no. 142 Mount Pleasant, where the rear window separation distance is 14.45m. Despite not meeting the 18m standard in all instances, consideration is given to the fact that it is only by virtue of extensions to the properties along Mount Pleasant that the standard is not met. The gardens to these properties are shallow and, in a number of cases, the garden depth is shallower than 9m. By contrast, the distance from the windows in the rear of blocks L and M to the rear garden boundaries with these Mount Pleasant properties is in excess of 9m. Full adherence to the 18m separation standard given this scenario would push the development further into the site unreasonably. A flexible approach has been taken given the need to make efficient use of land in the growth area setting.
150. Given the depths of their gardens and the potential for the houses forming block L to overlook Mount Pleasant to a greater extent if extended, the permitted development rights of these houses are to be removed through a condition. This will result in all extension works to these houses needing separate planning permission.

Summary

151. Overall, the development has a guidance compliant relationship with its surroundings in many respects, although there are some breaches of SPD guidance as follows:
152. A number of properties for which 30 degree line, 45 degree line, and (where relevant) 1:2 rule testing is not fully complied with. To summarise, in terms of properties whose rear gardens and rear windows face the development site, all properties are compliant with guidance with the exception of some properties along the west side of Mount Pleasant, whose rear windows to their outriggers will fail 30 degree line testing, with the most severe breach seeing block M's roof project above the 30 degree line by about 1.75m. In addition, 36 Woodside Close will see a 6m deep section of its garden enclosed by a structure that is about 7m in excess of the 45 degree line. This results from the height and placement of Block K; however, this property is oriented away from the development and the main aspect from the house into the garden will retain an open character. Furthermore, Block K remains unchanged in terms of its siting and height from the previous application, which members found to be acceptable in terms of its relationship with surrounding properties.
153. In terms of properties which sit alongside the development site and have a side-to-side relationship with it, 36 Woodside End, 11 Woodside End, 11 Woodside Place and 12 Woodside Place sit alongside blocks D, H, J and K respectively and pass the 1:2 guidance in relation to 36 Woodside End, would fail the 1:2 guidance by a marginal amount (about 0.5m in terms in rear window visible terms) in relation to 11 Woodside End and minor amounts (between about 2m and 3m in rear window visible terms) in relation to the other two properties.
154. Whilst the above amenity assessments have been carried out on the basis of the proposal in isolation, it should be noted that most rear gardens to existing properties that border the development site have 1 to 1.5 storey high warehouses running along or close to their rear garden boundaries at present. The outlook to properties bordering the development will therefore generally improve as the gardens are opened up and the proposed massing is established at a greater distance from the boundary than the warehouses at present, even in relation to properties which fail the amenity impact tests.
155. Given the scale of development, the degree of non-compliance against SPD1 criteria is considered minor and is considered acceptable given the substantial benefits of this proposal.

Daylight, Sunlight and Overshadowing

156. Within their previous application, the applicants submitted a daylight, sunlight and overshadowing

assessment prepared by suitably qualified experts. The report looked at impacts the previously considered development would have on surrounding properties in terms of changes to daylight and sunlight exposure.

157. Members did not refuse the previous application on the basis of its impacts on daylight and sunlight.
158. Within this new application, the applicants have submitted an addendum daylight and sunlight report to set out the impact associated with the new scheme and compared it with the original daylight and sunlight levels reported within the original application, which was a level of impact that was considered to be acceptable. To recap, the revised scheme is very similar to the previous scheme, with the only elements that could potentially increase daylight and sunlight impact being the increases in height and massing as follows:
- Block A increase from 8 storeys to 9 storeys (+1)
 - Block B maximum height increase from 8 storeys to 10 storeys (+2)
 - Block C maximum height increase from 8 storeys to 9 storeys (+1)
 - Block D maximum height increase from 7 storeys to 8 storeys (+1)
 - Block E maximum height increase from 14 storeys to 16 storeys (+2)
 - Block F increase from 8 storeys to 9 storeys (+1)
 - Block G maximum height increase from 6 storeys to 7 storeys (+1)
 - Block H maximum height increase from 11 storeys to 12 storeys (+1)
 - Block J maximum height increase from 6 storeys to 8 storeys (+2)
 - Block K unchanged at 5 storeys
 - Block L unchanged at 3 storeys
 - Block M unchanged at 4 storeys
 - Addition of a 5 storey 'link block' to connect Blocks A and F
159. Overall, in the original scheme, testing showed that 80% of potentially affected windows would meet the typical recommendations (as set by the BRE) for good daylight and 86% of potentially affected windows would meet the typical recommendations for good sunlight. Given that the increase in building heights is proposed to be modest, the impacts are not expected to be materially greater than those reported previously to the Planning Committee.
160. Daylight testing is carried out through two tests, the Vertical Sky Component (VSC) and the No Sky Line (NSL) tests. The VSC test analyses impact on windows based on how much of the sky would be visible from the window in existing and proposed scenarios. The results are expressed in comparative percentage terms and the BRE considers a VSC score of less than 27% and less than 0.8 times its former value to result in reduced daylight to that window which is likely to be noticeable. The NSL test analyses the parts of a room from which the sky would be visible through particular windows in existing and proposed scenarios in percentage terms. The BRE considers an NSL score of less than 0.8 times its former value to result in reduced daylight that is likely to be noticeable. Generally, windows/rooms that pass one or both of the above tests are considered to result in BRE compliance. Whilst the original scheme was tested on the basis of both tests, the addendum report submitted has tested the original scheme impact against the new scheme impact in respect of VSC, although has not modelled NSL impact given the very minor reductions observed in VSC impact.
161. Sunlight testing is carried out through the Annual Probable Sunlight Hours (APSH) tests. The APSH testing assesses windows that may be affected by the development whose orientations are within 90 degrees due south. The testing considers if these relevant windows can receive one quarter of the annual probable sunlight hours (APSH) based on the built form that may obstruct it. A second test considers whether at least 5% of the APSH will be received during the winter months between the autumn and spring equinoxes. If both tests are passed, then the room should receive enough daylight to maintain a good living environment. The original scheme included an assessment of all the surrounding impacts in respect of APSH, whilst the revised scheme's addendum report has considered the original scheme impact against the new scheme impact according to the same criteria.
162. BRE testing is to be used as a guide rather than strictly enforced. The BRE guidelines identify that the standards they establish generally represent acceptable impact in the context of a low density residential area and it is therefore widely understood that some flexibility and reasonably flexible judgement needs to be exercised at sites where a more urban character is sought. It is generally understood that across growth areas in London, VSC figures of between 10% and 20% have been found to be acceptable where a more urban character will be part and parcel of development that is intended to significantly boost housing numbers. Furthermore at paragraph 123 of the National Planning Policy

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

163. In terms of the individual breakdown, buildings along the following roads were tested for impact as they had the potential to be detrimentally affected by the proposal: Woodside Close, Woodside Place, Woodside End, Carlyon Road and Mount Pleasant. In addition, the emerging Liberty Wharf development was tested for impact, although the considerations for Liberty Wharf are different given that the building does not represent an established residential environment and is instead an emerging residential environment. Liberty Wharf also forms recent development that has come forward as part of the Alperton Growth Area additions, which is of a more urban character than other surrounding development and accordingly would have a lesser expectation of full compliance with BRE guidance in relation to the impact from the proposed development, which is similar in nature. The individual tests, in terms of the original scheme (18/4919) impact are discussed below. Each section includes a separate addendum section which confirms any further worsening in impact compared to the originally submitted scheme.

Woodside Close (original scheme impact)

164. Woodside Close is a road which borders the site from the north, some of the houses along here directly adjoin the site and have been tested for impact. Of the tested properties, 41, 43 and 47 Woodside Close (odds) and 26-36 Woodside Close (evens) will pass all BRE tests and will not experience any noticeable change in their daylight and sunlight under BRE guidelines.

165. Numbers 45 and 49 Woodside Close will experience some losses under BRE testing. 8 out of 12 of the windows tested on these properties meet the guidelines for the VSC test but the other 4 (2 at each property) fail, with reductions of between 21 and 35%. However, these windows are slim slot windows that form parts of bays whose other windows comfortably meet BRE criteria. As such, there is a clear justification for this impact being acceptable. These properties pass all tests associated with NSL and APSH testing.

166. 51 Woodside Close had 25 windows tested for VSC with 20 out of 25 passing. The other 5 experience relative reductions in the range of 20-29% (only slightly below the 20% reduction or 0.8 times former value benchmark for acceptability). 4 of the 5 failed windows are panes within the curved ground floor bay, although at least four other panes in this bay meet BRE criteria. The final window serves a utility room which has two other windows, thus also providing a clear justification for accepting this impact. This property passes all tests associated with NSL and APSH testing.

Woodside Close (further impact attributable to increased massing)

167. At no's 26-36 Woodside Close, all of the windows (28) will retain 100% of their former VSC value attributable to the original scheme, thus confirming that the increased massing will not result in any difference to the daylight and sunlight experience at these properties. The worst reduction seen in the baseline sunlight is a 1% reduction in the APSH compared with the original scheme and a 5% reduction in the WPSH compared with the original scheme, although this does not result in these windows falling below the BRE guidelines for acceptable impact.

168. At no's 41-51 Woodside Close, none of the windows will see more than a 1% reduction in VSC beyond the impact attributable to the original scheme, thus confirming that the increased massing will not result in any noticeable impact to the daylight and sunlight experience at these properties. This will not result in any additional windows no longer complying with BRE guidance where they did previously. The worst reduction seen in the baseline sunlight is a 3% reduction in the APSH compared with the original scheme and an 8% reduction in the WPSH compared with the original scheme. All windows will continue to meet BRE criteria for good levels of daylight in terms of the NSL test.

169. The impact of the development compared with the original scheme is considered to be negligible.

Woodside Place (original scheme impact)

170. Woodside Place is a road which borders the site from the west. 4 properties (9, 10, 11 and 12) along this road were tested and all saw some deficiency in BRE compliance. For the house pair at no's 9 and 11, 16 of the 20 tested windows satisfy VSC criteria with the other 4 experiencing reductions in the range between 24% and 30%, but, all represent thin slot windows in the side of squared bays where the main

windows serving these rooms would comfortably meet BRE recommendations. All criteria relating to NSL testing and APSH testing will be comfortably met.

171. In relation to testing at 10 and 12 Woodside Place, 21/23 tested windows will satisfy VSC criteria with the two deficient windows again representing secondary panes within bays. NSL and APSH testing is fully satisfied.

Woodside Place (further impact attributable to increased massing)

172. The 4 Woodside Place properties tested retail 96% or more of their former VSC value compared with the baseline scheme. The reduction is considered negligible and any impact in daylight and sunlight compared with the previous scheme massing is unlikely to be noticeable to residents. However, the window and glazed door serving the kitchen of no. 12 will technically no longer pass the BRE guidelines, since these elements' overall losses compared to the existing scenario will have increased from around 18% and 19.5% within the previous scheme to 21% and 22.5% with the additional impact of the proposed scheme, thereby increasing the percentage loss beyond 20% (the 'pass mark'), even if that additional impact is negligible when judged in isolation.

173. In relation to APSH impact, the worst reductions are 4% in both APSH and WPSH categories, again considered to be negligible and likely to be unnoticeable. These reductions do not result in any additional failures in sunlight performance in BRE terms.

174. All windows will continue to meet BRE criteria for good levels of daylight in terms of the NSL test.

Woodside End (original scheme impact)

175. Woodside End borders the site from the west and is the road which would be extended through the site. Numbers 26-32 (evens) met all BRE tests whilst numbers 9, 11, 34 and 36 see some failures. Across numbers 9 and 11, 24 out of 24 tested pass VSC testing, with 9 of those failing representing secondary pane windows to six-pane bay windows (reductions range between 23-39%). The 10th failing window is a secondary window within the flank of 11 Woodside End, close to the rear corner of the property. It is assumed that this window serves as a secondary window to a dual aspect room, whose main window would be to the rear. NSL and APSH testing is passed in full.

176. Numbers 34 and 36 see 24 of 30 tested windows meeting VSC criteria. Five of the six failures (23-55% reductions) are again to individual secondary panes within bays whilst the sixth window is a window within a side dormer window which looks over to the development site. This window has been established through extension of the property and currently enjoys largely unobstructed views across the Abbey Industrial site, owing to its positioning at the end of the street. The window would retain 17% VSC from a starting point of 38% which falls below BRE recommendations. The window would also fail NSL testing, with a 42% reduction versus an acceptability benchmark of 20%. The window would pass APSH testing. The window likely serves a habitable room in this loft environment, but paying mind to its highly unobstructed nature at present and the inevitability of some impact where dense regeneration is proposed, the impact to this window is to be accepted on balance.

Woodside End (further impact attributable to increased massing)

177. The majority of the windows to no's 9 and 11 Woodside End would retain at least 96% of their former VSC value. The flank window to no 11 would experience a further 14% reduction compared with the baseline scheme (resulting in the window going from a 64% reduction in daylight under the previous scheme conditions to a 78% reduction in daylight under proposed scheme conditions, compared to the existing) however, as discussed above, the room served by that window benefits from two other windows which retain 96% of their former VSC daylighting value. All other windows at these dwellings would retain over 97% of their former VSC values, within the negligible range, and likely to be unnoticeable to residents compared with the original scheme impact. Despite this, the upper floor bedroom window to no. 11 will technically now no longer meet the VSC criteria as its 3% additional reduction in VSC will result in the percentage change going from a 19% reduction against the existing to a 22% reduction against the existing (exceeding the 'pass mark'). This impact would be negligible when judged in isolation compared with the previous scheme. In terms of sunlight impact, a 5% reduction would be the worst case scenario impact to a window in APSH terms whilst there would be no reduction whatsoever in the context of WPSH to these properties. NSL criteria would continue to be fully complied with under the new scheme

conditions.

178. The majority of the windows to no's 26-36 Woodside End would retain at least 92% of their former VSC value. The side dormer window identified above would experience a 13% reduction compared with the baseline scheme, however, as discussed above, this window has been established through extension of the property and currently enjoys largely unobstructed views across the Abbey Industrial site, owing to its positioning at the end of the street. There are two additional sources of light to the loft space served by the dormer window, with these light sources retaining 99% of their VSC value compared to the baseline scheme. All other windows at these dwellings would retain over 92% of their former VSC values, within the negligible range, and likely to be unnoticeable to residents compared with the original scheme impact, nonetheless, it should be noted that 6 windows whose results were close to 20% under the previous scheme conditions would technically now no longer comply with BRE criteria under the proposed scheme. These include the two front windows to the side extension at no. 36, two edge of bay windows that have other sources of light serving them (at no's 34 and 28 respectively) and the two windows in the rear dormer extension to no. 36. Their VSC figure would increase to a low twenties percentage figure (through no greater than a 5% increase, except for one side bay window figure which would be greater) and therefore be in breach of BRE guidance.
179. In terms of APSH, the worst reduction will be 6% below the previous scheme impact and the same value is 5% in respect of the WPSH impact. There are no additional windows which fail to meet sunlight BRE criteria as a result of the new scheme.
180. The window which failed to meet NSL testing criteria previously will see a 1% reduction in the floor area that is lit, which is unlikely to be noticeable.

Carlyon Road (original scheme impact)

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

Carlyon Road (further impact attributable to increased massing)

184. All the windows serving the Carlyon Road properties would retain at least 94% of their former VSC value compared with the original scheme. This is within the negligible range and is unlikely to be noticeable to the residents compared with the original scheme. Nonetheless, technically, 18 windows will cross the 20% 'pass mark' as a result of their small increase in impact, no longer being windows that comply with the BRE guidelines, with those windows being the ground floor rear windows to no's 95, 97, 99, 101, 103, 115, 123, 127 and 131. In terms of APSH impact, all affected rooms retain at least 98% of their former APSH value and none see a reduction at all compared to the baseline WPSH values. This will not result in any additional windows failing compared with the previous scheme in terms of sunlight tests. In terms of NSL impact, the impact to the ground floor rooms at the rear of no's 93 and 109 will be increased by 8% and 12% respectively, which, whilst more significant than the equivalent impacts on VSC and sunlight, would still fall comfortably within the range that the BRE guidance would consider 'likely to be unnoticeable'.

Mount Pleasant (original scheme impact)

185. Mount Pleasant runs to the east of the northern part of the site. Compared to the other roads tested,

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

186. 19 properties along this road were tested, including 77-87 (odds) and 120-146 (evens). 8 of the properties saw some breaches of BRE guidelines, whilst 11 were in full compliance. Numbers 128, 132 and 136 all saw some breaches of VSC but full compliance with NSL and APSH tests. At 128, 6 out of 7 windows meet VSC with the failure seeing a reduction in value by 22%. At 132, 6 out of 8 windows meet VSC with the two failures seeing reduction by 21-22%. At 136, 5 of 7 windows meet VSC with the two failures seeing reduction by 24-26%. These windows are generally rear bedroom windows with single aspect.
187. At number 138, 4 out of 7 windows will meet VSC criteria, with the three failing windows seeing reductions between 21 and 31%. NSL testing is met. APSH testing is not fully met as there is one room to this property (out of four tested) which fails the winter APSH test since only 1% of its APSH are likely to be experienced in the winter, where at least 5% is expected. However, this window will experience 33% of its APSH in the yearly context, notably exceeding the minimum expectation of 25%.
188. At number 140, 1 of 5 windows will meet VSC criteria, with the four failing windows seeing reductions between 20 and 32%. All of the rooms of the property will meet NSL criteria bar one which would experience a reduction of 32%. The room will retain light coverage to 67% of its extent and is served by a window that receives 25.5% VSC. The property meets sunlight testing guidelines.
189. At number 142, 1 out of 6 windows will meet VSC criteria, with the five breaching windows experiencing a reduction between 24 and 36%. Three of these windows have their existing baseline daylight obstructed by the rear additions to which they are adjacent, meaning that even in the existing scenario they fail VSC testing, with a figure of below 27% in the existing scenario. The other two windows are unobstructed but retain VSC figures which are close to the compliance levels (27%) of 24-26%. In terms of NSL testing, 1 out of 5 tested rooms meet BRE criteria. 2 of the 4 failed rooms experience reductions of between 24 and 26% which is only modestly beyond the guideline of 20%. The other two would experience reductions between 52 and 58%, however both of these rooms are located in a deep extension and are unusually close to their rear garden fence which limits daylight penetration to these rooms. In terms of APSH testing, 2 out of 5 rooms meet criteria for annual and winter APSH. Of the remaining 3, 2 meet BRE criteria for annual APSH but fall short on the 5% winter APSH benchmark, retaining 2-3% winter APSH rather than 5%. The remaining room is obstructed by the rear addition to which it is adjacent and does not meet BRE criteria in its existing scenario anyway. Despite this, the room retains 17% annual APSH, which falls short of the 25% target.
190. At number 144, 1 of 9 windows meet VSC criteria, with the 8 failures experienced relative reductions between 24 and 40%. Four of these windows are obstructed by the rear additions to which they adjoin resulting in sub 19% existing VSC for these windows. The remaining unobstructed windows will retain 19-23% VSC (where the target is 27%). NSL testing is met for all rooms. For APSH testing, 3 of 6 rooms meet BRE criteria, with 3 rooms failing on winter APSH levels (retaining 2-3% versus a target of 5). All rooms comply with year round APSH targets.
191. Number 146 has particularly deep outrigger rear additions which sees windows with low existing levels of light and leaves these windows very sensitive to changes in the environment. At this property 4 of 7 windows meet the VSC criteria with the 3 that fail to do so seeing reductions between 24% and 50%. One of these windows is heavily obstructed by the rear projection it is alongside, whilst the other two have highly unobstructed views (with existing VSC levels of 34-38% that reduce to 17-23% which is still relatively close to the target of 27%). All of the rooms meet NSL testing. In APSH testing, 1 of 4 rooms tested meets the BRE criteria for both annual and winter scenarios. 2 of the other rooms will achieve annual targets but not winter targets, retaining 1-3% versus a target of 5%. The remaining room is through to be a kitchen and retains 19% annual APSH, below the 25% target.

Mount Pleasant (further impact attributable to increased massing)

192. All the windows serving the Mount Pleasant properties would retain at least 98% of their former VSC

value compared with the original scheme. This is within the negligible range and is unlikely to be noticeable to the residents compared with the original scheme. Three of the windows (an upper floor rear window to 136, a lower floor rear window to 126 and an upper floor side window to 144) will technically become non-compliant windows relative to the existing situation as the marginal % increase will result in their VSC loss exceeding 20%. In terms of APSH impact, all affected rooms retain at least 95% of their former APSH value and all affected rooms retain at least 86% of their former WPSH value, except for two windows which will see a WPSH figure of 75% and 50% of their former values (rear windows to 142 and 146). These windows were already significantly affected by the previous scheme massing and are therefore far more sensitive to additional impact in numerical terms, even where this impact would not be easily noticeable in reality. Overall, the additional impact is considered to be negligible in the context of the original scheme.

193. Testing indicates that additional NSL testing is likely to have a negligible impact in the context of these homes and would not result in any additional non-compliance with the BRE guidelines compared with the previously identified impact. The worst affected room would be the living room to no. 144 Mount Pleasant, which would see a further 7% cumulative impact on top of the impact incurred as part of the original scheme.

Liberty Wharf (original scheme impact)

194. Liberty Wharf is the emerging development to the east of the south part of the development site. A key element of the Liberty Wharf development is the use of projecting balconies which overhang each of the windows below. The BRE guidelines acknowledge such situations as an additional constraint on achieving good daylight and sunlight levels as the balconies will establish a baseline position where the top part of the sky is blocked out. This means that even a modest obstruction opposite may result in a large relative impact on the VSC. To negate the effect of this, the applicants have tested a 'no balcony' scenario as well as a 'with balcony' scenario.

195. The existing site would also experience highly unobstructed views across the site given the existing low rise nature of the current uses. The growth area status and site designation seeking a development of density would naturally result in significant implications for the views becoming notably more obstructed. It is noted that the buildings proposed closest to Liberty Wharf would be of a similar height to Liberty Wharf itself, incurring a proportionate impact consistent with the emerging built form across both Liberty Wharf and the proposed development.

196. 254 windows were tested for VSC compliance and 152 (60%) of these windows passed the test. The failure range was significant, ranging from 29-82%. The more notable losses occur to the 56 windows that are recessed below large projecting balconies which is a defining characteristic of this building – the range of impact to these windows is 25-82%. Where balconies are not present, the impact to those 46 windows sits in a more modest 29-54% range. Where the balconies are removed and re-tested in this hypothetical scenario, VSC figures of over 16.5% are achieved in all cases, which compares favourably to the figures returned for the unobstructed windows and also compares favourably with many accepted VSC ranges at other growth areas in London. The residential typologies are clearly comparable to typologies seen across London and in Brent (such as Wembley) and the potential impact of the VSC figures is therefore considered differently and is still deemed acceptable, especially given that these residential units represent emerging homes rather than existing homes.

197. In terms of NSL testing, 97 of 193 rooms (50) meet BRE criteria. Those that fail the criteria experience relative reductions of 21-72%. 64 of the rooms falling short are bedrooms and 32 are open plan living spaces with kitchens. As is the case with VSC, the rooms currently receive abnormally high levels of daylight due to the nature of the development site at present.

198. In terms of APSH testing, 147 of 191 south facing rooms (77%) tested meet BRE criteria across both annual and winter scenarios. The remaining 44 rooms are all bedrooms oversailed by balconies and experience reductions of up to 87.5%. However, the 'no balconies' hypothetical test has returned results showing that all of these rooms meet APSH guidelines when the balconies are removed. This confirms that the impacts shown by the testing are far more attributable to the presence of balconies than by the proposal itself.

Liberty Wharf (further impact attributable to increased massing)

199. All the windows serving the western elevation of the Liberty Wharf properties would retain at least

70% of their former VSC value compared with the original scheme. This is within a range that would likely be noticeable although only 19 windows will see a retention of VSC that is lower than 80% of the former value, which is the threshold for where impact is unlikely to be noticeable to the residents compared with the original scheme. The testing shows that 6 windows would no longer comply with the BRE guidelines under the adjusted conditions of the new scheme, as the adjustment to their VSC level would result in a cumulative reduction of more than 20%, or where that is already the case, the adjustment would result in the overall VSC% dropping below 27. The additional percentage change for the 6 windows which would now no longer meet the BRE criteria for unnoticeable impact compared to the existing situation.

200. In terms of additional APSH impact, all the Liberty Wharf properties would retain at least 55% of their former APSH values compared with the original scheme; although only 30 windows will fall within the range between 55% and 80% where the impact is likely to be noticeable. 49 windows would become windows that technically no longer comply with BRE criteria in terms of APSH compared with the previous scheme.
201. In terms of WPSH impact, all the Liberty Wharf properties would retain at least 25% of their former WPSH values compared with the original scheme; although only 42 windows will fall within the range between 25% and 80% where the impact is likely to be noticeable. 37 windows would become windows that technically no longer comply with BRE criteria in terms of WPSH compared with the previous scheme.
202. In relation to NSL impact, testing indicates that 21 additional rooms would fall below BRE guidelines beyond the 96 rooms which did not meet the criteria under the conditions of the original scheme.
203. Overall, the additional impact is considered to be moderate in the context of the original scheme. The nature of Liberty Wharf as an urban regeneration scheme forming part of an adjacent site allocation for the development of a significant number of homes is an important consideration that changes the context within which this development must be seen, compared to the other surrounding properties, which are more suburban in nature and more established. Liberty Wharf is also alongside the part of the scheme where the new 5 storey link-block is to be delivered to increase the number of homes. This is an element that was absent in the previous scheme and which would be expected to result in a moderate increase in daylight and sunlight impacts to the Liberty Wharf scheme.
204. It is not considered that the additional impact to Liberty Wharf identified above would be unduly impactful or unacceptable when considered in the context of the nature of the Liberty Wharf development and when that impact is weighed against the benefits of the development that would incur that impact.

Overshadowing (original scheme impact)

205. BRE overshadowing guidance seeks to establish criteria for retaining good levels of direct light to garden and other outdoor amenity spaces. The criteria for an acceptable impact is for at least 50% of a garden space to receive at least 2 hours of direct sunlight on the 21st March.
206. 31 separate private garden spaces were seen as potentially affected by this development. 25 (80.6%) of these garden spaces meet BRE overshadowing guidance, whilst 6 fall short of the target. The gardens which fall short serve 124, 134, 136, 140, 144 and 146 Mount Pleasant. 124 Mount Pleasant falls short of guidance as 49% of its garden receives the 2 hours of sunlight, just 1% short of the target. This also represents a 20.1% change on the existing situation. 134, 136 and 140 Mount Pleasant experience slightly greater reductions compared to the existing, of 22% to 31%. Finally, 144 and 146 Mount Pleasant will experience material reductions in light to their gardens with 9.3% and 0% of these gardens received at least 2 hours of direct sunlight respectively.
207. To provide an additional point of comparison, the same test has been carried out for the day with the most sunlight hours (21st June) where it is found that all of the gardens will experience 2 hours of direct sunlight to over 50% of their areas. This will ensure that even the gardens which are affected to a notable extent will retain good daylight in the summer months, even if their overall daylight exposure is below BRE guide lines.

Overshadowing (further impact attributable to increased massing)

208. The overshadowing study submitted indicates that there would be no material increase in overshadowing to amenity spaces and no additional amenity spaces which would fall short of the BRE

requirements compared with the original scheme's impact.

Summary (original scheme impact)

209. All of the properties surrounding the site have been tested for relevant daylight and sunlight impacts. In the case of residential properties to the north and west (Woodside Place, Woodside End and Woodside Close), all of the properties will comply with BRE standards for daylight and sunlight, or possess very clear contextual features which justify accepting BRE breaches (breached windows serving secondary windows or peripheral panes of bay windows). One window in 36 Woodside End would fall short of daylight expectations and would serve a primary window to a habitable room. However, this window sits in a side dormer extension and currently benefits from an unusually unobstructed view across the site, at the end of its road.
210. In the case of Carlyon Road, VSC breaches are observed in some instances to rear facing windows and the quantity of windows which fall short of standards (39) is notable. However, the testing confirms that the extent of the failures to each of these windows is generally fairly small (up to 5% worse than the acceptable standard) and as such it is considered that the actual experienced outcome would likely be similar to a BRE compliant scenario.
211. In the case of properties along Mount Pleasant, the houses are older and have projecting outrigger features along their rear extents. This results in a number of the windows alongside the outriggers with low existing levels of light which, when subjected to the daylight modelling are very sensitive to changes in the environment in terms of the modelling, with relatively small absolute changes in the light being reflected as larger and somewhat misleading as percentage alterations. The BRE acknowledges this where its guidance states that "a larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above." Some breaches of both daylight and sunlight tests are observed across these houses, although a number of these breaches are attributable to poor existing conditions along these properties.
212. The emerging Liberty Wharf site sees 40% of affected windows falling below VSC targets, although it is acknowledged that the urban character of this block and its immediate siting next to another allocated site in a growth area does warrant reasonable acceptance of a more flexible standard (15% VSC) which would be consistent with the urban grain which is proposed and building typologies in other London growth areas. In terms of daylight testing, whilst a number of windows fall short of standards, supplementary testing has shown that this is attributable to the presence of oversailing balconies within the Liberty Wharf development rather than the proposal of this development.
213. Six residential gardens along Mount Pleasant will fall short of overshadowing guidelines for retaining good levels of direct sunlight to garden spaces, with two of these gardens failing to a material extent. All gardens meet an adjusted standard for direct sunlight during the summer solstice.
214. Taken as a whole, 75% of tested windows meet VSC guidance for daylight, 80% of rooms tested meet NSL guidance for daylight, 86% of rooms tested meet APSH guidance for sunlight and 80% of gardens meet overshadowing guidance. This clearly indicates that a notable percentage of surrounding sites will fall short of BRE expectations, but this also indicates a relatively high pass rate given the growth area status and the clear intent for this site to adopt a denser massing than its surroundings. Given the significant regenerative benefits of the scheme and the substantial number of new homes that will be delivered by it, officers accept the daylight and sunlight impacts of the scheme and do not consider them to reflect an unusual or anomalous scenario given the scale of the development.

Summary (further impact attributable to increased massing)

215. In respect of daylight and sunlight testing, the additional impact of the proposed development will, on most accounts, not incur any impact beyond that of the original scheme that is likely to be more noticeable to neighbouring residents than the impact of the original scheme. This is because all of the impacts beyond the original scheme are within 20% of the original daylight/sunlight impact values, and, as per the BRE guidance, are therefore unlikely to be noticeable to residents compared with the development which has been previously considered. There are a small number of properties which would experience a minor additional impact beyond that of the previous scheme, to the extent that the BRE criteria would consider it to be noticeable, and that is the case for two properties along Mount Pleasant. Aside from the above, the only other change of note between the two schemes' impact is in relation to

impact to the Liberty Wharf development to the east of the site, for which a moderate increase in daylight and sunlight impact would be experienced compared with the previous scheme, owing to both the height increase of Blocks A and F and the introduction of a link-block to connect the two blocks together.

216. Officers acknowledge that the BRE guidance for daylight and sunlight identifies appropriate visual amenity baselines in suburban locations and that the guidance needs to be considered with a greater degree of flexibility in this growth area location adjacent to other developments of higher density. Furthermore, it is noted that the NPPF, at paragraph 123, states that “when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”. Overall, it is considered that the additional daylight and sunlight impact of the development will be acceptable when weighed against the benefits the development would bring to the area.

Transport

217. The general arrangement of the site remains as previously proposed, but with additional height added to some of the blocks and a resulting increase in the number of homes on the site from 581 to 684. In response, the basement parking has been adjusted to provide more bicycle storage at the expense of some of the car parking spaces.

218. As before, the scale of the development is such that it may have a significant impact on local transport networks. A Transport Assessment Addendum has therefore been prepared by Odyssey Consultants to address additional impacts, to be read in conjunction with the original Transport Assessment.

Car Parking

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

220. The proposed residential units would therefore be allowed up to 742 car parking spaces, whilst up to about 23 spaces would be allowed for the retail and affordable workspace areas, depending upon the exact subdivision between these uses.

221. The proposed provision of 156 off-street residential car parking spaces in basement and undercroft car parks, plus six on-street spaces and four spaces on the driveways of the houses, thus accords with maximum standards, with the provision of 21 spaces at the outset for disabled drivers meeting Brent's and TfL's standards for Blue Badge parking. Alternative car park layouts have also been shown with potential for up to 68 wide disabled spaces should future demand require it. Headroom of 3.4m is shown in both car parks to allow access by high-top conversion vehicles for wheelchairs.

222. At least 20% of spaces will require active electric vehicle charging points, with the remainder requiring passive charging points. This has been acknowledged in the TA Addendum and a condition is recommended to this effect.

223. An amended Car Park Management Plan has been included within the TA Addendum. Access to spaces within the car park is to be via a key fob operated barrier system, with fobs leased annually to allow flexibility in allocation as residents move in and out of the development in future years. Enforcement will be undertaken using cameras and patrols. The car park management measures set out are welcomed.

224. The ratio of spaces to flats would be only about 24% though, giving rise to potential concerns regarding overspill parking in the surrounding heavily parked area. The continuing heavily parked nature of the surrounding area during both the daytime and overnight was confirmed by parking surveys undertaken through the original Transport Assessment in April 2018.

225. Car ownership data from the 2011 Census suggests that about 0.81 cars per flat are owned by residents in this area, which would result in about 386 cars overspilling from this development if car ownership stays at this level. With the Woodside Avenue area in particular experiencing high levels of parking, including extensive footway parking, this is a potential cause for concern.

226. To address this, it is recommended that funding to the sum of £150,000 be provided towards the future

introduction of a Controlled Parking Zone in the area, with a 'permit-free' restriction also placed on all dwellings within this development to prohibit residents from obtaining permits once a CPZ is introduced. This will help to protect the amenities of existing residents in the Woodside Avenue area and further afield and help to maintain safe access to and from the site by vehicles and pedestrians.

227. No off-street parking is proposed for the commercial units and this is welcomed, helping to encourage the use of public transport to and from the site by staff and visitors. Transport for London has requested at least one dedicated blue badge parking bay for the commercial elements, Brent would not share this requirement however and any provision of blue badge parking for the commercial units (or lack thereof) would be subject to final agreement between the applicant and TfL.

Cycle Parking

228. The current London Plan requires the provision of at least 1,045 long-term and 18 short-term bicycle parking spaces for residents, plus up to about 16 long- and short-term parking spaces for the commercial units (depending on their exact use).

229. A total of 1,223 secure long-term spaces on a mixture of two-tier and vertical racks and 'Sheffield' stands for non-standard bikes are indicated in storage rooms around the edges of the car parks and on the ground floors of blocks at the northern end of the site to meet long-stay requirements. A further 42 'Sheffield' stands (84 spaces) are shown interspersed around the development to provide easily accessible visitor spaces.

Servicing

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

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

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

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

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

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

Access

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

236. The road has been shown with an asphalt carriageway of 5.5m width with a 2m wide footway along its

northern side and a 1.7m footway on its southern side laid in block paving. Please note that the southern footway should be widened to 2m to meet highway design standards.

237. Otherwise, the carriageway could potentially accommodate casual pay and display parking along one side of the street for visitors. However, there is a pinch-point where the new road passes the corner of 150 Mount Pleasant, so the carriageway has been reduced to 3.5m width for a distance of 8m in this location. This will only allow single-file traffic flow, but this will serve as a traffic calming feature. Priority signs are proposed to indicate a right-of-way for vehicles entering the estate.
238. Aside from the pinch point, two speed tables are proposed in block paving along the length of the new road (see drawing 17-335-501B in Annex C of the TA Addendum), raised up to be flush with the footways with tactile paving to encourage crossing. These are welcomed as further traffic calming features, as is the 20mph speed limit proposed for the road.
239. As the new link road could offer potential scope for traffic to bypass peak-hour queues along Mount Pleasant, further S278 works to introduce traffic calming in Woodside Avenue, Woodside End and adjoining streets, with a 20mph speed limit, are also proposed, as set out in the above drawing. The implementation of this scheme at the developer's expense needs to be secured through the S106 Agreement for the development.
240. The kerb radii at the junction of the new road with Mount Pleasant are proposed to be increased to about 10m with the proposal to allow turning into and out of the site by refuse vehicles without overrunning opposing traffic lanes.
241. The accesses from the main spine road into the car parks are generally fine. The southern basement car park will be accessed via a 5.5m driveway to a gradient of 8.5% along the western side of the site, turning 90° into an 18m long, 7.5m wide (incl. 500mm margins & central strip), 12.2% (with transition lengths) gradient ramp into the basement. The northern undercroft car park is shown accessed via a 7.5m wide (incl. margins and median strip) ramp to a gradient of 10% directly from the spine road. The kerb radii at this entrance can be reduced to 2m or so though, as only access by cars is proposed. All junctions along the spine road will need to be provided with suitable dropped kerbs and tactile paving, which is missing from the detailed landscape drawings.
242. Oversailing balconies are proposed over the footway in two locations on Blocks F and G and oversailing licences under S177 of the Highways Act 1980 will be required for these. Please also note that doors from the commercial unit in Block G must not open outwards over the footway as shown.
243. The other vehicular access road into the site will be from Woodside Place, forming a cul-de-sac. This is again recommended for adoption through a S38 Agreement as far as the site boundary with Woodside Close and including the southern length of the T-shaped turning head (n.b. the loop to the rear of Block M is not considered suitable for adoption).
244. This cul-de-sac is proposed to be surfaced entirely in block paving and a smaller upstand of 25m or so between the footways and carriageway would be fine to provide more of a shared surface feel to the street. As with the spine road, an increased width of 2m for the southern footway is required (this could be taken from the carriageway width) and the kerb line needs to merge smoothly into the existing kerbline of Woodside Place.

Pedestrian Connectivity

245. The proposed provision of a pedestrian link to Woodside Close, comprising both a flight of 10 steps and a 30m long, 1.2m wide ramp, both with suitable corduroy tactile paving, is particularly welcomed in terms of providing permeability to and through the site for pedestrians and these links should also be included in the adoption agreement. This link will provide access from the northern end of the site to both Woodside Close and via a Brent Council maintained footpath to Mount Pleasant (westwards).
246. The scheme also includes pedestrian links on either side of the site to the Grand Union Canal, plus a path along the canal bank which would link to a new path fronting the adjoining development at Liberty Wharf. These paths are also welcomed, but would not be suitable for adoption as publicly maintainable highway. They should instead be secured as permissive paths for use by the public.

Transport Impact

247. To understand the volumes of traffic generated by the site at present, cameras were placed at the four separate entrances to the estate over a three day period (incl. a Saturday) in April 2018. These identified a maximum total of 1338 vehicular movements into and out of the estate between 7am-7pm on a weekday. This in turn translated to average existing weekday peak hour flows of 33 arrivals/16 departures in the am peak hour (8-9am) and 54 arrivals/57 departures in the pm peak hour (5-6pm).
248. Journey to work data from the 2011 Census for the immediate area was then used to translate these flows into a multi-modal profile of total trips to and from the site by all modes, on the basis of an average of 42.6% of trips being by car drivers.
249. Previously agreed trip rates from the earlier scheme for the residential and commercial floorspace were then applied to the increased size of development now proposed.
250. In terms of vehicular trips (incl. taxis and delivery vans), the development is now estimated to generate 64 arrivals/73 departures in the morning peak hour (8-9am) and 55 arrivals/55 departures in the evening peak hour (5-6pm). These are slightly higher than for the earlier scheme, despite the reduction in the amount of off-street parking proposed.
251. As before, when compared with existing flows into and out of the manufacturing estate, only the morning peak hour would be likely to see an increase in traffic as a result of this development, with the afternoon peak hour seeing traffic flows remaining unchanged.
252. The impact of the development on the priority road junctions of Woodside Avenue/Mount Pleasant and the main site access/Mount Pleasant was then re-tested using standard junction modelling software, including an allowance for future traffic growth to 2028 and redistribution of traffic along the new road. This exercise showed neither junction operating beyond 20% of its capacity in either peak hour, thus leaving plenty of spare capacity, so there are no concerns with the impact of traffic on junction capacity along Mount Pleasant.
253. With regard to flows further afield, the increase in the morning peak hour flows along Mount Pleasant would average about 5-6% above existing flows, which is not considered significant enough to cause concern, given that congestion in the area is generally less of an issue in the morning peak hour. Flows in the evening peak hour would remain unchanged.
254. With car parking being restrained, the additional trip generation arising from the increased sale of this development would mostly affect public transport. Overall rail and Underground trips are now estimated to increase by 149 trips in the morning peak hour and by 89 trips in the evening peak hour compared with the existing situation. Assuming Underground trips use Alperton station and rail trips use Stonebridge Park station, then this would now amount to an additional 6 passengers per Underground train and 10 passengers per London Overground train leaving the area in the morning peak hour, with 4-6 additional passengers per train in the evening peak hour. These totals are not considered likely to have a negative impact on rail capacity, but the views of Transport for London on this should be sought as the operator of these services.
255. For buses, an additional 127 journeys in the morning peak hour and 78 journeys in the evening peak hour are predicted. This would amount to approximately two additional passengers per bus on average on the five bus services passing within 640 metres of the site in the morning peak hour, which is not considered to be significant.
256. However, only route 224 (4 buses/hour) currently passes close to the site along Mount Pleasant, with the other routes calling at Alperton station as the nearest stop. Transport for London propose to amend this by extending route 83 along Mount Pleasant and Beresford Avenue to terminate at Stonebridge Park station, which would be of use to residents of this development using that station. Whilst some funding has been secured for this from the nearby Grand Union development, further funding was previously sought by TfL from this development as this site would also benefit from such an extension and this is expected to be further reviewed in light of the increased scale of the proposal.
257. The applicants have confirmed that they are offering the same contribution towards bus capacity improvements as the previous application (£717,250 contribution towards buses (maximum contribution assuming E(a) retail use, otherwise maximum £622,250 if non-residential institution or assembly and leisure use or maximum £513,000 for E(b), E(c) or E(g) use) and the acceptability of this contribution will be subject to final agreement with TfL and the applicant and will be secured in the S106 agreement.

258. For non-motorised modes, walking journeys are estimated to increase by 386 trips in the morning peak hour and 352 trips in the evening peak hour, whilst cycling trips are predicted to rise by 18 trips in each hour.

Healthy Streets and Local Infrastructure Improvements

259. The quality of the existing surrounding pedestrian and cycling environments was previously assessed using PERS and CERS audits, but these have now been supplemented by a Healthy Streets Audit included within the TA Addendum.

260. As before, the worst performing routes in this respect were Woodside Avenue and adjoining streets, where on-street parking causes significant obstruction, the quality of the paving is poor, the footways are interrupted by numerous dropped kerbs and where there is a shortage of dropped kerbs and tactile paving at junction crossing points.

261. The proposals for traffic-calming along Woodside Avenue and a CPZ in the area will help to raise the score for this route by reducing traffic speeds, regulating parking so that footways are less obstructed and prone to damage and by installing tactile paving at junctions. The removal of existing industrial units will also reduce the number of heavy goods vehicles using the street.

262. In terms of crossing points, the previous PERS audit also identified shortcomings with the existing pedestrian refuges on either side of the Mount Pleasant/Woodstock Road junction, in terms of narrow width and lack of dropped kerbs and tactile paving. It is therefore recommended that improvements to these crossing points are also added to the scope of the S278 works.

263. It is also noted that although the junction of Mount Pleasant/Ealing Road scores well, it has limited pedestrian crossing provision. However, this is subject to further study and potential mitigation works connected with the nearby Grand Union development proposals (ref: 18/0321), with Brent having separately developed a preliminary design for improvements. No further S106 funding is therefore sought from this development.

264. For public transport stops, it was noted that the two nearest stops along Mount Pleasant lack shelters and are squeezed between driveways to adjacent houses. However, it would be difficult to rectify this given the shortage of space available and as these are not major stops, this concern can be disregarded.

265. Shortcomings at Alperton station include lack of step-free access and lack of mapping information. A scheme to improve the forecourt area has been prepared, but requires final approval and implementation by TfL as land owners of the forecourt area. Funding towards this (and step-free access) would be a suitable use for any CIL funding from the development. In addition, the applicants are offering the same contribution as was agreed with TfL during the previous application towards accessibility improvements at the station (£166,000). The acceptability of this contribution is subject to final agreement between TfL and the applicant and will be secured in the S106 agreement.

266. The earlier CERS audit of cycling facilities rated most of the links and junctions around the site as average, so thus able to benefit from improvements such as cycle lanes. This is also reflected in the Healthy Streets Assessment, which gives poor scores for effective width for cycling.

267. However, the traffic-free east-west cycle route close to the site along the Grand Union canal towpath was not included in the audit, whilst the new spine road through the site will ultimately deliver a new pedestrian-cyclist link through the site to link to Atlip Road and Alperton station, as and when adjoining sites come forward for development, so cycling provision will eventually be dramatically improved.

268. For the route towards Stonebridge Park station, the Grand Union development will also provide a new cycleway along Beresford Avenue and old North Circular Road. Intervening sites between this development and the Grand Union site are generally providing increased highway width along their frontages as and when they come forward, which would ultimately provide additional space to extend allow a cycleway to be extended along Beresford Avenue to connect to this site.

269. The CERS audit also noted a shortage of cycle parking facilities at Stonebridge Park station, but other developments closer to that station will deliver such facilities.

270. The accident history for the area over the five year period January 2013-December 2017 has also been examined. This identified twelve accidents within about 200 metres of the site, predominantly along

Mount Pleasant. One accident resulted in serious injury, whilst both a pedestrian accident and a cyclist accident were recorded at the zebra crossing to the east of the site. However, there were no particular recurring accident patterns in close vicinity of the site that would be likely to be exacerbated by this proposal.

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

Travel Plan

272. To help to minimise car journeys and encourage greater use of sustainable transport to and from the site, a Residential Travel Plan was previously prepared and a revised version has been submitted with this application.

273. This again aims to reduce the proportion of trips made to and from the site by car drivers by 10 percentage points from an estimated baseline of 17% to 7% over a five-year period. Please note though that the timescales for the Travel Plan may need to be adjusted depending upon the length of the overall construction programme, as it is to be delivered over a large number of phases.

274. As before, the Travel Plan is to be managed by a site-wide Travel Plan Co-ordinator, whose duties will include the provision of transport and marketing information through display boards, marketing brochures and welcome packs for new residents, promotion of cycling and encouragement of car sharing and Car Clubs at the site. With regard to Car Clubs, it is now confirmed that a Car Club vehicle will be provided within the site and two years' free membership will be provided to residents to introduce them to the concept.

275. The Travel Plan is to be monitored biennially, with the first survey undertaken within the first year of occupation to firmly establish a baseline position. All surveys are confirmed as being in line with TRICS and/or i-TRACE methodology, as required.

276. As things stand, the submitted Travel Plan forms a reasonable framework from which a final Travel Plan can be developed and finalised prior to occupation of the development.

Construction Management

277. Finally, the previously submitted Framework Construction Logistics Plan has been re-submitted with the application. Whilst the construction programme has yet to be drawn up in detail, this framework plan sets out some principles regarding the management of construction works.

278. Works will be confined to 8am-6pm on weekdays and 8am-1pm on Saturdays, with HGV movements restricted to those hours and avoiding peak hours (7-8am & 5-6pm). All vehicles will approach and leave the site to/from the east, via North Circular Road, Beresford Avenue and Mount Pleasant, entering the site at the existing main access from Mount Pleasant. This is confirmed as being the most appropriate route, keeping traffic away from residential areas and the congested Ealing Road as much as possible.

279. Deliveries will be pre-booked and drivers required to phone ahead to ensure there is sufficient space within the site to receive the delivery.

280. Use of the Grand Union Canal for deliveries should also be explored. The construction logistics plan condition will require that this aspect is considered.

281. It is confirmed that the site will be self-contained, with hoardings set up to protect the site that will not need to encroach over the public highway. All unloading and parking will take place within the site, although staff will nevertheless be encouraged to use public transport. The retention of pedestrian and cyclist access from Woodside End will assist in this respect.

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

283. The Framework Construction Logistics Plan is therefore fine, but will need to be developed into a final

document in line with TfL guidance prior to works commencing on site, once the main contractor is appointed and the construction programme is finalised. A condition will secure this.

Sustainability and Energy

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

285. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated within the residential part of the development is confirmed to emit 170 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 664 regulated tonnes per annum when designed to meet minimum building regulation requirements. This equates to a 74% reduction on the minimum Building Regulations (2013) as required within the London Plan. Within the non-domestic component of the development, the reduced emissions are at 7.52 regulated tonnes of Carbon Dioxide per annum, down from a baseline of 10.43, equating to a 28% reduction on the minimum Building Regulations (2013) requirements. A carbon-offset payment is required to achieve the zero carbon goal. The offset payment shall cover a 30-year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment (£306,000 for the domestic component and £13,536 for the non-domestic component) will be secured through the Section 106 agreement.

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

Be Lean

(total savings from 'be lean': DOMESTIC: 92 tonnes/14% - NON-DOMESTIC: 2.51 tonnes/24%)

A number of passive design measures and measures improving energy efficiency of building services have been included in the design to help to reduce the CO2 emissions. This includes low u-values, air permeability, avoidance of thermal bridging, high efficiency boilers, heat recovery ventilation and low energy lights.

Be Clean

(total savings from 'be clean': 0 tonnes / 0%)

No measures proposed.

Be Green

(total savings from 'be green': DOMESTIC: 402 tonnes/61% - NON-DOMESTIC: 0.4 tonnes/4%)

Air Source Heat Pumps to provide 85% of the heat demand and a photovoltaic system with a peak output of 663 kWp to be incorporated.

287. Whilst there are no plans for a district heat network to be delivered in Alperton in the near future, a condition will require that the applicant's plans for an external connection to a potential district heat network (were one to come forward in the future), as shown on drawing 6277-M-101 Rev P1, is implemented as part of the build.

288. The GLA have reviewed the applicant's submissions and note that the submitted energy strategy, drainage strategy, and flood risk assessment generally comply with London Plan and Intend to Publish London Plan Policies. The GLA has requested further work in relation to the whole life-cycle carbon which will be addressed by the applicant ahead of a Stage 2 referral.

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

Overheating

290. An overheating analysis has been undertaken in order to assess performance of the proposed development against criteria of thermal comfort and urban climate projections. A sample of the expected worst performing residential units, sample corridor and a sample commercial unit were

modelled. The predicted internal temperature was simulated considering all aspects of occupancy, solar gain and predicted internal heat gains. Specific weather conditions were tested to consider the building performance against urban heat island effects and projected future climate conditions.

291. The calculation results show that all tested residential units meet thermal comfort overheating criteria under ‘future near extreme summer’ conditions, demonstrating that the building is resilient to overheating during its lifetime. A complete series of tests, including 2 additional projected weather files representing distinct near-extreme summer conditions, informed the overheating strategy, which includes passive design considerations and mechanical ventilation. Mechanical cooling is not necessary for the residential units. However, commercial units are likely to require mechanical cooling to comply with thermal comfort requirements. Mechanical ventilation with heat recovery and summer bypass is required for ground floor residential units to comply with relevant criteria. It is also proposed for the commercial units, although the mechanical heating on its own does achieve compliance with overheating criteria for the commercial units.

Drainage and Flooding

292. The applicant has submitted a drainage strategy and flood risk assessment with the application, which have been reviewed by planning officers and the GLA.

293. This development falls within the Flood Zone 1 and the risk of flooding is very low. There are no historical records of any flooding at this site but there have been a number of isolated incidents of the onsite pumping station for the foul sewer system failing. This pumping station is part of the public sewer network and within the responsibility of Thames Water. As discussed earlier, the new development will deliver a new pumping station and this will be to a high standard with a minimal risk of failure.

294. In order to reduce the risks of flooding in the area and within the development site, the development will provide storage tanks, permeable paving and green roofs for surface water discharge with a flow control device. Together these measures would reduce runoff from the site at rates that are lower than they are today. In addition, the proposals to introduce landscaping across the site will also reduce the flow compared to the non-permeable surfaces that are currently present across the site.

295. This proposal will result in a reduction in the surface water discharge to the existing drainage network from the site by approximately 80%. As a result, this development will reduce the flood risk in this area and will minimise associated risks for prospective residents of the site.

296. Existing surface water is discharged to the Grand Union Canal and it is proposed that the proposed development will utilise the existing outfalls to discharge to the Canal. The Canal and River Trust, who have commented in respect of the impact on the canal, have not raised concerns in relation to this.

297. A condition will require that the drainage and flood risk documents are adhered to in full.

Impact on the Grand Union Canal

298. The Canal and River Trust have made the following detailed comments in respect of the scheme and these are addressed by officers in detail below as well:

| Canal and River Trust comment | Officer Response |
|---|---|
| Connectivity between Mount Pleasant and the canal edge should be reinforced through site wayfinding | Signage and information boards are included on the proposed landscaping plans. Any additional signage to this was not requested in relation to the previous application and may relate to land outside of our control. This is not necessary to make the proposal acceptable in planning terms. Any additional signage could be funded through CIL monies. |
| A clarification on the proposed treatment of the edge of the canal is needed | The South Site Ground Floor plan and Landscape Masterplan show the correct arrangement. This information is only illustrative at this stage and will be the subject of conditions requiring further detail in due |

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| | course. |
| The relationship between the pavilion building and the canal edge needs to be reconsidered to ensure a safe arrangement | This aspect of the proposal remains unchanged from the previous application, which was considered acceptable by the Council and the Canal and Rivers Trust. |
| A s106 contribution towards canal environment improvements is recommended, such as for the introduction of floating habitat to the canal | The proposal will not have a materially different impact on the canal compared to the previous one. No additional Section 106 contribution was requested in relation to the previous application and it is not justified on this application. |
| More covered cycle parking should be provided at ground level, or with ramped provision, particularly with increased provision by the canal | Covered spaces would occupy a larger footprint, would reduce the potential for soft landscaping and would need to be positioned to avoid blocking views. No change is proposed in this respect. |
| The travel plan should promote the canal towpath as a walking and cycling route and recreational resource | The detail of the final travel plan is a matter to be controlled by Section 106 obligation and may be able to incorporate this aspect, however this would ultimately be reserved for discussion with the highways authority at the point when the obligations require discharge. |
| Bins should be moved from the edge of the canal to prevent litter spilling into the canal | The formal application plans illustrate bins to the north of the canal side path, at approx 3m from the canal edge, farther than the illustrative CGIs show. The location of benches will be resolved at the detailed design stage when conditions are discharged. |
| Informative requested in relation to the need for the developer to sign up to the Code of Practice for Works affecting the Canal and River Trust Conditions requested in relation to design details, method statements and risk assessments for the basement and piling works, as well as vibration monitoring and a canal wall survey as well as preventing drainage into the canal during works | The informative is to be applied to the decision notice. The following conditions are to be secured, subject to phasing: <ul style="list-style-type: none"> • Waterway Wall • Impact Assessment • Risk Assessment • Landscaping • Drainage • CEMP |
| The trust to be provided with a copy of the soil remediation report when available | These matters will be dealt with at the detailed design stage and secured by condition. There will be no obligation on the Council to consult the CRT on this submission, however the information will be publicly accessible and the applicant can opt to send it directly to the CRT. |
| Lighting along the canal to balance safety considerations and wildlife impact considerations, and the details to be submitted as part of a landscaping condition | This requirement, forming part of the landscaping condition, is to be introduced to the landscaping condition. |
| Ecology mitigation/enhancement measures to be proposed within the canal itself, such as floating habitats | All planting proposed is native flora. The applicant's will introduce additional planting within the 1m strip adjacent to the canal edge, to be secured in the condition. We cannot |

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| | agree to the floating habitat. Ecology measures within the canal itself was not required by the LPA or the CRT for the previous application and could not reasonably be required in this instance. |
| Condition recommended requiring developer to assess the feasibility of using the canal as a means of moving waste and materials during construction, to minimise reliance on road transport in the interests of sustainability | This condition is accepted and will form a requirement of the construction logistics plan submission. |

Construction Management

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

Thames Water have requested that a piling method statement be secured by condition to ensure that underground Thames Water assets will not be damaged during the piling process.

Noise Impact

300. The applicant has submitted a noise impact assessment which has identified that the sources of environmental noise are relatively low and the internal conditions of all flats would fall within the acceptable range recommended in BS8233:2014. Potential for unacceptable noise impact in relation to construction and demolition for existing residents has been identified. The applicant's noise impact assessment includes a recommendation for Method Statements in relation to construction noise to be submitted. Similar details are to be required through a construction method statement which will be required by condition (as identified above).

301. Environmental Health officers have reviewed this assessment and agree with its methodology although have requested additional testing on the potential for noise disturbance to residents at the Liberty Centre, the details of which will be required by condition.

Air Quality

302. The proposed site is within an air quality management area and therefore due to the size of the development the applicant is required to carry out an air quality impact assessment that should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. The applicant has provided an air quality assessment and air quality neutral assessment by Aether dated September 2020. This assessment methodology is accepted and therefore there are no conditions requiring additional information, although a condition will be applied to secure the implementation of the submitted details.

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

Contaminated Land

304. The applicant has provided a Herts and Essex Site Investigation Phase 1 desk top study ref 12286 dated January 2018 and a Phase 2 site assessment dated September 2014. There are aspects of the site investigation that have not been completed e.g. vapour monitoring. In addition the site investigation was undertaken 6 years ago. As a result, a condition requiring the submission of further soil investigation reports (and remediation and verification reports where necessary) is to be applied to the consent. An

informative relating to soil quality will be also be applied in connection with this.

Ecology, Trees and Landscaping

305. The applicants have submitted a preliminary ecological assessment with the application. The report establishes the existing ecological value of the site and sets out a strategy for protecting and enhancing existing biodiversity on site. The application site was determined to be of negligible ecological interest, comprising industrial buildings and hardstanding. However, the buildings may support nesting birds and bats and the adjacent canal could see use by birds and bats as a foraging and commuting corridor.
306. The lack of notable ecological impacts identified would result in there being no further consideration of ecology at a later stage warranted, with the preliminary ecological study providing sufficient detail to inform the planning proposals.
307. Despite the lack of impact, the applicant's ecological assessment sets out a schedule of biodiversity mitigation and enhancements that will help to ensure a net gain in biodiversity is achieved through the development. The mitigations recommended for this site comprise:
- A bat emergence/re-entry survey on one of the buildings which has been identified as potentially accommodating roosting bats
 - Tree planting along the canal edge to mitigate the impact on foraging/commuting bats
 - External lighting reduction through external luminaires
 - Construction measures to minimise disturbance to any local hedgehog populations
308. The enhancements recommended for this site comprise:
- The installation of bat boxes on elevations of the buildings adjacent to the canal
 - The installation of bird nest boxes into the external walls of the new buildings
 - The installation of log/brush piles within areas of open space to provide habitats for small mammals and invertebrates
309. A condition will require all of these aspects of mitigation and enhancement to be implemented.
310. The site sees minimal tree coverage, being heavily comprised of hardstanding and tight knit industrial development. The proposal would introduce extensive planting of 203 trees across the site which is welcomed. Tree planting is proposed along all of the new streets within the development and along the canal frontage. Brent's tree officer strongly supports this and has requested that a detailed landscaping condition includes details of all proposed tree species, as well as details of a rain garden and the use of high retention soil for tree planting.
311. A comprehensive landscaping strategy forms part of the proposal which seeks to significantly improve the natural plant life and ecological value of the site. In terms of the public realm of the development, all new streets created by the development would see street tree planting, including a wide landscaping strip along the new adopted thoroughfare through the centre of the site. There will also be a particular focus on extensive landscaping by the canal frontage at the southern end of the site, with large grassed areas, defensible planting between the building lines and this area and numerous street trees. Significant planting is also proposed within the communal podium gardens, including strips of defensible planting around the edges of these spaces to assist with resident privacy and a large landscaping buffer at the northern end of the site to maximise softness to the edge of the site where it adjoins the triangular plot of land to the north west and to the houses at the rear.
312. The landscaping strategy is strongly welcomed and clearly offers a significant improvement compared to the existing situation, which currently sees a minimal/practically non-existent landscaping offer.
313. Intend to Publish London Plan Policy G5 seeks Urban Greening improvements for all major applications and sets an urban greening improvement target of 0.4. The development's proposals achieve a 0.36 urban greening factor, falling slightly short of the 0.4 target. The GLA has noted this shortfall but consider that the scheme represents the optimal balance between a number of competing requirements for the site, including the requests of the Canal and River Trust for the treatment of the canal edge. On that basis, the GLA considers that the proposals for urban greening are acceptable.

Brent's landscaping condition will include a requirement for all landscaping elements to be clearly identified on a plan at a suitable later stage.

314. The condition will also require that an external lighting plan is submitted.

Wind and Microclimate

315. A wind and microclimate summary has been submitted. The results of the testing and associated mitigating landscaping result in a development that is designed to be a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrians) and that the development does not introduce any critical impact on the surrounding areas and on the existing buildings. A condition will secure the details of this document.

Fire Safety

316. The applicant has submitted a report setting out that the functional requirements of Part B of the Building Regulations can be satisfied for the development, in respect of fire safety. The report sets out preliminary details in respect of an evacuation strategy, a means of warning and escape system, the use of sprinkler systems in the taller blocks, minimisation of travel distances for residents, smoke ventilation, provision of refuge areas, emergency escape signage and lighting, limitation of internal and external fire spread and access and facilities for the fire and rescue service.

317. Fire safety is not a formal planning consideration; however, officers have sought to ensure that fire safety is an aspect that has been considered from the outset. Whilst more detailed design work will inevitably be needed, the fire safety report submitted provides a clear indication that fire safety is being considered and confirms, at this early stage, that the development is already likely to comply with the relevant part of the Building Regulations governing fire safety.

Archaeology

318. The applicant has submitted an archaeological assessment to consider whether any subterranean heritage assets are likely to be encountered during the building of the development. For this purpose, it is confirmed that the site does not fall within an archaeological priority area as defined by Brent Council and that no archaeological designated heritage assets, as defined by the NPPF, are recorded as being on or in close proximity to the site.

319. The site can be considered to have a general low archaeological potential for all past periods of human activity and past activities and uses (industrial) on the site are considered likely to have had a severe negative archaeological impact. The survey's author does not recommend any further archaeological mitigation measures to be needed in this particular instance. Brent's heritage officer agrees with the findings of the report and does not consider that any planning conditions in relation to archaeological findings are needed.

Equalities

320. 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

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

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

CIL DETAILS

This application is liable to pay **£18,270,145.93** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 70647.94 sq. m.

| Use | Floorspace on completion (Gr) | Eligible* retained floorspace (Kr) | Net area chargeable at rate R (A) | Rate R: Brent multiplier used | Rate R: Mayoral multiplier used | Brent sub-total | Mayoral sub-total |
|------------------------------------|-------------------------------|------------------------------------|-----------------------------------|-------------------------------|---------------------------------|-----------------|-------------------|
| (Brent) Dwelling houses | 68682.54 | | 50246.11 | £200.00 | £0.00 | £14,984,108.2 | £0.00 |
| (Brent) General business use | 1819.57 | | 1331.14 | £40.00 | £0.00 | £79,393.20 | £0.00 |
| (Brent) Non-residen institutions | 145.83 | | 106.68 | £0.00 | £0.00 | £0.00 | £0.00 |
| (Mayoral) Dwelling houses | 68682.54 | | 50246.11 | £0.00 | £60.00 | £0.00 | £3,117,436.7 |
| (Mayoral) General business use | 1819.57 | | 1331.14 | £0.00 | £60.00 | £0.00 | £82,588.59 |
| (Mayoral) Non-residen institutions | 145.83 | | 106.68 | £0.00 | £60.00 | £0.00 | £6,619.09 |

| | | |
|--|-----------------------|----------------------|
| BCIS figure for year in which the charging schedule took effect (Ic) | 224 | 323 |
| BCIS figure for year in which the planning permission was granted (Ip) | 334 | |
| TOTAL CHARGEABLE AMOUNT | £15,063,501.48 | £3,206,644.45 |

*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.



Application No: 20/3156

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

I refer to your application dated **30/09/2020** proposing the following:

Demolition of the existing buildings and the erection of a mixed use development of buildings ranging between 3 and 16 storeys in height, comprising residential units, flexible commercial floorspace, affordable workspaces and community use floorspace, associated car parking, landscaping and ancillary facilities (phased development)

and accompanied by plans or documents listed here:

Refer to condition 2.

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

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

Date: 02/02/2021

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 proposal is in general accordance with the following documents:

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Site Specific Allocations Development Plan Document (2011)

Emerging Policy

- The Publication Version London Plan (2020)
- Brent's Local Plan (Reg 19 Version – 2019)

Supplementary Planning Guidance / Documents

- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's Housing SPG (2016)
- SPD1 Brent Design Guide (2018)
- Brent's Basements SPD (2017)

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

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

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

Drawings

Existing Site Location Plan - 32835-1-00-00-SH-A-90-1001 D0-1

Proposed Site Location Plan - 32835-1-00-00-SH-A-90-1002 D0-1

Proposed Block Plan - 32835-1-00-00-SH-A-90-1003 D0-2

Proposed South Site Basement - 32835-1-01-B1-SH-A-01-00B1 D0-2

Proposed South Site Ground Floor - 32835-1-01-00-SH-A-01-0001 D0-2

Proposed South Site First Floor - 32835-1-01-01-SH-A-01-0002 D0-2

Proposed South Site Second to Fourth Floor - 32835-1-01-02-SH-A-01-0003 D0-2

Proposed South Site Fifth Floor - 32835-1-01-05-SH-A-01-0006 D0-2

Proposed South Site Sixth Floor - 32835-1-01-06-SH-A-01-0007 D0-2

Proposed South Site Seventh Floor - 32835-1-01-07-SH-A-01-0008 D0-2

Proposed South Site Eighth Floor - 32835-1-01-08-SH-A-01-0009 D0-2
Proposed South Site Ninth Floor - 32835-1-01-09-SH-A-01-0010 D0-2
Proposed South Site Tenth to Fifteenth Floor - 32835-1-01-10-SH-A-01-0011 D0-2
Proposed South Site Roof Plan - 32835-1-01-R1-SH-A-01-00R1 D0-2

Proposed North Site Basement & Lower Ground - 32835-1-02-B1-SH-A-01-00B1 D0-2
Proposed North Site Ground Floor - 32835-1-02-00-SH-A-01-0001 D0-2
Proposed North Site First Floor - 32835-1-02-01-SH-A-01-0002 D0-2
Proposed North Site Second Floor - 32835-1-02-02-SH-A-01-0003 D0-2
Proposed North Site Third Floor - 32835-1-02-03-SH-A-01-0004 D0-2
Proposed North Site Fourth Floor - 32835-1-02-04-SH-A-01-0005 D0-2
Proposed North Site Fifth Floor - 32835-1-02-05-SH-A-01-0006 D0-2
Proposed North Site Sixth Floor - 32835-1-02-06-SH-A-01-0007 D0-2
Proposed North Site Seventh Floor - 32835-1-02-07-SH-A-01-0008 D0-2
Proposed North Site Eighth to Tenth Floor - 32835-1-02-08-SH-A-01-0009 D0-2
Proposed North Site Roof Plan - 32835-1-02-R1-SH-A-01-00R1 D0-2

Proposed South Elevations 01 & 02 - 32835-1-01-ZZ-SH-A-03-0001 D0-1
Proposed South Elevations 03 - 32835-1-01-ZZ-SH-A-03-0016 D0-1
Proposed South Elevations 04 - 32835-1-01-ZZ-SH-A-03-0002 D0-2
Proposed South Elevations 05 & 06 - 32835-1-01-ZZ-SH-A-03-0003 D0-2
Proposed South Elevations 07 & 08 - 32835-1-01-ZZ-SH-A-03-0004 D0-1
Proposed South Elevations 09 - 32835-1-01-ZZ-SH-A-03-0005 D0-1
Proposed North Elevations 10 - 32835-1-02-ZZ-SH-A-03-0014 D0-2
Proposed North Elevations 11 & 12 - 32835-1-02-ZZ-SH-A-03-0006 D0-1
Proposed North Elevations 13 & 14 - 32835-1-02-ZZ-SH-A-03-0007 D0-2
Proposed North Elevations 15 & 16 - 32835-1-02-ZZ-SH-A-03-0008 D0-2
Proposed North Elevations 17 & 18 - 32835-1-02-ZZ-SH-A-03-0009 D0-2
Proposed North Elevations 19 & 20 - 32835-1-02-ZZ-SH-A-03-0010 D0-2
Proposed North Elevations 21 - 32835-1-02-ZZ-SH-A-03-0011 D0-1
Proposed North Elevations 22 - 32835-1-02-ZZ-SH-A-03-0015 D0-1
Proposed North Elevations 23 - 32835-1-02-ZZ-SH-A-03-0012 D0-1

Proposed Basement Plan - 32835-1-00-B-SH-A-90-00B1 D0-2
Proposed Ground Floor Plan - 32835-1-00-00-SH-A-90-0001 D0-2

Proposed First Floor Plan - 32835-1-00-01-SH-A-90-0002 D0-2

Proposed Second Floor Plan - A1 32835-1-00-02-SH-A-90-0003 D0-2

Proposed Roof Plan - 32835-1-00-R1-SH-A-90-00R1 D0-2

Hard & Soft GA Plan Legend - Public Realm - 32835-1-SW-XX-DR-L-91-100 D0-2

Hard & Soft GA Plan 01 - 32835-1-SW-XX-DR-L-91-101 D0-2

Hard & Soft GA Plan 02 - 32835-1-SW-XX-DR-L-91-102 D0-2

Hard & Soft GA Plan 03 - 32835-1-SW-XX-DR-L-91-103 D0-2

Hard & Soft GA Plan 04 - 32835-1-SW-XX-DR-L-91-104 D0-2

Hard & Soft GA Plan 05 - 32835-1-SW-XX-DR-L-91-105 D0-2

Hard & Soft GA Plan 06 - 32835-1-SW-XX-DR-L-91-106 D0-2

Hard & Soft GA Plan 07 - 32835-1-SW-XX-DR-L-91-107 D0-2

Hard & Soft GA Plan 08 - 32835-1-SW-XX-DR-L-91-108 D0-2

Hard & Soft GA Plan 09 - 32835-1-SW-XX-DR-L-91-109 D0-2

Landscape Masterplan - 32835-1-SW-XX-DR-L-91-001 D0-2

Hard & Soft GA Plan Legend - Roof Terraces - 32835-1-XX-XX-DR-L-91-110 D0-1

Hard & Soft GA Plan Block A L09 Terrace - 32835-1-A-09-DR-L-91-111 D0-2

Hard & Soft GA Plan Blocks B-C L05 Terrace - 32835-1-BC-05-DR-L-91-112 D0-1

Hard & Soft GA Plan Blocks A-F L06 Terrace - 32835-1-AF-06-DR-L-91-113 D0-1

Hard & Soft GA Plan Block F L09 Terrace - 32835-1-F-09-DR-L-91-114 D0-2

Hard & Soft GA Plan Block G L02 Terrace - 32835-1-G-02DR-L-91-115 D0-1

Hard & Soft GA Plan Block G L06 Terrace - 32835-1-G-06-DR-L-91-116 D0-1

Phasing Plan - PL1

Drainage Strategy Plan - 17-335-0500 Rev B

Mechanical Services Site-Wide District Heating Services Layout - 6277-M-100-P1

Mechanical Services District Heating Future Proof Connections - 6277-M101-P1

North Basement Mechanical Services - 6277-M-103-P2

South Basement Mechanical Services - 6277-M-104-P2

Documents

Flood Risk Assessment & Drainage Strategy Addendum 1 (prepared by Odyssey, dated September 2020)

Preliminary Ecological Assessment (prepared by ACD Environmental, dated September 2020)

Air Quality Assessment (prepared by Aether, dated September 2020)

CFD-Informed Desk Study (prepared by Arcaero, dated September 2020)

Energy & Sustainability Statement (prepared by KUT, dated September 2020)

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

- 3 No part or phase of development (save for enabling works and demolition) shall commence within Phases 2, 3, 4, 5, 6, 7 and/or 8 as shown on the approved Phasing Plan with reference PL1, unless and until all estates and interests comprised in that part or phase of development are subject to and bound by the terms relating to Phase 1, as appropriate, set out in the Section 106 Agreement dated [] made between the Council (1) and [(2)] (with the intent that all of the covenants contained therein will be enforceable without limit of time not only against all of the owners of the land, but also their successors in title and any person corporate or otherwise claiming through or under them an interest or estate in the land).

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

- 4 The development hereby approved shall be carried out in full accordance with the phasing plan with reference PL1.

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

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

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

- 5 The scheme hereby approved shall contain 684 residential units as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 6
 - a) The affordable workspaces within Block G shall only be used for purposes within use classes E(g)(i) and E(g)(iii), unless otherwise agreed in writing by the Local Planning Authority.
 - b) The commercial unit within the ground floor of block G shall only be used for purposes within uses classes E, F1, F2 and Sui Generis public house, wine bar, drinking establishment or drinking establishment with expanded food provision unless otherwise agreed in writing by the

Local Planning Authority.

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

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

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

- 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 achieve Building Regulations requirement M4(3) – 'wheelchair user dwellings' with the exception of the relevant disabled car parking spaces which shall provide a 1200mm space on one side of the parking space.

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

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

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

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

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

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

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

- 12 With respect to the four dwellinghouses forming part of the development hereby approved, no further extensions or buildings shall be constructed within the curtilage of those properties, notwithstanding the provisions of Class A, B, C, D, E, F, G and H of Part 1 Schedule 2 of the Town & Country Planning General Permitted Development Order 2015, as amended, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory standard of accommodation, visual appearance and level of impact on the amenities of adjoining occupiers, given the limited nature of the site and

relationship to adjoining properties.

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

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

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

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

- 15 Unless alternative details are first agreed in writing by the Local Planning Authority, the mitigation measures set out in the Flood Risk Assessment & Drainage Strategy Addendum 1 (prepared by Odyssey, dated September 2020) shall be fully implemented for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

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

- 16 Unless alternative details are first agreed in writing by the Local Planning Authority, the details of biodiversity mitigation and enhancement set out in section 6.0 of the submitted Preliminary Ecological Assessment (prepared by ACD Environmental, dated September 2020) shall be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

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

- 17 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted Air Quality Assessment (prepared by Aether, dated September 2020) shall be fully implemented for each phase of the development following the commencement of the superstructure works of each phase of the development.

Reason: To ensure the development suitably addresses air quality impact.

- 18 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted CFD-Informed Desk Study (prepared by Arcaero, dated September 2020) shall be fully adhered to for each phase of the development following the commencement of the superstructure works of each phase of the development.

Reason: To ensure the development suitably addresses microclimate impact.

- 19 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations made in relation to the mitigation of Overheating within the development as set out within the submitted Energy & Sustainability Statement (prepared by KUT, dated September 2020) shall be fully adhered to for each phase of the development following the commencement of the superstructure works of each phase of the development.

Reason: To ensure the development suitably addresses the impacts of overheating.

- 20 Prior to first occupation of any residential dwellings within block E of the development, the energy centre within block E shall be implemented in full accordance with the details shown on plan ref 6277 M 101 P1 to allow for a future connection to a district heating network,

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

- 21 Prior to the commencement of works on a relevant part of the development hereby approved, a CIL chargeable developments plan shall be submitted to the Local Planning Authority through the submission of an application for approval of details reserved by condition.

Reason: To define the extent of a CIL phase for the purposes of the CIL Regulations 2010 as amended.

Pre-commencement Reason: CIL payments must be made prior to commencement of development and the chargeable development and associated charge must therefore be known prior to the commencement of works on those relevant phases.

- 22 Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The construction logistics plan shall include a feasibility study for transporting freight along the Grand Union Canal and shall seek to maximise the use of waterborne transportation for construction purposes where feasible. The development shall thereafter operate in accordance with the approved construction logistics plan.

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

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

- 23 Notwithstanding the details already submitted, prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority, through the submission of an application for approval of details reserved by condition, outlining measures, suitable to the scale of the development, that will be taken to control dust, noise and other environmental impacts of the development.

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

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

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

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

Following the completion of the works and within 6 months of any occupation within phases 5, 6, 7 and 8 of the development hereby approved, as indicated on phasing plan PL1:

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

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

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

- 25 Prior to the commencement of phases 5, 6, 7 and 8 of the development, as indicated on phasing plan PL1, a detailed Impact Assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with the Canal & River Trust, to demonstrate that ground movement loading generated throughout the construction phases and permanent design shall not pose a threat to the integrity of the Canal walls, foundations, lining, lock's, weirs and any other associated canal infrastructure.

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

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

- 26 No development shall not take place until the details of a Risk Assessment Method Statement (RAMS) have been submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with the Canal and River Trust. The RAMS shall set out all proposed activities which have a potential to impact the integrity of the Canal or any of its associated infrastructure. These details shall include a programme of implementation in accordance with the Canal & River Trust Code of Practice for Third Party Works.

The requirements set out in the RAMS shall be followed, save for minor variations which are otherwise agreed in writing by the Local Planning Authority.

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

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

- 27 Prior to the commencement of phases 5, 6, 7 and 8 of the development hereby permitted, as indicated on phasing plan PL1, a revised Construction Environmental Management Plan shall

be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition in consultation with the Canal and River Trust. The Construction Environmental Management Plan shall include details of proposed surface water arrangements (either via drains or surface water run-off) during the demolition/construction works. Details should confirm the following:

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

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

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

28 a) Prior to the commencement of a phase of development (excluding demolition and site preparation works) a site investigation for that phase of the development 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 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to and approved in writing by the Local Planning Authority 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. The report shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. 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). The report shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

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

29 No piling shall take place for a phase of development until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, 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 for that phase in consultation with Thames Water. The method statement shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

Any piling shall be undertaken in accordance with the terms of the approved piling method statement.

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

sewerage utility infrastructure.

- 30 Prior to commencement of the development, excluding demolition and site clearance, a plan indicating the provision of active electric vehicle charging points within at least 20% of the approved car parking spaces within the site and passive electric vehicle charging points within the remaining car parking spaces within the site shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. Thereafter, the agreed electric vehicle charging points shall be provided and made available for use.

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

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

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

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

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

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

- 33 Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with the Canal and River Trust.

The submitted scheme shall identify:

- The landscaping associated with each phase.
- All plant species, densities of planting as well as species and soil densities for all proposed trees and plants.
- Details of a one metre wide landscaped area adjacent to the edge of the canal.
- Details of any new habitat created.
- Detailed plans of the child play spaces.
- Details of the use of rain gardens and high retention soil.
- External lighting locations and lux levels, with lighting proposals to evidently balance safety and wildlife impact considerations

- Details of vehicle barriers preventing vehicles from being driven into the canal.

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

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

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

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

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

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

- 35 Prior to the first occupation of the development hereby permitted, written confirmation shall be submitted to and approved in writing by the Local Planning Authority, through the submission of an application for approval of details reserved by condition, in consultation with Thames Water, confirming that all wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Alternatively, prior to the first occupation of the development hereby approved, a housing and infrastructure phasing plan relating specifically to the provision of wastewater network upgrades shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with Thames Water.

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

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

- 36 In the event that one or more of the commercial units hereby approved are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or internal ducting, shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen. The development shall thereafter be operated at all times during the

operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

- 37 Prior to occupation of the development hereby approved, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The development shall thereafter operate in accordance with the approved parking design and management plan.

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

- 38 Prior to occupation of each phase of the development hereby approved, a delivery and servicing plan for that phase shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The development shall thereafter operate in accordance with the approved delivery and servicing plan.

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

- 39 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 through the submission of an application for approval of details reserved by condition prior to installation of such plant. All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours.

INFORMATIVES

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

groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

5 The Canal and River Trust advise the applicant of the following:

- Any access to, or oversailing, the Canal & River Trust's land or water during the construction must be agreed in writing with the Canal & River Trust before development commences. Please contact Bernadette McNicholas in the Canal & River Trust's Estate Team at Bernadette.McNicholas@canalrivertrust.org.uk for further information.
- Any surface water discharge to the waterway will require prior consent from the Canal & River Trust. Please contact Chris Lee from the Canal River Trust Utilities Team (Chris.Lee@canalrivertrust.org.uk)
- The applicant/developer should refer to the current Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained, and liaise with the Trust's Third Party Work's Engineer:
<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-ou>
- Any additional moorings require the approval of the Canal & River Trusts' Business Boating Team. The applicant is advised to contact the Boating Business Manager, Tom Jackson if they wish to pursue this at Tom.Jackson2@canalrivertrust.org.uk.

6 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.

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

8 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

9 Given the age of the buildings to be demolished, asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 February, 2021
05
20/0115

SITE INFORMATION

| | |
|---|---|
| RECEIVED | 13 January, 2020 |
| WARD | Mapesbury |
| PLANNING AREA | |
| LOCATION | Matalan Discount Club, Cricklewood Broadway, London, NW2 6PH |
| PROPOSAL | Demolition of existing building; erection of 3 buildings ranging from 3 to 7 storeys with basement, comprising 238 self contained residential units with commercial space at ground floor level (Use Class B1, Block A only); creation of new street, associated landscaping, car and cycle parking, private and communal amenity space |
| PLAN NO'S | see Condition2 |
| LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION | <p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "20/0115" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab |

RECOMMENDATIONS

That the Committee resolve to **GRANT** planning permission subject to:

- (i) Referral to the Mayor of London (stage II).
- (ii) The prior completion of a legal agreement to secure the following planning obligations:
 - a) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
 - b) Notification of material start 28 days prior to commencement
 - c) Affordable housing: Provision of minimum 50 affordable rented units
 - d) All dwellings are held as BTR under a covenant for a minimum of 15 years, if the covenant is broken, a viability review is triggered
 - e) Affordable housing review mechanisms
 - f) Section 38/278 Agreement for highway works
 - g) Contribution so as to implement some of the recommendations from the Healthy Streets Review
 - h) Employment and Skills
 - i) Energy and Sustainability
 - j) Restriction of access to parking permits (except Blue Badge holders)
 - k) Any other planning obligation(s) considered necessary by Committee and the Head of Planning
- (iii) That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- (iv) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

Compliance

1. Time limited permission (3 years)
2. Approved plans
3. Number/Mix of LLR residential units
4. Number/Mix of PR residential units
5. Accessible and adaptable dwellings and wheelchair user dwellings to be implemented
6. Use of commercial space
7. Water consumption limitation
8. Provision of communal aerial and satellite dish system for each building
9. Non-road mobile machinery power restriction
10. Drainage strategy to be implemented as approved (subject to condition 22)
11. Landscaping scheme
12. Sound insulation measures

Pre-commencement

13. Construction Environmental Management Plan
14. Revised Construction Logistics Plan
15. Circular Economy Statement
16. UXO Risk Assessment
17. Site investigation
18. Frontage and signage for commercial units
19. Piling Method Statement

Post-commencement

20. Materials samples
21. Tree planting schedule
22. Feasibility of rainwater harvesting provision

23. Air Quality Neutral Assessment
24. Cycle parking details
25. Restriction of vehicular access onto Park Street

Pre-occupation

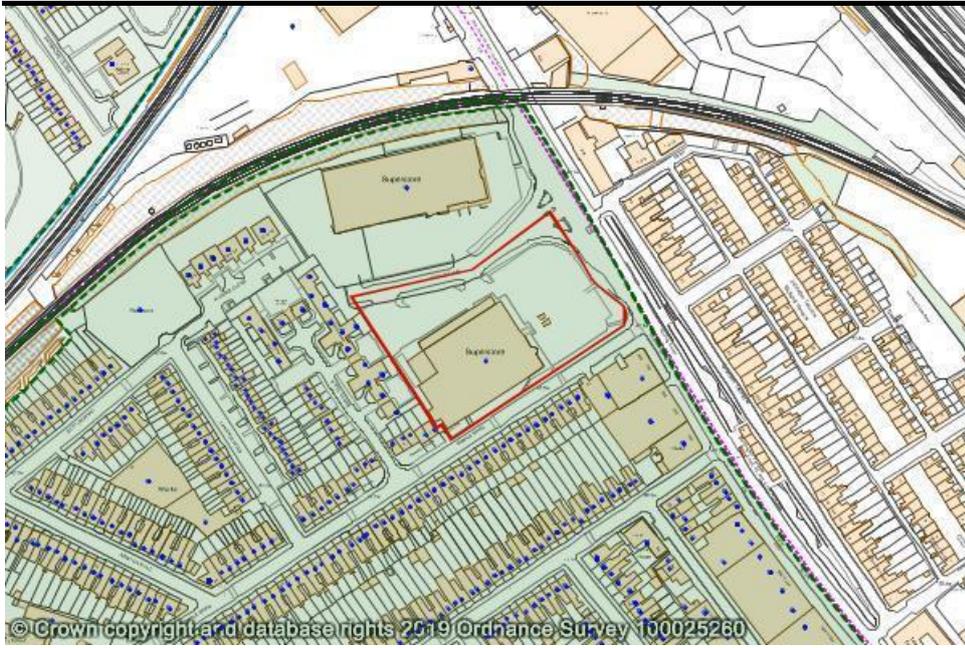
26. Water infrastructure
27. Remediation and Verification
28. Lighting
29. Noise assessment: Mechanical Plant
30. Delivery and servicing plan
31. Parking Design & Management Plan
32. Revised Travel Plan
33. Cycle storage details
34. Internal noise levels
35. Extract Systems

Informatives

1. CIL liability
 2. Party wall information
 3. Building near boundary information
 4. London Living Wage note
 5. Fire safety advisory note
 6. Quality of imported soil
 7. Any other informative(s) considered necessary by the Head of Planning
- (v) 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.
- (vi) That, if within 12-weeks of the date of the stage II response from the Mayor of London (assuming no objections raised/not calling the application in and subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

SITE MAP

| | |
|--|--|
|  Brent | Planning Committee Map |
| | Site address: Matalan Discount Club, Cricklewood Broadway, London, NW2 6PH |
| © Crown copyright and database rights 2011 Ordnance Survey 100025260 | |



This map is indicative only.

PROPOSAL IN DETAIL

Full planning permission is sought for the demolition of the existing building and the erection of 3 buildings ranging from 2-storeys to 7-storeys in height, with basement, comprising a total of 239 self-contained residential units with commercial space at ground floor level (Use Class B1, Block A only); creation of new street, associated landscaping, car and cycle parking, private and communal amenity space:

- Block A: 138 dwellings, 812sqm of commercial space and 160sqm of onsite management office space at ground floor level;
- Block B: 87 dwellings; and
- Block C: 11 dwellings

The proposal also includes the creation of a new street “Park Street” between Blocks A and B, running from Temple Road in the south to Longley Way in the north. The street will primarily be for pedestrians but with emergency and service vehicle access.

Blocks A and B will be provided with internal courtyard amenity space and a new public park will be created adjacent to Longley Way.

EXISTING

The application site comprises of 0.9ha of land on the western side of Cricklewood Broadway, occupied by the Matalan Discount Club building (footprint 0.33ha) sited towards the rear of the site, and its carpark to the front (east) and side (north).

Immediately to the north and separated by Longley Way, is Wickes, and beyond this an overground railway line.

Surrounding development is predominately residential, comprising of 2-storey terraced dwellings on Temple Road to the south, 2 and 3-storey blocks of Flats in Stoll Close to the west, and 2-storey terraced dwellings on Gratton Terrace (within the London Borough of Barnet and a conservation area) to the east. The exception to the above broad typology is the prominent part 5, part 5-storey gym on the junction of Temple Road and Cricklewood Broadway.

The existing Matalan car park has 128 parking spaces, inclusive of 6 disability spaces. There is a CPZ on Temple Road, in operation between 10:00 and 21:00 Monday to Saturday.

AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the original submission:

- The affordable offer has increased from 5% (12 units) to 21% (50 units) and the total number of dwellings has increased by 1 to 239.
- The maximum height has been reduced around the junction of Temple Road/Cricklewood Broadway from 9-storeys to 7-storeys and the relevant units redistributed.
- The material palette has been simplified

SUMMARY OF KEY ISSUES

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

- Principle:** Although the exiting use of the site is for commercial purposes (A1), within the draft Local Plan, together with the Wickes site immediately to the north, it is allocated for residential and commercial use (ref: BSESA17: Cricklewood Broadway Retail Park). The principle of the proposed residential and commercial uses is therefore acceptable.
- Heritage Assets:** The development site sits opposite the Railway Terraces Cricklewood Conservation Area, within the London Borough of Barnet. It is considered that in heritage terms, no harm arises to the identified heritage asset from the proposed development.

- c. **Housing:** The scheme will be 100% Build to Rent. It will provide 50 affordable dwellings (21%) and 692 habitable rooms (21%). Whilst the current affordable offer represents a significant increase over the original offer of 12 affordable dwellings (5%), it is still below the 35% target set out in policy. The viability of the scheme has been robustly reviewed by a consultant appointed on behalf of the Council and also reviewed by the GLA's own viability team, with the current offer being considered the maximum reasonable amount as the scheme would be in deficit of £533,734. A post-implementation review is again proposed, to be secured by legal Agreement. Seventy three family-sized units (72no. 3-bed and 1no. 4-bed) are proposed, equating to 30.5% of the total. Of these, 13no. are within the affordable tenure.
- d. **Design/Scale/Bulk:** The overall design, scale and bulk of the proposed development is considered acceptable, with the heights of the three buildings mindful of the those of neighbouring developments and the articulation in the façade and roofline creating some visual interest.
- e. **Neighbour Impact:** The proposed buildings are considered to be sited sufficiently distant from adjoining properties to not unduly impact on the existing amenity of the neighbouring occupiers.

RELEVANT SITE HISTORY

The site has an extensive planning history, with the most relevant provided below:

- Planning permission (**ref: 86/0528**) was granted in September 1986 for the erection of a non-food retail store with ancillary facilities, car parking, service area and landscaping.
- Planning permission (**ref: 95/1343**) was granted in October 1995 for the change of use of the premises to include use as a retail discount club.
- Planning permission (**ref: 00/0178**) was granted in May 2000 for the a side extension and alterations to the car parking layout.

CONSULTATIONS

Statutory / Non-statutory Consultees

Thames Water

It has been advised that no objections are raised in relation to the foul water and surface water networks. Additional information is required to ensure that the existing water infrastructure can support the development. Informatives are also proposed in relation to development near Thames Water underground assets.

Environmental Health

It is advised that an Air Quality Neutral Assessment will need to be secured by condition. Conditions will also be required in relation to contamination, noise and dust.

Local Lead Flood Authority

No objections are raised.

Transportation

It has been advised that following the revision to the scheme, no objections are raised, subject to securing the following:

- A Section 38/278 Agreement for highway works
- A 'car-free' agreement to remove the right of future residents (except for Blue Badge holders) to on-street parking permits.
- The compensation of the Council for the provision of disabled bays on the public highway
- The compensation of Parking Services for the loss of pay and display bays
- S106 contribution so as to implement some of the recommendations from the Healthy Streets

Review

In addition, further details are sought via condition in relation to: the cycle parking spacing; a Car Parking Management Plan to identify the locations of potential blue-badge spaces and measures to enforce unauthorised parking; a revised Travel Plan; and a revised Construction Logistics Plan.

Greater London Authority

The GLA's Stage 1 response advised that while the principle of the residential –led mixed use development and loss of retail is supported, the application did not fully comply with the London Plan (including the Intend to Publish version), although advised on possible remedies:

- **Housing and affordable housing:** the proposed affordable offer (4% by habitable room, 5% by unit), in the absence of a verified viability position is wholly unacceptable and must be significantly increased to be supported in strategic planning terms. The applicant must explore all options to provide additional affordable housing, including removal of the basement (an obvious viability burden). The applicant should confirm whether market tenure units would be for sale or rent to establish whether Build to Rent covenant, clawback mechanisms are required. Further information is required in relation to playspace provision.
- **Urban design and heritage:** The design, layout, density, massing and residential quality is acceptable. However, the scheme would cause less than substantial harm to the Cricklewood Railway Terraces Conservation Area which must be outweighed by public benefits.
- **Environment and climate change:** The energy and drainage strategies are acceptable. The applicant should provide an Urban Greening Factor (UGF) assessment as part of the planning application. A benchmark target score of 0.4 would be applied to a residential development such as this. A UGF assessment of the existing site should also be carried out to demonstrate net gains in terms of urban greening.
- **Transport:** A car-free scheme is proposed, which is supported. Cycle parking should be provided in accordance with the Mayor's Intend to Publish London Plan and designed in accordance with the London Cycling Design Standards. The removal of the basement is required, which will necessitate design changes. Further necessary qualitative improvements to the surrounding pedestrian and cycle network should be secured. Further discussion is required in relation to bus capacity and the impact on bus operations.

Transport for London

It has been advised that Cricklewood Broadway is part of the Strategic Road Network ("SRN") therefore TfL has a duty under the Traffic Management Act 2004 to ensure that new development does not have a significant negative impact on the SRN. It is considered that the development meets Intend to Publish London Plan policies with regard to cycle parking and Healthy Streets. Further information is required regarding the footway public realm proposals, the disabled parking quantum and layout, the potential for cycle improvements on Cricklewood Broadway and the impact of the development trips on the bus network. More specifically:

- **Car parking:** disabled spaces should be provided for 3% of the units from the outset to comply with the minimum requirements. It should be demonstrated within a Parking Design & Management Plan (PDMP) that capacity exists for the remaining 7% of spaces should future need arise. A PDMP should be secured through condition to also regulate the use and allocation of disabled parking spaces, making sure they are used by those holding Blue Badges only. Further to this, the PDMP should include layout plans of the disabled parking spaces and ensure they are parallel to the footway, interspersed with landscaping and do not interrupt pedestrian desire lines. The provision of active Electric Vehicle Charging Points (EVCPs) for 20% of the car parking spaces, and 80% passive provision for the remaining spaces, must be secured by condition and should not impede pedestrian flows. This should also be secured within the PDMP condition and discussed with the Council as Longley Way is a borough road. The developer should also enter into a car-free agreement with the Council to exempt future residents from obtaining parking permits. If car parking spaces are for the sole use of the development rather than being new on-street spaces, they should be leased rather than sold, to ensure that spaces are used by those who need them at any given time.
- **Cycle parking:** All cycle parking should be designed and laid out in accordance with the London Cycling Design Standards to ensure overall compliance. Detailed plans showing the cycle storage and how it meets the LCDS should be secured by condition. TfL would expect to be consulted on these plans at this stage to ensure accessibility requirements are met. The location of Sheffield stands should not create street clutter, or interrupt pedestrian desire lines. There is potential for this

development to improve cycle connectivity on Cricklewood Broadway, TfL would be supportive of this and this should be subject to further discussion with the Council and applicant.

- **Healthy streets and Vision zero:** An Active Travel Assessment/Audit has been completed which summarises the site's compliance with Intend to Publish London Plan Policy T2 Healthy Streets. Public realm improvements in the vicinity of the site by removing the left turn filter from Cricklewood Broadway into Longley Way and creating a more pedestrian friendly standard T-junction with a reduced carriageway width and a wider crossing point. Swept path assessment highlights that HGV's can safely enter the site with the revised crossing. These changes will improve HS indicators such as, 'Easy to Cross; and 'People feel safe' and are supported by TfL. Further clarity is needed on the proposed footway widths, which should be 2m. The Healthy Streets Assessment and Vision Zero analysis suggests further necessary improvements to the surrounding pedestrian and cycle network which should be discussed further with the Council, as identified in the applicant's Transport Assessment.
- **Public transport impact and Trip generation:** The change in use of the site from retail to a residential, car-free scheme will reduce the overall vehicle trips generated from the site. The development would generate additional demand on the bus network with 33 new bus trips during the worst-case peak hour. The uplift in trips alongside the proposed highway changes may impact on bus operations. Further discussion is required with TfL and the Council on this matter and financial contributions may be sought as mitigation.
- **Travel planning, construction, deliveries and servicing:** a framework travel plan has been submitted and the final version should be secured by condition. Intend to Publish London Plan Policy T7 expects new development to provide off-site servicing and therefore the proposed servicing strategy does not conform with this policy. As the site is bound by borough roads it is for the Council to ultimately decide on the acceptability of this. A framework Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) and have been submitted, the full DSP and CLP should be secured by condition and signed off by the Council in consultation with TfL, prior to commencement of development.

Public Consultation

Letters were sent to the occupiers of 4433 neighbouring and nearby properties, inclusive of those opposite within the London Borough of Barnet, in addition to statutory site and press publicity. Fifty one letters were received in the initial round of consultations and a further 94 were received following a further round of consultation from 26 May 2020 on the receipt of revised plans. Although many of the comments received supported the principle of housing they all raised some or all of the following points:

| <u>Comment</u> | <u>Response</u> |
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| Design | |
| Nine storeys is too high | Block A has been reduced from 9-storeys to 7-storeys on the Cricklewood Broadway frontage. The cores do rise up an additional floor to enable access to the roof. |
| The corner is too prominent with the lighter colour | The corner element has been removed and facing brick will be used. |
| 9-storey point block is visually unattractive and the design should be amended to blend in with the local character of the area | The height has been reduced. The overall design is considered acceptable. Please see Design section below. |
| Units A.701, A.702, A.703, A.704 and A.704 (Upper Floor) should be removed from the scheme and Units A.601, A.602 and A.604 should be set back from the Cricklewood Broadway and Temple Road facades like Units A.613 and A.615 to reduce overlooking surrounding properties as well as the visual impact of the development on the surroundings | Units A.701, A.702, A.703, A.704 and A.704 have been removed but it is considered unnecessary to recess the additional units suggested because the level of distancing to neighbouring developments is considered sufficient to prevent overlooking. |
| Commercial spaces lack flexibility to allow for smaller units i.e. there is only one shared lift to basement level | |
| Glass fronted balconies have the potential to be unattractive; they are often used for storage purposes by residents. Should be opaque. | Glass is not considered to be an inappropriate balcony material, but it is acknowledged that building management is required to ensure that inappropriate items |

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| | are not stored on the balconies. Materials can be conditioned. |
| Too prominent on Cricklewood Broadway, it should step down to the edges | Proposed height is considered appropriate and the buildings step down where appropriate. Please see Design section below. |
| Breaches the Brent Tall Buildings Strategy and the preceding Brent Design Guide | Although outside of the tall buildings zones identified within the Tall Buildings Strategy, the proposed buildings do not exceed the definition of a tall building. |
| 238 residential units plus some commercial units is well in excess of the indicative capacity for the site | Indicative capacities are always subject to more detailed considerations as schemes are developed and the quantum of development is considered acceptable. The Council's housing target has increased from 15,253 to 23,250, therefore the proposed uplift in housing numbers will contribute to meeting with the new target. Please see Design section below. |
| The development will not provide a positive addition for neighbours, local residents or road users | Please see Design section below. |
| Glass balconies will harm the privacy of tenants and neighbours | The separation distances between homes is considered to be appropriate, and the scheme is not considered to result in undue impacts on privacy. |
| Why not strive to build something better here, instead of just cramming in homes | Please see Design section below. |
| Should at least be set back from the road, with higher levels stepped further back, and tall trees planted along the pavement to mitigate pollution | A set back on the Cricklewood Broadway frontage is not considered necessary. Ground floor residential frontages are set back to provide some defensible space. |
| Tower block is an eyesore | This has been removed. |
| Out of proportion with other buildings | The overall scale is considered acceptable and relates well to existing developments. |
| Should be red brick to harmonise with the Victorian area. The use of white materials, and particularly the ugly, threatening tower, is jarring and intrusive and should be removed | The primary material is a red brick and the tower has been removed, |
| Greedy developers trying to squeeze in maximum residences without actually considering the quality of life of the people that will live within and nearby | The quantum and quality of the development is considered acceptable. Please see Design section below. |
| Cricklewood has become a magnet for development of a very wrong type | Please see Design section below. |
| The idea of a skyscraper in Cricklewood verges on the ridiculous | Please see Design section below. |
| The nearby Fellowes Square represents a success story in terms of height and general tastefulness. This is 5 storeys and it complements existing 1930s detached and semi-detached houses opposite and in the Gladstone Park area | Fellowes Square rises up to 6-storeys with some cores rising to 7-storeys. The heights proposed for the Matalan site are considered to be appropriate and are designed having regard to surrounding existing developments. |
| Detrimental to our conservation area, both environmentally and physically | Please see Heritage section below. |
| A claustrophobic proximity to residents on Gratton Terrace and Temple Road | The development is approximately 40m distant from the dwellings on Gratton Terrace. Distancing to Temple Road properties (approximately 20m) is also considered appropriate. |

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| Amenity | |
| Loss of daylight/sunlight | The development respects guidance in relation to distancing and height and will therefore not result in undue loss of daylight/sunlight to neighbouring occupiers. |
| Impact of construction (noise) adversely affecting existing health condition | Construction is a necessary activity and noisy activity is controlled through various legislation. These are outlined within the submitted Outline Construction Logistics Plan. |
| Overlooking | Distancing levels are considered sufficient to prevent overlooking. |
| Loss of privacy to top floor of Gratton Terrace properties | The development is approximately 40m distant from the dwellings on Gratton Terrace. |
| Development looms over Johnstone Terrace and the Railway Terraces | Proposed height and distancing is considered acceptable. Please see Design section below. |
| The disruption, noise and pollution to our area over a two-year period will be colossal, with associated health, nuisance and traffic concerns for all of us living nearby | New development will cause some disruption during the construction phase, however mitigation measures are proposed and will be secured by condition. |
| The proposal that the developer be allowed to access, deliver and work on Saturdays means that 6 mornings out of 7 our lives will be affected is totally unacceptable | Some disruption is inevitable during construction but this is temporary. The Control of Pollution Act 1974 regulates working hours. |
| Should not be allowed to work on Saturdays | Restricting work on Saturdays would lengthen the overall construction programme. The Control of Pollution Act 1974 regulates working hours and these are not generally controlled through planning.. |
| Loss of views of sunsets from Gratton Road | Planning policy does not protect private views. |
| Overbearing | The development complies with relevant standards to ensure that it does not appear overbearing. |
| Sound reflection and amplification | The development will improve the environment for neighbours. Please see the Sustainable Design section of this report. |
| Highways Matters | |
| Contributions should be sought for: road surfacing for safer cycle routes to Gladstone Park and Cricklewood Broadway; cycle parking at Cricklewood Station; larger bus shelters along Cricklewood Broadway; and more buses. | The scheme does not generate the need for additional bus services. A Healthy Streets assessment confirms that the surrounding highways conditions are considered to be good but some improvements have been identified. Please see the Highway Safety section of this report. |
| Exacerbation of existing traffic problems on Temple Road and Cricklewood Broadway caused by school runs and Brent Cross. This will also spill over into Mora Road. | This is a car-free development with residents (except for blue-badge holders) restricted from gaining access to parking permits. |
| Parking in the area is already overstretched | This is a car-free development with residents (except for blue-badge holders) restricted from gaining access to parking permits. |
| Construction traffic will only add to traffic problems | Construction traffic is for a limited period. A Construction Management Plan (or similar) will be secured to minimise conflict with rush-hour traffic. |
| Will more buses be provided? | The scheme does not generate the need for |

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| | additional bus services. |
| No extra parking because there is an assumption that the new tenants won't have cars. What about work people and visitors of all sorts needing access and parking? | This is a car-free development, with potential residents being made aware of this. |

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| Housing | |
| There should be a higher proportion of affordable housing – 12 out of 238 seems very low | This has increased from 5% (12 dwellings) to 21% (50 dwellings). |
| Large numbers of Flats are purchased by foreign buyers as investments, leaving them empty e.g. Vancouver or Melbourne | This is not a material planning consideration |
| Flats will all be rented so the people living in them will have no commitment to the area and of course the rents will not be reasonable so more people than stated will be packed into the each one to be able to afford the rents | 21% of the dwellings will be secured as affordable accommodation (London Living Rent levels) |
| Not a social housing venture but a private landlord venture | The scheme is providing rented affordable housing. |
| Would like to be reassured that this is accessible and affordable housing and not more boltholes for the wealthy | The scheme is providing rented affordable housing. |
| We already have huge new blocks of apartments down the road that have not been fully utilised or taken up | There is a recognised housing shortage and the scheme will contribute to reducing that. |

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| Other Matters Raised | |
| Recessed areas on commercial frontage could attract rubbish and undesirable people | This is a matter for the building management. |
| Loss of Matalan because it provides a valuable community service. | Matalan is a retail unit which is better located within a town centre. |
| The “high street” concept in most of western Europe is becoming a distant memory. | |
| If relentless coverage of every sqm of Brent continues, you must be prepared to see sterile empty streets | Please see the Design section of this report. |
| Nearby developments have not let any of their retail space | The commercial space proposed is for office use. |
| Unclear whether sufficient attention has been paid to the ability of the local infrastructure to cope | Please see the report below. |
| Concerned whether the retail space could not be of better use to the local community. The retail units in the newly built Fellowes Square, in Barnet, a few hundred yards to the north on the Edgware Road, lie empty | Retail is not proposed. |
| Will Barnet and Brent Councils work together to consider the effect on residents of boundary developments | Barnet Council has been notified of the development |
| As a lay person it is impossible to understand fully the 77 planning documents | Please see the Design section of this report. |
| The outline construction logistics plan lacks robust information | An outline plan provides a broad overview. A more detailed plan is secured by condition |
| No increase in schools, GP clinics | The development is CIL liable, with payments funding the infrastructure identified on the Councils regulation 123 list |
| Additional pressure on already overburdened Victorian infrastructure-drains, utilities, roads | |
| You will devalue the area | Not a material planning consideration. |
| Can you install a small children centre for babies | The proposal is for residential and B1 use. |

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| and mothers alike or a small walk in or something beneficial to this community | |
| Matalan provides an option for purchasing goods locally. Class B1 services are unlikely to provide the same level of services use for local residents | The site sits outside of the Cricklewood Town Centre and the draft Local Plan confirms that notwithstanding the existing retail use, the council is seeking to direct retail to existing town centres to support their viability. |
| As the properties will be rental units, a dependable staff of cleaners and grounds men will be needed to keep the place tidy and well ordered. I see no mention of this in this plan | Please see the Design section of this report. |
| The CGIs are inaccurate. Image labelled EXISTING VIEW FROM GRATTON TERRACE is misleading | CGI's of views from the Conservation Area have been corrected. |
| | |

POLICY CONSIDERATIONS

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

The London Plan

- Policy 2.7 Outer London: Economy
- Policy 2.14 Areas for regeneration
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.7 Large residential developments
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing
- Policy 3.13 Affordable housing thresholds
- Policy 3.14 Existing housing
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 3.17 Health and social care facilities
- Policy 4.1 Developing London's economy
- Policy 4.3 Mixed use development and offices
- Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy
- Policy 5.8 Innovative energy technologies
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.16 Waste net self-sufficiency
- Policy 5.18 Construction, excavation and demolition waste

- Policy 5.19 Hazardous waste
- Policy 5.21 Contaminated Land
- Policy 6.3 Assessing the effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall and large buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting open space and addressing deficiency
- Policy 7.19 Biodiversity and access to nature

Core Strategy

- CP1 Spatial Development Strategy
- CP2 Population and Housing Growth
- CP5 Placemaking
- CP6 Design & Density in Place Shaping
- CP9 South Kilburn Growth Area
- CP15 Infrastructure to Support Development
- CP17 Protecting and Enhancing the Suburban Character of Brent
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock
- CP23 Protection of Existing and Provision of New Community and Cultural Facilities

Development Management Document

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

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released an "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted. As such considerable weight should be given to these policies. The following are considered relevant:

Publication Version London Plan

- GG1 Building Strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering new homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth

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| D2 | Infrastructure requirements for sustainable densities |
| D3 | Optimising site capacity through the design-led approach |
| D4 | Delivering good design |
| D5 | Inclusive design |
| D6 | Housing quality and standards |
| D7 | Accessible housing |
| D8 | Public realm |
| D11 | Safety, security and resilience to emergency |
| D12 | Fire safety |
| D14 | Noise |
| H1 | Increasing Housing Supply |
| H4 | Delivering affordable housing |
| H5 | Threshold approach to applications |
| H6 | Affordable housing tenure |
| H10 | Housing size mix |
| H11 | Build to Rent |
| S1 | Developing London's Social Infrastructure |
| S3 | Education and childcare facilities |
| S4 | Play and informal recreation |
| E1 | Offices |
| E2 | Providing suitable business space |
| E3 | Affordable workspace |
| HC1 | Heritage conservation and growth |
| HC5 | Supporting London's culture and creative industries |
| G1 | Green infrastructure |
| G5 | Urban greening |
| G6 | Biodiversity and access to nature |
| SI1 | Improving air quality |
| SI2 | Minimising greenhouse gas emissions |
| SI3 | Energy infrastructure |
| SI4 | Managing heat risk |
| SI5 | Water infrastructure |
| SI7 | Reducing waste and supporting the circular economy |
| SI12 | Flood risk management |
| SI13 | Sustainable drainage |
| T4 | Assessing and mitigating transport impacts |
| T5 | Cycling |
| T6 | Car parking |
| T7 | Deliveries, servicing and construction |
| DF1 | Delivery of the Plan and Planning Obligations |

The Examination in Public ("EiP") for the draft Brent Local Plan concluded on October 16th and the Local Authority is awaiting the Inspector's report. Therefore, having regard to the tests set out in paragraph 48 of the NPPF, Officers consider that greater weight can now be applied to some policies contained within the draft Local Plan. Key draft Local Plan policies include:

| | |
|---------|--|
| DMP1 | Development management general policy |
| BP6 | South east |
| BSESA17 | Cricklewood Broadway Retail Park |
| BD1 | Leading the way in good urban design |
| BD2 | Tall buildings in Brent |
| BD3 | Basement development |
| BH1 | Increasing housing supply in Brent |
| BH2 | Priority areas for additional housing provision within Brent |
| BH3 | Build to rent |
| BH5 | Affordable housing |
| BH6 | Housing size mix |
| BH13 | Residential amenity space |
| BSI1 | Social infrastructure and community facilities |
| BE1 | Economic growth and employment opportunities for all |
| BE4 | Supporting Strong Centres Diversity of Uses |
| BE7 | Shop front design and forecourt trading |
| BE8 | Markets and car boot sales |

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

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 Technical housing standards – nationally described space standards (2015)
 National Design Guide (2019)
 draft London Plan (December 2019)
 Mayor of London - A City for all Londoners
 Mayor's Good Practice Guidance to Estate Regeneration
 LB Brent draft Local Plan Regulation 19 Consultation (Nov 2018)
 LB Brent S106 Planning Obligations SPD (2013)
 LB Brent Design Guide for New Development (SPD1)
 LB Brent Residential Extensions & Alterations (SPD2)
 LB Brent Shopfronts SPD (SPD3)
 LB Brent Basement SPD (Jun 2017)
 LB Brent Waste Planning Guide SPG
 LB Brent Air Quality Action Plan 2017-2022
 LB Barnet Railway Terraces Cricklewood Conservation Area Character Appraisal (1998)
 Community Infrastructure Levy Regulations 2010
 London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle of development

Residential-led Development and Site Allocations

1. The redevelopment of the site for a mixed use commercial and residential development is considered acceptable because the site, together with the neighbouring Wickes site to the north, is one of those identified within the draft Local Plan as being suitable for such uses (Policy BESA17: Cricklewood Retail Park). Paragraph 5.6.14 of the draft Local Plan confirms that notwithstanding the existing retail use, the council is seeking to direct retail to existing town centres to support their viability and any scheme on the site should be residential-led.

Heritage Considerations

Statutory Background and the NPPF

2. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm "*considerable importance and weight*". Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors. R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and*

Local Government [2015] EWHC 3 (Admin).

3. Section 16 of the NPPF (“Conserving and enhancing the historic environment”) (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance” (para.184). In determining applications, LPA’s are advised at para.192 take into account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
4. When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that “*great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*”. Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). It is also advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance.
5. Policy 7.8 of the London Plan (“Heritage Assets and Archaeology”) and draft Policy HC1 (“Heritage, conservation and growth”) advises what boroughs should do at a strategic level to identify, preserve, and enhance London’s heritage assets. The supporting text to Policy CP17 (“Protecting and Enhancing the Suburban Character of Brent”) of the Core Strategy confirms that the Borough’s historical assets need to be protected and conserved. Policies DMP1 (“Development Management General Policy”) and DMP7 (“Brent’s Heritage Assets”) confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets. This assessment would be also be undertaken having regard to Historic England’s *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* which identifies 5 steps to be followed (which is followed within the submitted Heritage Statement):
 - Step 1: Identify which heritage assets and their settings are affected
 - Step 2: Assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated
 - Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it
 - Step 4: Explore ways to maximise enhancement and avoid or minimise harm
 - Step 5: Make and document the decision and monitor outcomes

Identification of Heritage Assets

6. On the opposite side of Cricklewood Broadway is the Railway Terraces Cricklewood Conservation Area (“Conservation Area”), within the London Borough of Barnet and designated in March 1998. It is described within its Character Appraisal as forming an individual and unusual area with clearly defined boundaries and a uniform character with a distinctive, intimate but ordered feel as a result of the formal, regular streetscape and building layout. The lack of cars is a considered an important characteristic.
7. There are no statutorily listed buildings within the Conservation Area and in agreement with the Heritage Statement, there are no listed buildings that could reasonably be affected by the proposed development by virtue of the intervening spatial, visual and townscape context, and the nature of the listed heritage assets. The two closest listed buildings are the grade II listed St Michael’s Church, sited approximately 300m south-west of the site, and a grade II listed milestone approximately 200m south-east of the site. The setting of these heritage assets will not be harmed by the proposed development and should therefore not be considered further, having regard to Historic England’s setting guidance: *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)*. It should be noted that all of the

building within the Conservation Area are locally listed.

8. The proposed development should however, be considered against the Railway Terraces Cricklewood Conservation Area. What must therefore be determined is whether the proposed development will harm the significance of the aforementioned heritage asset, having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72). The proposal will have a greater or lesser impact on individual heritage assets and the factors for consideration will be:

Assessment of Significance and Contribution

9. Although Cricklewood Broadway lies along the probable line of Watling Street, a Roman Road, it lies outside of the Area of Special Archaeological Interest directly to the south. There are no records of significant archaeological finds in the vicinity of the conservation area.
10. Following the opening of the Midland Railways Bedford to St Pancras line in 1866 and the subsequent opening of the Childs Hill and Cricklewood Station, Cricklewood was subject to intensive expansion with housing and factory developments. Construction of the railway worker's houses started in the late 1860s. There are five terraces in the conservation area; Gratton Terrace, facing Cricklewood Broadway, and Midland, Johnston, Needham and Campion Terraces behind. Originally there would have been an institute for the education of workers at the northern end of Gratton Terrace, but has since been demolished and replaced by the modern development at Dorchester Court. A former railway workers' hostel, fronting Cricklewood Broadway to the north of Gratton Terrace, was built after 1896 is now in use as the Sindhi Centre.
11. There were originally two main sizes and styles of house, with the higher status houses on Gratton Terrace. This terrace, with its larger houses, was built for higher grade railway workers. The houses originally faced Cricklewood Broadway and they are built on a grander scale, with more ornate architectural detailing with larger rear gardens. The terraces behind the Gratton Terrace frontage are smaller and modest by comparison, with little in the way of architectural detailing; their small back yards face narrow service roads. The 1896 to 1936 Ordnance Survey maps record undivided open spaces in between these terraces, but with subdivided plots by 1955. There is again now an open green swathe between Midland and Johnston Terrace, with individual garden plots between Needham and Campion Terraces.
12. The architectural interest of the conservation area derives from a reasonably coherent and consistent architectural treatment and townscape character, with terraces set out in a consistent, planned manner. The key distinction in the terraces is the difference between Gratton Terrace and the back terraces.
13. Dorchester Court is considered to detract from the architectural coherence and consistency of the area. Burlington Parade and the Sindhi Centre are individual buildings which stand out from the terraces and 'bookend' both sides of the Cricklewood Broadway frontage of the conservation area. Both of these are pleasant buildings and good examples of their age and type, but not considered architecturally outstanding or remarkable. The fact that the conservation area is devoid of listed buildings is considered an indication that it is not an area which relies on the character or quality of individual buildings, but rather the cohesiveness of the townscape on the whole.
14. The conservation area boundary essentially takes in a small, late 19th century railway workers' estate, developed by the Midland Railways. It was developed in more or less a single phase, and it has retained the character of the original layout. The urban form of the development is unusual and the differentiation in the hierarchy of the frontage (Gratton Terrace) from the more modest back terraces is interesting in terms of social history, but this also includes the relationship between the houses and the roads/gardens/communal swathes.
15. The significance of the Conservation Area is considered to not derive from any architectural interest (although some elements have aesthetic value) and as discussed above, there is no archaeological interest.
16. Views into and out of the Conservation Area are limited within the vicinity of the application site owing to the vegetated strip separating Gratton Terrace from Cricklewood Broadway. Views are gained in gaps in the privet hedge and through the trees. As the Heritage Statement identifies, greater views of the

buildings within the Conservation Area when the trees are not in leaf.

17. The relationship of the existing site to the Conservation Area is characterised by a sense of separation between the large shed that is Matalan and the dwellings within the Conservation Area, because of the large expanse of car parking in front of the Matalan building. The application site is considered with the heritage Statement to play no role in revealing or enhancing the significance of the Conservation Area.

Impact of the Development

18. The proposed development represents a significant change in the relationship of the site to the Conservation Area. Block A brings the front building line into common alignment with the buildings south of Temple Road, with the scale and massing being more evident from the Conservation Area. Views of the development will be largely screened by the aforementioned vegetation but will be visible above the tops of the trees, and in views along Dorchester Court, as shown in the submitted CGI's.
19. Visibility of the development does not necessarily equate to being harmful. As advised in the Heritage Statement, the Conservation Area would continue to be clearly experienced as separate from the proposed and existing developments along Cricklewood Broadway. The special characteristic of the Conservation Area, essentially being a small scale, dense, peaceful enclave, will remain unchanged. In addition, the choice and colour of brick as the primary material is considered to complement the buildings within the Conservation Area, as does the architectural language.

Summary of Heritage Considerations

20. For the purposes of this application, the only relevant consideration is Section 72(1) of the Act, which sets out the statutory duty in relation to any buildings or other land in a Conservation Area. This is not relevant to the application site, because the duty in s.72 of the Act relates to land within a conservation area and does not extend to the setting of a Conservation Area in the same way as it does for a listed building.
21. Although the proposed development will be visible from the Conservation Area but it must also be viewed within the context of the existing developments external to that heritage asset. Visibility does not necessarily equate to being harmful because it could be argued that views from the Conservation Area, such as along Dorchester Court, towards the site will be enhanced due to the removal of a large white shed and expansive car parking which is clearly out of place in the streetscene and its replacement with buildings, albeit larger, that are more sympathetic in terms of materials and even use. At worst, the impact of the development is considered neutral by Council officers.
22. It is noted that the GLA are of the opinion that, due to the overall scale and massing of Block A being visible from the Conservation Area, the setting of the Conservation Area would be altered, therefore the development would result in "less than substantial harm" to the Conservation Area. In heritage terms, if it is considered that a proposal would result in less than substantial harm, the harm should then be weighed against any public benefits of the scheme. Whilst this opinion differs from Council officers, it is agreed that the benefits of the scheme identified by GLA officers (public realm improvements, improved connectivity for pedestrians and cyclists, and the proposed park) should outweigh any harm. In addition, Council officers would also consider the provision of housing (and affordable housing), the removal of an unsympathetic building and large expanse of parking, and a development that better relates to the wider streetscene (in form, use and materials) would also contribute to outweighing any harm, if it should be considered that the scheme resulted in less than substantial harm.
23. Having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal will not lead to any harm to the Conservation Area, having regard to Policy 7.8 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with section 16 of the NPPF.

Housing

Policy Background

24. Brent's adopted local policy (CP2 and DMP15) sets out the affordable housing requirements for major applications and stipulates that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing. The policies allow for the reduction in the level of Affordable Housing (below the 50% target) on economic viability grounds. This is discussed in more detail later in this report.
25. The emerging London Plan (Publication Version) has been subject to examination and the associated affordable housing policies H4 ("Delivering affordable housing"), H5 ("Threshold approach to applications"), and H6 ("Affordable housing tenure") are now given greater weight. These policies establish the threshold approach to applications where a policy compliant tenure mix is proposed*, where viability is not tested at application stage if affordable housing proposals achieve a minimum of:
26. 35 % Affordable Housing; or
- 50 % Affordable Housing on industrial land** or public sector land where there is no portfolio agreement with the Mayor.
- * other criteria are also applicable.
 ** industrial land includes Strategic Industrial Locations, Locally Significant Industrial Sites and non-designated industrial sites where the scheme would result in a net loss of industrial capacity.
- The policies set out the Mayor's commitment to delivering "genuinely affordable" housing and the following mix of affordable housing is applied to development proposals:
27. a minimum of 30 per cent low cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes
- a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent ("LLR") and London Shared ownership
 - 40 per cent to be determined by the borough
- When interpreting these policies, the tenure mix set out in Brent's adopted policies (70:30 ratio of Affordable Rent : Intermediate) and Brent's emerging policies (70:30 ratio of London Affordable Rent : Intermediate) provide clarity on the tenure of the third category (40% to be determined by the borough). This means that this element of affordable housing mix should be provided as Affordable Rented homes.
28. Policy allows for a reduction to affordable housing obligations on economic viability grounds where it can be robustly demonstrated that the target level of affordable housing would undermine the deliverability of the scheme. The policies require schemes to deliver the maximum reasonable amount of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the targets) and schemes that aren't eligible for the threshold approach must be accompanied by a Financial Viability Assessment ("FVA"). It is important to note that these policies do not require all schemes to deliver 35% or 50% affordable housing.
29. Brent's emerging Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted policy DMP15 policy and emerging London Plan policies H4, H5 and H6 would carry considerably more weight than the Brent emerging Affordable Housing policy at this point in time.
30. Policy H11 (Build to Rent/"BTR") of the Publication version London Plan sets the criteria on which such developments are assessed. A BTR scheme can be solely discounted market rent ("DMR") at a genuinely affordable rent, with the preference being LLR. This policy has been developed because BTR operates a different model to the more traditional Build for Sale. BTR relies on income through rent over a number of years, rather than an upfront return on sales (this is often referred to as the 'distinct economics' of the sector). Because of this, in some circumstances BTR may not be able to compete for land on an equal footing with speculative Build for Sale, as it may generate lower initial land values. Longer term, however, BTR is considered to be an attractive offer to institutional investors because it is less susceptible to housing market cycles, price downturns, offers longer-term tenancies (and certainty for tenants), and better management standards. BTR developments must also be secured for a minimum 15 year period and retained in single ownership, with overall ownership only permitted to change if the entire scheme stays as BTR. Individual homes cannot be sold without triggering a review in which the Council may be able to clawback some money for affordable housing.

31. Policy BH5 (“Affordable Housing”) of the draft Local Plan confirms the aforementioned Publication version London Plan policies but also advises that in BTR developments, it is expected that 100% will be London Living Rent. London Living Rent (“LLR”) is considered to be an intermediate affordable housing product, offered to households with a maximum household income of £60,000. Whilst primarily aimed at single people, couples, and families, it does not exclude house shares where the total household income does not exceed £60,000. Ward-level caps, calculated by the GLA, are based on one-third of the median gross household income of the Borough. It is important to note that the cap could vary from the Borough median by up to 20% in line with houses prices within the ward and by the number of bedrooms within the dwelling. Whilst an upper cap limit is set, the registered provider is allowed the flexibility of setting a lower rent. For example, the most recent LLR maximum rent levels for Mapesbury Ward are approximately £847 pcm for a 1-bedroom home, £941 for 2-bedroom home and £1,035 for a three-bedroom home. By comparison, London Affordable Rent Levels for 2020/21 are around £690, £731 and £771 respectively.

Affordable Housing Offer

32. The applicant is proposing 50 (21%) affordable dwellings at London Living Rent levels (21% by habitable room), as shown in the table below:

| Proposed Housing Tenure/Mix | | | | | | | | |
|-----------------------------|---------------|---------------|-------------------|-------------------|-----------------|-------|-----------------|-------|
| | LLR Dwellings | LLR Hab Rooms | Private Dwellings | Private Hab Rooms | Total Dwellings | % | Total hab Rooms | % |
| Studio | 0 | 0 | 1 | 2 | 1 | 0.42 | 2 | 0.23 |
| 1b2p | 21 | 42 | 79 | 158 | 100 | 41.84 | 200 | 28.90 |
| 2b3p | 5 | 15 | 17 | 50 | 22 | 27.21 | 65 | 28.18 |
| 2b4p | 11 | 33 | 32 | 97 | 43 | | 130 | |
| 3b5p | 8 | 32 | 41 | 166 | 49 | 30.54 | 198 | 42.63 |
| 3b6p | 5 | 20 | 18 | 72 | 23 | | 92 | |
| 4b7p | 0 | 0 | 1 | 5 | 1 | | 5 | |
| Total | 50 | 142 | 189 | 550 | 239 | | 692 | |

33. The above represents a revised offer, following a rejection of the initial offer of x12 affordable rented units (5%). The current offer, which was again tested by the Council’s independent consultant (BNP Paribas) and also by the GLA’s viability team, is considered to be the maximum reasonable amount which can be delivered. The appraisal establishes a benchmark land value (“BLV”) of £10.155M against a residual value of £9.621M, resulting in a deficit of £533,734.
34. Having regard to the scale of the development and to adopted and emerging policy, it is recommended that mid and late-stage reviews are secured through a S106 Agreement to capture any uplift. With BTR schemes it is normally expected that any uplift in affordable accommodation will be on-site.

Family Housing

35. Policy CP2 of the Core Strategy confirms that 25% of new housing should be family-sized units (3-beds or greater) and this would equate to 21no. dwellings in the current scheme. As shown in the table above, there would be an overall provision of 30.5% (73no.) family-sized dwellings which includes 1no. 4-bed dwelling. Whilst there is no specific policy requirement to include family dwellings within the affordable tenure, 13no. (26%) of the Affordable homes will be family-sized units. Having regard to this element of the scheme, the development exceeds the policy requirement and with a high proportion of family dwellings within the affordable tenure, is considered acceptable.

Accessible and Adaptable Dwellings

36. The London Plan (Policy 3.8) requires that 90% of new dwellings meet with Building Regulation requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. This would equate to at least 24 wheelchair units. These would again be secured by an appropriately worded condition.

Design Considerations

37. There is clear guidance on the approach to the matter of design. The NPPF (section 12) confirms that the

Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. Poor design, which doesn't improve the character and quality of the area and the way it functions should be refused but where the design of a development accords with clear expectations in plan policies, we are advised at paragraph 130 that design should not be used as a valid reason for objection.

38. London Plan policy 7.1 ("Lifetime neighbourhoods") advises that the design of new buildings and the spaces created by them should "help to reinforce or enhance the character, permeability, and accessibility of the neighbourhood" while policies 7.4, 7.5 and 7.6 confirm the requirement for achieving the highest architectural quality, taking into consideration the local context and its contribution to that context.

Layout and Access

39. The development will comprise of three blocks (A, B, C) with Block A sited along the Cricklewood Broadway frontage between Temple Road in the south and Longley Way in the north and the proposed Park Street to the west. This block is in the form of a perimeter block, around a central landscaped courtyard and with the commercial element located on the ground floor, fronting Cricklewood Broadway. The 11 ground floor residential dwellings will each have direct access onto Temple Road, Park Street or Longley Way, thereby ensuring, together with the commercial element, that there is activity around the base of the entire building. The remaining 130 dwellings will be accessed via one of four cores. A basement beneath the block will provide the accommodation for all of the refuse and bike stores, plant room, water tank room and store rooms. It should also be noted that the footprint of Block A will extend onto the public highway in its north-eastern corner, which will require a stopping up order to be made. This will result in the need to alter the geometry of the southern part of the junction of Longley Way/Cricklewood Broadway by removing the left-turn filter from Cricklewood Broadway. Whilst the highways implications of this element of the proposal will be discussed below, there are no objections in terms of the layout because it enables a more regular building design to be brought forward.
40. Block B, also designed as a perimeter block, will front Park Street and Temple Road to the east and south respectively and the new park and Block C to the north. To the west, separated by the proposed rear gardens for some of the proposed ground floor dwellings is the common boundary shared with 1 Oswald Terrace on Temple Road and one of the car parks at the rear of Williams House, Stoll Close. Eleven of the 18 ground floor dwellings will have direct access to the street with the remainder of the 76 dwellings being accessed via one of three cores. A basement is provided which will accommodate similar ancillary accommodation to that within the basement of Block A. This basement will also be linked to that of Block C.
41. Block C will open out onto the new park, with Block B to the south, Longley Way to the north and similar to Block B, the rear gardens for the three ground floor dwellings will share a common boundary with another car park to the rear Williams House, Stoll Close. All 13 dwellings within the Block will be accessed via a single core. The basement will house the ancillary accommodation similar to that within the other two blocks.
42. The overall layout is considered to successfully address the three roads that bound the site. Moreover, whilst the layout is considered to work successfully in its own right, it must also be remembered that the current scheme is anticipated to be the first of two phases, with the adjacent Wickes site potentially coming forward as Phase 2, therefore as shown in the proposed masterplan, will also integrate successfully with Phase 2.

Height, Scale and Massing

43. It is acknowledged that that any form of development on a currently open car park will effect a change on how this site relates to the street scene on both Temple Road and Cricklewood Broadway. As described above, Block A will occupy all of the Cricklewood frontage between Temple Road and Longley Way and will be the largest of the three blocks, rising up to seven stories in terms of the residential accommodation but with the cores rising up an additional level to provide access to the rooftop amenity area, plant and PV arrays. Opposite to the commercial developments on Temple Road, the height and scale of Block A remains at seven storeys (except for the core as discussed above) but stepping down to 4-stories and 3-stories opposite the residential dwellings on the Temple Road frontage (with recessed 5-storey and 4-storey elements). Along the Longley Way frontage, Block A varies between 6-stories and 7-stories, and also with the two cores on this frontage rising to 8-stories providing access to the roof

terraces.

44. Block B varies in height from 3-stories and 4-stories on the Temple Road frontage, 4-stories and 5-stories on the Park Street and Longley Way elevations (with the cores rising up to 7-stories to enable access to the rooftop amenity space and PV array). At the rear, facing Stoll Close, the block will be between 3-stories and 4-stories with a recessed fifth storey.
45. Block C, the smallest of the three buildings, will vary in height between 3-storeys and 4-stories, with the core rising above to grant access to the rooftop to enable maintenance of the proposed green roof and PV array.
46. The site is within an “intensification corridor” as designated within the emerging Local Plan which suggests that heights of up to 5-storeys may be acceptable. The proposal reaches 7-storeys (with cores to the top roof terraces projecting above this). However, the proposed height, scale and massing of each of the three blocks is considered to respond well to the surrounding developments and with each other. The overall scale and massing of Block A on the Cricklewood Broadway frontage is considered appropriate, particularly given that the level of distancing to the dwellings opposite is in excess of 40m. In relation to the commercial buildings on Temple Road, Block A is no more than 2-stories taller and appropriately steps down where it fronts the lower-rise residential dwellings. The conflict with the emerging policy relating to height is considered to be outweighed by the benefits of the proposal, including the provision of new homes (including Affordable homes) and significant improvements to the streetscene.

Elevations and Materials

47. The overall design of the three blocks adheres to the basic principle of ensuring there is a clear base, middle and top sections with a variation in roof heights adding to the visual interest. In addition, the façade of each block (in particular Blocks A and B) has been designed to reduce the massing through the introduction of projecting balconies, setbacks and a regular rhythm to the positioning of fenestration which also introduces some verticality.
48. The commercial units are provided with higher floor to ceiling heights and large glazed panels, to help differentiate the commercial element from the residential above and also to more closely relate to the ground floor commercial units to the south.
49. The simplicity in the overall design is matched by the material palette, which uses only three materials: red brick as the main material; GRC (glass reinforced concrete) around entrance cores and the winter gardens; and aluminium window framing.

Quality of Accommodation

50. To improve the quality of new housing, new development must meet with or exceed the minimum internal space standards contained within the London Plan (Policy 3.5 Quality and design of housing developments), Policy D6 of the Publication Version London Plan, and the nationally described space standards (“Technical Standards”). Other policies must also be considered, such as minimising or managing overheating (Policy SI 4 “Managing heat risk” of the Publication Version London Plan). The LB Brent Design Guide SPD1 also provide guidance on what new developments should be considering.
51. All dwellings will either meet with or exceed the relevant minimum standard, with 25% of these significantly exceeding their relevant standard, by between 10sqm and 22sqm. Larger internal areas are particularly welcomed where it is more difficult to meet with the council’s amenity space standards.

Dual Aspect

52. Policy D6 of the Publication Version London Plan and LB Brent SPD1 confirm that dual aspect dwellings should be maximised in order to improve the living conditions of occupiers through better daylight, natural cross-ventilation to avoid overheating and dampness, and a choice of views. Policy and guidance also recognise that it is not always possible to provide dual aspect dwellings and where single aspect dwellings cannot be avoided, they should avoid being north and south facing to avoid overheating.
53. For the proposed scheme, all 2-bed units and larger (116no. dwellings), together with 48no. 1-bed

dwellings, are dual aspect. The remaining dwellings (75no. 1-bed) are single aspect dwellings but none face directly north or south, although this is a consequence of the sites orientation – dwellings face north-east/west and south east/west. It should be noted that design measures, discussed in the Overheating section below, will ensure that all dwellings do not overheat.

Daylight, Sunlight, Overshadowing

54. In terms of internal daylight, the Average Daylight Factor (ADF) is used. The ADF is a measure of the adequacy of diffuse daylight within a room, and accounts for factors such as the size of a window in relation to the size of the room; the reflectance of the walls; and, the nature of the glazing and number of windows. BRE guidelines confirm that the acceptable minimum ADF target value depends on the room use. That is 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. Notwithstanding this, the independent daylight and sunlight review states that, in practice, the principal use of rooms designed as a 'living room/kitchen/dining room' is as a living room. Accordingly, it would be reasonable to apply a target of 1.5% to such rooms.
55. The ADF analysis confirms that 639 out of 690 (90.6%) rooms would receive daylight above, or equivalent to, the BRE recommended value. When consideration is given to the negligibly affected locations, the pass rate would increase to 94.8%. Rooms that are affected are either located within the corner area of the site or have balconies positioned above the respective windows.
56. In terms of overshadowing, the private amenity spaces on the western side of the development serving Blocks B and C, and the rooftop communal areas of Block A (5th and 7th floors) and Block B (4th and 6th floors) will receive the BRE recommended 2 hours of sunlight on March 21st over 50% of their area. With regard to the two internal courtyards and the proposed Park, these fall short of the BRE recommended guidance but when the test was undertaken one month later, these areas do receive sunlight in accordance with the recommended guidance.

Amenity Space Provision

57. Policy DMP19 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm studio, one or two-bedroom home and 50sqm for family housing (homes with 3 or more bedrooms).
58. The requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
59. With regard to quality of the space, the supporting text to policy DMP19 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5m.
60. Emerging London Plan policy D6 ("Housing quality and standards") specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth and width of 1.5m is reconfirmed in the emerging policy.
61. All proposed dwellings will have access to a mixture of private balconies, terraces, gardens and communal space by way of internal courtyards for Blocks A and B, and a new park. Of the 239no. proposed dwellings, a total of 14no. (13no. at ground floor level, 1no. at 5th floor level), exceed the relevant minimum standard of 20sqm or 50sqm. Of the 73no. family-sized dwellings proposed, 5no. exceed the minimum private amenity space requirement of 50sqm, with the remainder falling short between 1.6sqm and 42sqm.

62. As advised above, Policy DMP19 advises that the shortfall in private amenity space should be provided in the form of communal amenity space. The table below provides the total shortfall in amenity space by Block and the amount of proposed communal space, where it is again noted that there will be a shortfall of 2368.65sqm (inclusive of the proposed Park). In terms of the private amenity space provision, the shortfall is acknowledged but the quality of the space provided is considered to be acceptable in that they are of size, shape and depth which would encourage them to be used. With regard to the shortfall in the communal space provision, regard is given to the proximity of Gladstone Park (see table below) and the quantum (37.4ha) of space and facilities therein.

Amenity space provision

| Block: | A | B | C |
|---|-------------|-----------|----------|
| Minimum private external amenity (sqm) | 5 | 5 | 5 |
| Maximum private external amenity (sqm) | 63.4 | 115 | 123.4 |
| Maximum shortfall of private external amenity (sqm) | 42 | 42 | 42 |
| Total shortfall of private amenity external amenity space (sqm) | 2825.2 | 1574.4 | 209.6 |
| Communal amenity space (sqm) | 1013.85 | 548.4 | 0 |
| Overall shortfall in amenity space (less Communal Space)(sqm) | 1811.35 | 1026 | 209.6 |
| Total No. Homes | 141 | 87 | 11 |
| Pro-rata communal external space | 7.20 | 6.03 | 0 |
| Proposed Park | 648 | | |
| Pro-rata public space (Park) (sqm) | 2.7 | | |
| Approx. distance to Gladstone Park (m) | 719 - 810 | 647 - 790 | 799 |
| Approx. distance to proposed Park (m) | 17 – 105.89 | 4.5 - 103 | 4.5 |
| Child Yield | 57.4 | 34 | 11.3 |
| Playspace Requirement (sqm) | 573.6 | 340.3 | 113.1 |

Children’s Playspace

63. Play space provision to cater for a range of age groups should be made in accordance with the Mayor’s ‘Play and Informal Recreation’ SPG, Policy 3.6 of the London Plan and draft Local Plan Policy S4. Applying the Mayor’s playspace calculator, the estimated child yield for the scheme is provided by Block in the table above. A total of 1359sqm of playspace is proposed, within the proposed Park, within the courtyards of Blocks A and B and at fifth floor roof level of Block A. It is noted that the aforementioned figure also includes the majority of the proposed Park Street (c.255sqm). Notwithstanding that this street will only be used by emergency vehicles, it should be excluded from the overall provision. This would therefore result in approximately 1104sqm of playspace being provided, exceeding what is required.

64. The amount of external amenity space for some homes falls below the targets expressed within policy DMP19 and emerging London Plan Policy D6. However, having regard to the proximity to nearby open spaces and the quality and quantity of on-site provision, the new homes would nonetheless have access to external space that is sufficient in size and type to satisfy the needs of future residents. The limited conflict is considered to be outweighed by the benefits of the proposed development, including the provision of new homes in the borough.

Density

65. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity. Table 3.1 of the current London Plan gives Brent an annual housing target of 1,525 new dwellings while the Publication Version London Plan (Table 4.1) increases this to 2,325 per year.

66. The site (approximately 0.9ha) is located within an area with a public transport accessibility level (“PTAL”)

of 3 and 4, suggesting that an appropriate level of density for this urban location is in the range of 200-700hr/ha or 70-260u/ha. The proposed scheme will achieve density levels of 768hr/ha and 265u/ha.

67. Whilst the above indicates that the scheme marginally exceeds the suggested density range, adopted policy acknowledges that a numerical assessment of density is but one factor to consider in assessing whether the site is capable of accommodating the proposed development. Consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and the satisfactory resolution of any highways matters. Some of these matters have been discussed above, and the remainder will be discussed below.

Fire Safety

68. Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12 of the Publication Version London Plan requires all major proposals to submit a Fire Statement. The Statement should demonstrate that the development will achieve the highest standards of fire safety by reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape.
69. Notwithstanding, in accordance with the above policy, a Fire Strategy has been produced by a suitably qualified person. The overall fire strategy has been designed to:
70. Provide an early warning and appropriate means of escape
- Inhibit the spread of fire through the use of appropriate materials or products
 - provide structural stability for a reasonable period by appropriate construction, separation, compartmentation and the prevention of fire spread in concealed spaces
 - adequately resist the spread of fire over the roof or from one building to another
 - provide reasonable facilities to assist firefighters in the protection of life and to enable fire appliances to gain access to the building
- It is important to note, as the Strategy advises, that the Building Regulations should be satisfied by following the relevant guidance in Approved Document B (Fire Safety). The Approved Document recognises that there may be alternative ways to comply with the guidance but this would need to be agreed with the relevant building control body.

Non-residential Uses

71. The proposed development proposes some commercial space (B1) in addition to the residential offer. As discussed above, the loss of retail on the site is acceptable because of the aim of the council to direct retail units towards town centres. It should be noted that although the 2020 Use Classes Order created a new Class E under which B1 uses would now fall within, due to the application having been submitted prior to the introduction of the Use Classes Order taking effect on September 1st 2020, the former use classes still apply. A condition would be imposed to restrict any changes of use without the prior written approval of the LPA to ensure that any proposed use can be properly assessed in terms of any amenity or highways impacts.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy

72. The proposed scheme has been laid out so that the habitable room window to window distances between the residential units within the development and between them and adjoining residential properties on Temple Road, Gratton Terrace and Stoll Close exceed 18m so there will be no overlooking or privacy issues within or outside of the site.
73. Private balconies on Block A which face Temple Road are set 18m away from the houses opposite and the winter gardens which face Cricklewood Broadway are 37m away from the houses along Gratton Terrace. Although these distances far exceed the 18m requirement, the balustrade to the roof amenity space on top of Block A is set 4m back from the parapet at the request of the residents of Gratton Terrace to further minimise overlooking. The bank of mature trees in front of these houses will also provide a dense screen of leaves during the spring and summer months.
74. There are no balconies on Block B which face Temple Road. Those which face Stoll Close at the rear are

set 18.5m away. The balconies which face the rear gardens of the Oswald terrace properties are set 6.5m and 13m away from the boundary of No.1 and No.2 respectively however this is not unusual in dense urban areas such as this.

Loss of Light / Overshadowing

75. To ensure light and outlook to existing properties is not affected, proposed buildings should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing private rear garden boundaries. From the sectional drawings provided, the buildings would appear to respect the 30-degree and 45-degree lines from neighbouring properties, thus broadly indicating that the scheme should not unduly impact neighbouring residential occupiers in terms of loss of light and outlook.
76. Where buildings would be within a 25 degree line of existing windows, the Building Research Establishment (BRE) considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. The BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. The above tests are discussed below:

Daylight

77. The properties to the north-west, north and north-east of the site (31-42 Rusper Close, Wickes and Sindhi Community House) were not been analysed as they are either non-residential or too distant to be affected.
78. Numbers 31-40 Gratton Terrace, located to the east, currently have VSC results above BRE's 27% threshold as direct result of the open car park. BRE advice, as stated above, is that an adverse effect would occur if the proposed value is not only less than 27% VSC but also less than 0.8 of the former (existing) value. Some locations at ground floor level show the proposed VSC readings fractionally below 0.8 times the former value, ranging between 0.77 and 0.79. However, these same locations would all achieve VSC above 25% which is considered to be a very good value in the urban environment. The Daylight Distribution results confirm that in all locations the values would be in accordance with the BRE criterion, with proposed readings at or above 0.89 the former value. No adverse effect would therefore occur.
79. To the south, only the residential properties, Nos.1-27 Temple Road, were tested. The VSC results confirmed that some locations between nos.1-23 would fall below the BRE recommended value. Many of these affected windows are the side panels of the bay windows and the view of the skydome is already partially obstructed by the neighbouring building itself. Similarly to the properties along Gratton Terrace, the existing readings are higher than typically expected in an urban context as the development site is partially used as car park. The proposed readings confirm that the VSC would remain above 22.24% to the main windows looking toward the proposal. The daylight distribution results confirm that in all but 5 locations values would remain above 0.8 the former value. The exceptions would all be bedrooms where the proposed value would range between 0.67 and 0.75 the former value. The BRE guidance states that daylight distribution is less important to bedrooms than to living rooms and the results ought to be considered adequate, even more so when considering that the well-lit area would remain at or above 67% of the room area.
80. To the west lies 1-8 Oswald Terrace and William House. Due to lack of information on the internal arrangements of these dwellings, an assumed reasonable room size and use was employed. In relation to Oswald Terrace properties, the results confirm that the proposed value would be retained above 27% VSC in the great majority of locations. Where this does not occur, the proposed readings would be at or above 0.90 the former value which is well above the BRE recommendation of 0.8. Moreover, the daylight distribution results confirm that the proposed scheme would not have any adverse effect on these residences, as the value would remain unchanged.
81. In relation to William House, which directly faces Blocks B and C, the VSC results in Appendix 2 confirm some locations within nos.1-8 and 9-16 would fall below the BRE recommended value. The great majority of them are located on the first floor and sit beneath the roof overhang. Where this occurs, BRE recommends an additional calculation that defines the VSC without the overhang in place. When this

additional test is carried out, the results confirm the VSC readings for 21 windows would improve to above, or equivalent to, the required value of 0.8. This confirms, as per the BRE advice, that the major obstruction to daylight is the presence of the existing overhang rather than the proposed development. The windows within Nos.17-32 William House would all remain BRE compliant. The daylight distribution results would remain above 0.8 the former value in all but four locations. These are rooms R1, R3 and R4 within nos.1-8 where the proposed readings would range between 0.69 and 0.78; the latter can be considered equivalent to the BRE recommended value of 0.8. The fourth exception would be room R11 within Nos.9-16 where the proposed reading would be 0.72 the former figure. The retained well-lit area would be above 63% of the room area and the daylight level within the rooms would remain good.

Sunlight

82. In terms of sunlight, windows that do not face within 90° degrees of south are classified as 'north facing'. In these circumstances there is no criteria to meet. In all but one location the windows that face within 90° degrees of south would retain annual sunlight availability in accordance with the BRE recommendation. The exception would be W8 at ground floor level within Nos.1-8 William House where the proposed reading would be 0.78 the existing value. This can be considered equivalent to the BRE recommendation of 0.8.
83. The winter sunlight availability would remain BRE compliant in all but one location. This would be window W22 on the ground floor within Nos.17-31 William House where the reading would reduce from 2% to 1%. The existing reading is already very low, and the difference should be unnoticeable to the occupants.

Overshadowing

84. In terms of overshadowing, the closest neighbouring amenity areas would not be subject to a perceptible difference in permanent overshadowing from the proposed development. The BRE criteria would be fully satisfied. Three of the 16 amenity areas would fall below the BRE recommendation for 21st March but would be significantly better one month later. On balance, and having regard to the wider benefits if the scheme, this is considered acceptable.
85. In terms of the neighbouring residential windows tested, 84.2% would satisfy the BRE criteria and advice with reference to the VSC. When consideration is given to the daylight distribution results, the pass rate would be 96.1%. Sunlight availability would remain BRE compliant with only two minor exceptions which should be unnoticeable to the occupants.

Summary of Neighbour Impact

86. It is acknowledged that the increased height bulk will result in some additional impact on neighbouring occupiers and amenity space. However, the tests and criteria outlined in the BRE guide have been written with a suburban environment in mind, therefore the recommendations should be interpreted with flexibility.

Highway Safety

87. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13).

Parking

88. Having regard to the good PTAL level and with an aim to encourage non-vehicular modes of transport (walking, cycling, public transport), no car parking will be provided for residents, employees or visitors of the development. Given that the site is within an existing CPZ ((GM) which is in operation Monday to Saturday from 10am to 9pm), the applicant has indicated a willingness to enter into a permit free agreement to restrict future residents from obtaining a parking permit.
89. Residents with a need for disabled parking however, will be able to request the creation of a disabled on-street bay. Parking surveys indicate that immediately surrounding the site, there is spare capacity in on-street parking to enable this conversion, with only 77% usage (5no. empty) for the bays on Temple Road (along the site frontage) and 46% (20no. empty spaces) on Longley Way both overnight and at 10am.

Cycle Parking

90. Each Block, inclusive of the commercial units, will be provided with cycle storage capacity which exceeds the minimum standard within the Publication Version London Plan, as set out in the following table:

| | Requirement | | Proposed | |
|-------------------------|-------------|------------|------------|------------|
| | Long Stay | Short Stay | Long Stay | Short Stay |
| Block A: 141 Units | 249 | 6 | 268 | 52 |
| Block B: 87 Units | 158 | | 178 | |
| Block C: 11 Units | 20 | | 30 | |
| Commercial (B1): 803sqm | 6 | 2 | 8 | |
| Total | 433 | 9 | 494 | 52 |

91. Cycle stores for the residential elements will be provided within the basement of each block, via a lift. Block A will have 4no stores, each accessed via one of the cores and Blocks B and C will each have 3no stores and 1no store respectively. In addition, 28no Sheffield stands (56no spaces) will be provided across the site for visitors. The level of cycle parking provision far exceeds the minimum requirement, which is welcomed. However, given that there is a concern over the spacing of the racks, there is the potential for the number to be reduced but this would not result in numbers falling below the minimum requirement. Further details of the cycle parking and their spacing will be secured by condition.

Servicing and Deliveries

92. Waste storage will be provided within the basement of each residential block, which similar to the cycle storage, will be located near to the lift cores. For the commercial units, a store is provided adjacent to Unit 2, accessed off Temple Road. Residential refuse collections will take place on-street from Longley Way, at the designated waste collection point located adjacent to Block C at the western end of the street. As refuse will be stored at basement level, site management personnel will transport waste from the Block A basement. Waste stored within the Block B and C basements will be transported to the collection point using a shared service lift. The minimum waste storage requirements would be approximately 54,000l which need to be evenly split between recyclable waste and residual waste, 45 x 1,100 euro bins and 31 standard 240l bins which results in a total storage capacity of 56,900l which accords with minimum requirements.
93. In relation to deliveries, three loading bays are proposed: two on Longley Way; and one on Temple Road, in order to service both the commercial units and residential units. It is expected that the commercial units will have a demand for 2no deliveries per day whilst the residential units will have a demand of 29no vehicles per day. A concierge service is proposed for residential delivery collection which means residents won't have to be home for the delivery to be collected, which in itself is likely to reduce the number of trips because repeat attempts will not be required. The 29no vehicles also include fast food deliveries which invariably use smaller vehicles such as mopeds or bicycles. The amount of servicing for the proposal is therefore considered to be adequate. Tracking diagrams have been included which demonstrate the ability for service vehicles to turn around on Longley Way.

Layout

94. Alterations to the highway will include:
- Removal of the ingress filter lane from the northbound lane of Cricklewood Broadway, which would result in an improved pedestrian environment and streetscape. However, the entire junction needs to be addressed and the removal of the egress filter lane from Longley Way should also be included within the scope of the works at this stage, rather than being left for a later phase that may not come to fruition.
 - An increase in the width of Temple Road which would allow for car parking bays to be contained fully on the carriageway, eliminating the existing authorised footway parking situation on the north side of Temple Road and maintaining a 2m wide footway.
95. The removal of the filter lane would need to be undertaken prior to the implementation of Block A, as this would result in surplus highway land that is no longer required for the junction. The surplus highway land would need to be stopped up under S247 of the Town & Country Planning Act 1990 in order to allow

Block A to be constructed in its proposed form. The applicant will need to meet all costs for diverting statutory undertakers' equipment before the land is stopped up.

96. The proposed new street ("Park Street") would be located between blocks A and B. Whilst it is acknowledged that the submitted Landscape Design Statement does include some details of this, further details of the access (restricted to emergency and service vehicle access only) will be required through a suitably worded condition.

Trip Generation

97. The submitted Transport Assessment includes trip generation figures taken for the industry standard TRICS database. This indicates that the residential aspect will result in 15 trips into the site, 96 trips out of the site and 111 in total within the AM peak and 54 trips into the site, 36 trips out of the site and 97 trips in total during the PM peak. Due to the proposed car free nature of the development the majority of these trips would be undertaken by none car modes and the proposal would result in a significant reduction in car trips compared to the existing retail unit. Which is welcomed.

Travel Plan

98. A Travel Plan has been submitted which primarily covers the residential element because TfL Travel Plan guidance only requires a Travel Plan to be submitted for B1 (Business) uses equal to or greater than 2,500sqm. However, as advised within the Scope of the Travel Plan, the commercial floorspace will be car-free and it is considered that employees will benefit from several of the measures within this Travel Plan, including use of the car club and visitor cycle parking. As such, a number of measures to promote sustainable transport amongst employees have also been included within the submitted Travel Plan. Notwithstanding, some alterations will be required, to be secured by condition:

- (a) The Travel Plan Co-ordinators details need to be identified, it is acceptable to have a named contact to act as the interim Travel Plan Co-ordinator until one is appointed. It is recommended that the Travel Plan Co-ordinator is someone from the community.
- (a) Baseline Targets have already been identified through both the Travel Plan and Transport Assessment Targets the first surveys will assess the need to address any discrepancies between the two. Furthermore targets need to include car mode share
- (a) The Travel Plan and associated measures need to be included at the point of sale (or rent)
- (a) Limited measures have been included which mainly consist of information providing whilst incentives are normally a more effective behaviour change tool. One idea that was mentioned in pre-application queries was the provision of car club whether it be a vehicle or membership incentives. It is noted that there is a car club available on Ashford Road approximately 400m from the site which would approximately be a 5 minute work, which should make it viable for residents to use. It is recommended that free membership to all households is offered.

Sustainable Design

Carbon Reduction / Energy

- i) Chapter five of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The commercial elements will be "expected" to achieve a BREEAM 'Excellent' rating and the residential element, being a major development, should be achieving carbon emissions reduction targets leading to zero carbon, with any shortfall to be off-set through a financial contribution to the Council's Carbon Offsetting Fund.
99. The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy. The proposed design approach is to minimise energy consumption through passive design, fabric performance, energy efficiency measures and the incorporation of Air Source Heat Pumps and photovoltaics. Consideration has been given to the passive design of the scheme, including the orientation and layout of the building and units, glazing, lighting to be used, and stacking of balconies for shading.
100. The Statement confirms that the residential element should achieve a 36.12% saving, thus exceeding the minimum on site 35% reduction required over Part L of the Building Regulations. However, in accordance with the London Plan (policy 5.2E *Minimising carbon dioxide emissions*) the remaining

regulated carbon dioxide emissions, to 100%, are required to be off-set through a cash in lieu contribution to secure delivery of carbon dioxide savings elsewhere. Whilst the Statement discusses this policy position, it does not confirm that the payment would be made, which would be contrary to the aforementioned policy. Such a payment could only be secured through a S106 Agreement while the targeted reduction can be conditioned.

101. It is noted that in relation to the non-residential elements, those units are predicted to achieve BREEAM 'Very Good'.

Overheating

102. An Overheating Analysis has been provided to demonstrate whether the proposed dwellings are at risk of overheating. To demonstrate this, two criteria must be met:

| | |
|---|--|
| Criterion A: Kitchens, living rooms and bedrooms: | The number of hours (He) that delta T is greater than or equal to one degree (K) during the period between May and September shall not be more than 3% of occupied hours. |
| Criterion B: Bedrooms only | To guarantee comfort during the sleeping hours the operative temperature in the bedroom from 10pm to 7am shall not exceed 26 °C for more than 1% of annual hours (Note: 1% of the annual hours between 22:00 and 07:00 for bedrooms is 32 hours, so 33 or more hours above 26 °C will be recorded as a fail). |

103. The Analysis looked at the solar internal gains of representative residential units from all three Blocks, implementing 2020s climate scenario projected weather data, with the analysis based on the use of a dynamic thermal modelling to assess the thermal comfort levels in occupied spaces based on a number of assumptions and guidelines defined under Chartered Institution of Building Services Engineers ("CIBSE") TM59: 2017 "Design Methodology for the Assessment of Overheating Risk in Homes". The Analysis established that to help prevent overheating, a "G-value" (the coefficient commonly used to measure the solar energy transmittance of windows, where a g-value of 1.0 represents full transmittance of all solar radiation while 0.0 represents a window with no solar energy transmittance) of 0.4 (40%), together with mechanical ventilation with heat recovery, purge ventilation through opening windows up to 30-degrees is required to comply with CIBSE overheating criteria.

Air Quality

104. With the site located in a designated Air Quality Management Area, London Plan Policy 7.14 and CP19 of the Core Strategy requires the submission of an Air Quality Assessment ("AQA") to quantify pollutant levels across the site, consider its suitability for the proposed end-use and assess potential construction phase impacts as a result of the proposed development.

There is the potential for air quality impacts as a result of fugitive dust emissions from the site (dust, particulate matter (PM10 and PM2.5)) during the construction phase of the development and their impacts were assessed in accordance with the Institute of Air Quality Management ("IAQM") methodology. Assuming good practice dust control measures are implemented, as detailed within Table 5.6 of the AQA, the residual significance of potential air quality impacts from dust generated by earthworks and construction, and track out activities is predicted to be negligible. Those mitigation measures would be subject to an appropriately worded condition.

105. The development will include 5no. Air Source Heat Pumps (ASHP) located on the roof of Block A. Communal gas fired boilers to top up the system when the demand exceeds the capacity of the ASHP have also been proposed and the flue will terminate to the roof through the flue rise on Block C. Dispersion modelling was therefore undertaken to quantify pollutant concentrations at the site and assess potential exposure of future users. Concentrations of nitrogen dioxide ("NO2") and particulate matter ("PM10") were predicted across the ground floor and first floor were subsequently verified using local monitoring results obtained from Brent and Barnet Councils.

106. In terms of NO2 concentrations, the annual mean concentrations should not exceed the national air quality objective ("NQO") of 40µg/m3. For the development, these are predicted to be between

27.10-41.05µg/m³ at ground level and 27.14-35.70µg/m³ at first floor level. These predicted annual mean concentrations therefore do not exceed the relevant air quality objectives (“AQO”) across the residential floors. With regard to PM₁₀ concentrations, estimated to be between 17.24 and 19.45µg/m³, there are no predicted exceedences at ground floor level. We are also advised that predicted concentrations are likely to be lower above ground level due to increasing distancing from the emission sources such as the local road network. PM₁₀ concentrations are not viewed as a constraint to development. With regard to PM_{2.5}, where the concentration levels of PM₁₀ is below 25µg/m³, it is unlikely to give rise to PM_{2.5}. It has been noted that the ground floor level of the proposed development does not include any proposed sensitive use to long term pollutant concentrations, therefore exposure to annual mean NO₂ concentrations is not applicable across the ground floor as in accordance with LAQM (TG16) and has not been considered further in the context of pollutant exposure.

107. Annual mean concentrations of NO₂, PM₁₀ and PM_{2.5} were predicted across the proposed development with no predicted exceedences of the relevant AQOs for the residential units. Based on the assessment results, the site is considered suitable for a mixed use development subject to the implementation of suitable mitigation measures as detailed within Table 5.6 of the AQA to minimise construction phase impacts, the impact is predicted to be negligible.

Flood Risk/Drainage/Water Consumption

Flood Risk

108. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies DMP9A and 9B confirms the Councils approach. The submitted *Flood Risk Assessment and Drainage Strategy* (“FRA&DS”) has the risk of flooding from all sources and it is considered to be low. However, some mitigation measures are identified and these should be secured by an appropriately worded condition.

Drainage/SuDS

109. Adopted policies confirm that all new development should be achieving greenfield run-off rates, and if not, this should be fully justified with the runoff rates reduced as low as possible. Building Regulations Part H states that no soakage device can be placed within 5.0 m of a building or adoptable road. Soakaways will not be utilised due to underlying London Clay and the compact nature of the site. The following SuDS measures are proposed, with any surface water not retained on site draining via the existing connection to the public sewer within Longley Way (with Thames Water confirming that the proposed flows to the public sewer are acceptable):
110. Two geo-cellular storage tanks (equating to 743.6m³) will be incorporated in the residential square and along Park Road;
111. Grassed areas have been introduced throughout the scheme including within the rear garden areas, the residential square, and external courtyards totalling 2158sqm; and
- 2184sqm of green roofs will be incorporated on the roofs of all three blocks;
 - All external hard surfacing will be formed of tanked permeable surfacing where possible to provide treatment of runoff prior to discharge to the Thames Water sewer network.
- It is noted that in Table 6.2 of the FRA&DS, rainwater harvesting, whilst identified as being “*possibly suitable for use*”, has not been included in the current design proposals. Details of the feasibility or otherwise, of implementing this additional measure could be secured by condition.
 - Overall there will be a significant reduction in peak runoff rates achieved compared to the existing scenario given that the Site will be approximately 60% permeable post development. For the remaining impermeable areas of the site, it is proposed to restrict the runoff rate to the greenfield equivalent rate for the impermeable area of the site (2.5 l/s) through the introduction of an appropriate flow control device (a Hydro brake or similar).
112. Due to the existence of a strategic water main in close proximity to the site, the method of piling will need to be agreed in advance in conjunction with Thames Water, in order to ensure that the below-ground infrastructure is not damaged.
113. The proposed SuDS measures, together with the proposed maintenance scheduled as detailed within Table 6.6 of the FRA&DS, will be secured by appropriately worded conditions, as will a Piling

Method Statement.

Water Consumption

114. In order to minimise impact on water supply, Policy 5.15 of the London Plan (policy SI5 of the draft Plan) confirms that water consumption should not exceed 105 litres per head per day (110 litres inclusive of external water consumption i.e. irrigation). Commercial development should be achieving at least the BREEAM excellent standard.
115. The *Energy and Sustainability Statement* confirms that insofar as the residential elements are concerned, the policy requirement will be met through the use of appropriately rated appliances and fittings which should result in 104.3 litres for internal consumption and 5 litres for external use. This will be secured by condition.

Ecology and Biodiversity

116. Policy 7.19 of the London Plan ("Biodiversity and access to nature") requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 18 of the Core Strategy ("Protection and Enhancement of Open Space, Sports and Biodiversity") confirms the Borough's commitment to promote and enhance biodiversity.
117. Policy G5 ("Urban Greening") of the Publication Version London Plan seeks to improve the "green cover" in new development through the implementation of such measures as high quality landscaping, green roofs, green walls, street trees and rain gardens. A target score of 0.4 is sought for largely residential developments (0.3 for predominantly commercial developments - excluding B2 and B8 uses) with the higher target for residential schemes justified by the greater demands such schemes have on existing green infrastructure. The scheme is anticipated to achieve 0.4.

Trees and Landscaping

118. London Plan Policy 5.10 ('Urban Greening') and DMP Policy DMP1 seeks to retain high amenity trees and landscape features and provide appropriate additions or enhancements. Trees are a key component of green infrastructure and help to create resilient and more sustainable development. Core Policy 18 ('Protection and Enhancement of Open Space, Sports and Biodiversity') of the Core Strategy confirms that support will be given to the improvement of the built environment.
119. The existing site, as described above, is dominated by the large retail store site with the remainder paved over to form the parking and loading areas. As a result, vegetation is limited to mostly periphery plantings in the way of soft landscaping, shrubs and trees, with a small number of trees (5no.) within the car park. The *Tree Survey Report* confirms that of the 22no trees surveyed, 16no are classified as category C trees, meaning that they are either of low quality with a life expectancy of 10 years or young trees with a stem diameter of less than 150mm. The remaining 6no trees are classed as Category U, which are trees of a poor condition that they cannot be realistically retained as living trees in the context of the current land use for longer than 10 years.
120. All trees within the site boundary will be removed, however the quality and quantum of the replacement planting (approximately 57no. at ground level and proposals for some to be provided at the upper levels) is considered to be a significant improvement

Contamination

121. Policy 5.21 of the London Plan ("Contaminated Land") encourages the recycling of brownfield sites, inclusive of those affected by contamination, through remediation. A *Phase 1 Contaminated Land Assessment* has been provided. It concludes that the environmental sensitivity of the site is very low with respect to groundwater and low in relation to surface water. Due to the industrial history of the site and neighbouring sites, the potential for contamination or ground gas to present a direct risk to future occupiers is considered to be moderate to moderate/low risk with the creation of private gardens, soft landscaped areas, and installation of water supply pipes. Any exposure risk to construction workers is considered to be moderate but can be mitigated through the use of PPE. It is also considered that the risk posed by unexploded ordnance ("UXO") during below ground works is high.

122. The Phase 1 report recommends that a detailed UXO risk assessment should be undertaken prior to any site investigations and below ground works commencing. It also recommends that further site investigations are required and any remediation agreed with the LPA. Environmental Health supports this recommendation and conditions are proposed to secure them.

Noise and Vibration

123. The potential impact from noise on existing and future occupiers has been assessed through a *Noise & Vibration Impact Assessment*. Existing ambient noise levels and the likely significant effects have been assessed in terms of: construction noise; existing baseline conditions and potential noise sources that may impact the proposed development; changes in road traffic as a result of the development; and noise from plant associated with the proposed development. These are all assessed against the relevant British Standard: BS5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites'; and BS6472-1:2008 'Guide to Evaluation of Human Exposure to Vibration in Buildings'. Monitoring points were set up in three locations: opposite to the site on Cricklewood Broadway (MP1); on the western edge of the site (to the rear of 1-32 Williams House (MP2); and outside of Allenby House (No.1A Temple Road)(ST1).

Demolition and Construction Noise

124. In assessing potential noise and vibration from demolition activity, although proposed work processes or method statements haven't been scrutinised, it is acknowledged that without mitigation, some neighbouring properties will notice noise levels above the defined threshold of 65dB LAeq,10hr. With mitigation, noise levels are predicted to be significantly below the aforementioned threshold. In relation to potential noise and vibration from construction activity, without mitigation, all but one location will exceed the 65dB LAeq,10hr threshold but with mitigation, all but one location will exceed (66.2dB LAeq,10hr) the threshold. Mitigation for both of these activities could take the form of but not limited to: hoardings; damping; switching engines off of stationary vehicles; and where required, using percussive piling rather than vibratory piling.

Internal Noise Levels

125. Predicted internal noise levels from external sources will vary between the three blocks due to their siting in relation to one of the main sources of noise, traffic along Cricklewood Broadway, with the eastern facade of Block A likely to experience the most. Having regard to the proposed room finishes, dimensions, façade composition inclusive of the proposed glazing, it is considered that the development will better BS8233:2014 and WHO guidelines.

External Amenity Areas

126. External amenity areas should ideally not exceed the design range of 50-55dB LAeq,16hr, however these values may not be achievable in all circumstances. BS8233:2014 acknowledges this by advising that the specification of noise limits for balconies and roof gardens where external amenity space is limited, such as in apartment blocks, is not necessarily appropriate.
127. Of the six measured sound levels at locations MP1 and MP2, the design range was exceeded on four occasions. To mitigate against this, winter gardens are proposed for the east elevation of Block A and for the nearest external space to Cricklewood Broadway on the northern elevation. Communal rooftop spaces would appear to meet the above design range but will be improved further through the provision of 1.1m high glass balustrading. It should be noted that in relation to the rooftop amenity areas, the values provided are prior to the installation of any rooftop plant, which would need to be rated below 50dB LAeq,T at the closest amenity space.
128. 3D noise modelling demonstrates that neighbouring residential occupiers will also benefit from the development through improved noise levels within their own gardens and amenity areas as a result of the proposed Blocks shielding them from existing sources of noise.

External Plant Noise

129. In relation to external plant noise, a schedule of plant associated with the commercial units has not yet been established because this is a shell and core development and potential occupiers have not yet been identified. However, having regard to BS4142:2014, a noise rating limit has been attributed with the 'rating level' being the lowest recorded $L_{A90,T}$ over the period. This equates to 42.7dB $L_{A90,1h}$ and 38.2dB $L_{A90,15mins}$, measured between 11:00h and 12:00h on 3rd October and between 03:45h and 04:00h on 3rd October 2019. This would result in any externally mounted plant, or externally vented plant, being restricted to a rated sound pressure level of 43dB $L_{Aeq,T}$ or 38dB $L_{Aeq,T}$ for day and night time respectively when measured at a distance of 1m from the closest façade.
130. Once a plant schedule has been chosen, a full BS4142 assessment will need to be undertaken prior to completion/occupation to ensure that a satisfactory acoustic environment is achieved. Where a future occupier would like to install different/additional plant, a further noise impact assessment will be required.

Site Waste Management

131. Policy 5.16 of the London Plan has stated goals of working towards managing the equivalent of 100% of London's waste within London by 2026, creating benefits from waste processing and zero biodegradable or recyclable waste to landfill by 2026. This will be achieved in part through exceeding recycling and reuse levels in construction, excavation and demolition ("CE&D") waste of 95%. In order to achieve the above, London Plan policy 5.18 confirms that through the Local Plan, developers should be required to produce site waste management plans to arrange for the efficient handling of CE&D. Policy SI 7 ("Reducing waste and supporting the circular economy") of the Publication Version London Plan confirms that referable applications should be promoting the circular economy outcomes and aim to be net zero-waste. To demonstrate how this will be achieved, a *Circular Economy Statement* should be submitted, outlining the following:
- (a) how all materials arising from demolition and remediation works will be re-used and/or recycled;
 - (a) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life;
 - (a) opportunities for managing as much waste as possible on site;
 - (a) adequate and easily accessible storage space and collection systems to support recycling and re-use;
 - (a) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy; and
 - (a) how performance will be monitored and reported.
132. The *Energy and Sustainability Statement* has indicated the credits to be targeted in relation to this element of the scheme, however it does not provide specific details. Having regard to emerging policy, a Circular Economy Statement is proposed to be secured by condition.

Equalities

133. 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).

CIL DETAILS

This application is liable to pay **£8,371,302.64** * 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): 2790 sq. m.

Total amount of floorspace on completion (G): 26463 sq. m.

| Use | Floorspace | Eligible* | Net area | Rate R: | Rate R: | Brent | Mayoral |
|----------|------------|-----------|----------|---------|---------|-------|---------|
| Page 208 | | | | | | | |

| | on completion (Gr) | retained floorspace (Kr) | chargeable at rate R (A) | Brent multiplier used | Mayoral multiplier used | sub-total | sub-total |
|--------------------------------|--------------------|--------------------------|--------------------------|-----------------------|-------------------------|---------------|--------------|
| (Brent) Dwelling houses | 25727 | | 23014.6 | £200.00 | £0.00 | £6,863,281.50 | £0.00 |
| (Brent) General business use | 736 | | 658.4 | £40.00 | £0.00 | £39,269.06 | £0.00 |
| (Mayoral) Dwelling houses | 25727 | | 23014.6 | £0.00 | £60.00 | £0.00 | £1,427,902.5 |
| (Mayoral) General business use | 736 | | 658.4 | £0.00 | £60.00 | £0.00 | £40,849.55 |

| | | |
|--|----------------------|----------------------|
| BCIS figure for year in which the charging schedule took effect (Ic) | 224 | 323 |
| BCIS figure for year in which the planning permission was granted (Ip) | 334 | |
| TOTAL CHARGEABLE AMOUNT | £6,902,550.56 | £1,468,752.08 |

*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.



Application No: 20/0115

To: Mr Mark Pender
PPM Planning Limited
185 Casewick Road
West Norwood
London
Greater London
SE27 0TA

I refer to your application dated **13/01/2020** proposing the following:

Demolition of existing building; erection of 3 buildings ranging from 3 to 7 storeys with basement, comprising 238 self contained residential units with commercial space at ground floor level (Use Class B1, Block A only); creation of new street, associated landscaping, car and cycle parking, private and communal amenity space

and accompanied by plans or documents listed here:
see Condition2

at **Matalan Discount Club, Cricklewood Broadway, London, NW2 6PH**

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: 02/02/2021

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 Notwithstanding the submitted refuse storage details, on commencement of the development, further details shall be provided to the Local Planning Authority for approval in writing demonstrating that the proposed waste storage capacity does meet with the adopted minimum requirements for recyclable and residual waste arising from the development approved. The development shall only be undertaken in accordance with the approved details.

Reason: To ensure an appropriate level of provision.

- 2 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.

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

\$

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

- 4 The development shall provide the 50 London Living Rent dwellings (Class C3), as shown on the consented plans, in the following mix: 21x 1-bed 2-person; 5x 2-bed 3-person; 11x 2-bed 4-person; 8x 3-bed 5-person; 5x 3-bed 6-person.

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

- 5 The development shall provide 189 private rent dwellings (Class C3), as shown on the consented plans, in the following mix: 1 x studio; 79x 1-bed 2-person; 17x 2-bed 3-person; 32x 2-bed 4-person; 41x 3-bed 5-person; 18x 3-bed 6-person; 1x 4-bed 7-person.

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

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

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

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the units identified on Drawing No.FRD-PA-1101 rev.L shall only be used for purposes within Use Class B1 as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

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

- 8 Prior to first occupation, confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption does not exceed a target

of 105 litres or less per person per day for the residential elements within the relevant Phase and for the non-residential elements, water meters and leak detection systems, shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

- 11 Having regard to Condition 22 (Rainwater Harvesting) below and unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the approved Drainage Strategy and Maintenance Statement (Campbell Reith, Ref 13223, February 2020) shall be fully implemented.

Reason: To ensure adequate drainage for the development and mitigate the risk of surface water flooding on and in the vicinity of the site.

- 12 Unless otherwise agreed in writing or required by any other condition attached to this permission, the development shall be undertaken in accordance with the landscaping proposals as detailed within the Landscape Design Statement Rev.A (The Landscape Partnership, May 2020)

Reason: To ensure that the ecological value of the site is enhanced post development and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity and to enhance the character and appearance of the area in accordance with adopted Policy

- 13 Unless otherwise required by any other condition attached to this permission, sound insulation measures contained within the submitted Noise & Vibration Impact Assessment – Revision B (Create Consulting Engineers, October 2019) shall be implemented in full.

Reason: to ensure an effective management of noise in the interest of future occupiers

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

| Time | Area | Max. Noise Level |
|---------------|-----------------------|-------------------|
| Daytime Noise | Living Rooms/Bedrooms | 35 dB LAeq (16hr) |
| 07:00 – 23:00 | | |

| | | |
|------------------|----------|------------------|
| Night time noise | Bedrooms | 30 dB LAeq (8hr) |
| 23:00 – 07:00 | | 45 dB Lmax |

Prior to first occupation of any of the approved Blocks, tests shall be carried out within one room of each built facade type for a living and bedroom area over a four-day period, to show that the required internal noise levels have been met and the results for the relevant Block shall be submitted to the Local Planning Authority for approval in writing.

Reason: To obtain required sound insulation and prevent noise nuisance

14

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

- (a) Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
- (b) Working Hours: Standard construction hours (e.g. Monday to Friday 08:00 to 18:00 hours, Saturday 08:00 to 13:00 hours, with no working on Sundays or Bank Holidays);
- (c) Access Routes: Routing construction traffic away from noise sensitive receptors (NSRs).
- (d) Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
- (e) Screening: The use of site hoardings, enclosures, portable screens and/or screening noisier items of plant from NSRs, where reasonably practicable.
- (f) Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
- (g) Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
- (h) Piling: Ensuring that piling is undertaken using the most appropriate technique, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with the LBB, prior to work commencing.
- (i) BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
- (j) Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.
- (k) Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a possible future LEZ as a minimum; minimise movement of construction traffic around site.
- (l) Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
- (m) Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate

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

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

- 16 Development shall not commence until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:
- (a) a photographic condition survey of the roads, footways and verges immediately adjacent to the site;
 - (b) details of construction access (avoiding Temple Road), including any temporary heavy duty access, and associated traffic management to the site;
 - (c) arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway;
 - (d) arrangements for the parking of contractors vehicles;
 - (e) arrangements for wheel cleaning;
 - (f) a scheme of road-cleaning along construction routes;
 - (g) arrangements for the storage of materials;
 - (h) timing of deliveries (to avoid peak hours, school drop off/pick up times and to comply with local road restrictions);
 - (i) number and type of vehicle movements;
 - (j) A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition';
 - (k) size and siting of any ancillary buildings.

The development shall only be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment

- 17 A Circular Economy Statement shall be submitted to the Local Planning Authority demonstrating the following:
- (a) how all materials arising from demolition and remediation works will be re-used and/or recycled
 - (b) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life
 - (c) opportunities for managing as much waste as possible on site
 - (d) adequate and easily accessible storage space and collection systems to support recycling and re-use
 - (e) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy 6) how performance will be monitored and reported.

The development shall be undertaken in accordance with the approved Circular economy Statement and adhered to for the life of the development approved.

Reason: to assist in the reduction of waste generated by the development.

- 18 (a) Prior to the commencement of development, a detailed Unexploded Ordnance (UXO) Risk Assessment, written by an appropriately qualified person shall be submitted to the Local Planning Authority, assessing the potential risk of encountering UXO during any site investigations or below ground works during construction. The findings and recommendations of the UXO Assessment shall be implemented in full as to the removal of any identified UXO or implemented in full as to other necessary mitigation and a mitigation completion verification report has been submitted to and approved in writing by the Local Planning Authority, confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.
- (b) If at any time during development of the site, high risk UXO not previously identified is encountered, no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a revised and/or additional UXO risk management and mitigation programme / plan is submitted detailing how the high risk UXO not previously

identified shall be dealt with and is approved in writing by the Local Planning Authority. The revised and/or additional UXO risk management and mitigation programme / plan shall be implemented as approved and following completion of mitigation a completion verification report shall be prepared and submitted in writing to the Local Planning Authority for approval confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.

Reason: To ensure that the risks from unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised to ensure that development can take place without unacceptable risk to workers, residents and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO.

- 19 Following the demolition of the buildings but 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 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to the Local Planning Authority for approval in writing, 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.

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

- 20 Prior to the commencement of above ground works to Block A, further details of the exterior of the non-residential ground floor frontages shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:
- (a) windows, doors, shop fronts and glazing systems including colour samples; and
 - (b) details of where advertisements would be applied notwithstanding that the advertisements themselves may require separate advertisement consent
 - (c) size and siting of any projecting box signs
 - (d) design, siting of any roller shutter (inclusive of the shutter box and guide rails)

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

The works shall be carried out in accordance with the approved details and shall be retained thereafter for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

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

- 21 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 water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure and piling has the potential to detrimentally impact local underground water utility infrastructure

- 22 Prior to commencement of above ground superstructure works, further details of all exterior materials including samples to be provided on site for inspection and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such

details shall include but not be limited to:

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

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

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

- 23 Prior to the implementation of the Drainage Strategy measures outlined within the Flood Risk Assessment and Drainage Strategy (Create Consulting Engineers Ltd, ref: JJ/JEB/P19-1852/03 Revision A, November 2019) as required by Condition 11 of this permission, details for the feasibility or otherwise of providing a rainwater harvesting system shall be provided to the Local Planning Authority for approval in writing.
Should it be demonstrated that rainwater harvesting is feasible, a revised Drainage Strategy and Maintenance Statement shall be submitted to the Local Planning Authority for approval in writing, with the development implemented in accordance with the revised details.

Reason: To maximise sustainable urban drainage measures and minimise flood risk.

- 24 Prior to first occupation, an Air Quality Neutral Assessment must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and submitted to the Local Planning Authority for approval in writing. The assessment shall include mitigation measures should it be found that the development is not air quality neutral.

Should the Local Planning Authority consider it necessary to implement any identified mitigation measures, they shall be implemented in accordance with the approved details prior to first occupation of the development hereby approved.

Reason: To protect local air quality, in accordance with London Plan Policy 7.14

- 25 Notwithstanding the submitted cycle parking details, prior to installation of any two tier stands, confirmation shall first be submitted to the Local Planning Authority that the proposed basement cycle parking will be spaced at a minimum of 450mm for the two tier stands. Should it be demonstrated that the spacing proposed is not a minimum of 450mm, revised cycle storage details shall be submitted for approval in writing for an overall minimum provision of 427 long-term residential cycle parking spaces.

Cycle parking shall be provided in accordance with the approved details prior to first occupation.

Reason: To ensure that all cycle parking is accessible and an adequate level of provision is achieved.

- 26 Details of methods to restrict vehicular access onto Park Street, except for emergency and service vehicles, shall be submitted to the Local Planning Authority for approval in writing.

The development shall only be undertaken in accordance with the approved details and maintained for the lifetime of the development.

Reason: To create a safe environment for pedestrians whilst still ensuring appropriate access for emergency and service vehicles.

- 27 Prior to the first occupation of the development hereby permitted, confirmation must be provided to the Local Planning Authority that either:

- (a) all water network upgrades required to accommodate the additional flows from the development have been completed; or
- (b) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

- 28 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority prior to first occupation of the development approved, confirming 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

- 29 On commencement of the development hereby approved, further details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) highway street lighting;
- (b) other public realm lighting;
- (c) communal amenity space including roof garden lighting;
- (d) lux levels;
- (e) measures to minimise light spillage to sensitive receptors

The works shall be carried out in accordance with the approved plans prior to first occupation and shall be retained for the lifetime of the Development.

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

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

- (a) detail the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
- (b) details of any ducting in terms of its appearance and siting;
- (c) demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and
- (d) include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (c)
- (e) include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
- (f) include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

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

Reason: To ensure that existing and proposed residential occupiers do not suffer a loss of

amenity by reason of noise, vibration or odour nuisance

- 31 A Delivery & Servicing Plan (DSP), written in accordance with best practice guidance shall be submitted to the Local Planning Authority for approval in writing. The DSP shall detail how all aspects of the development will demonstrate adequate servicing, delivery and collections for the commercial and residential units within the scheme.

Reason: To ensure adequate delivery and servicing arrangements for the development and to avoid conflict with other road users

- 32 A Parking Design and Management Plan (PDMP), written in accordance with the relevant Transport for London guidance, shall be submitted to the Local Planning Authority for approval in writing. The PDMP shall provide details of:

- (a) how initial and future provision of disabled persons parking spaces will be made, managed and enforced against unauthorised parking;
- (b) a plan indicating the location of the spaces;
- (c) demonstrate how their availability will be made clear to residents prior to their first occupation
- (d) how existing or future residents would request a bay, how quickly it would be created and what, if any, provision of visitor parking for disabled residents is available.

Reason: to ensure that appropriate provision is made for Blue-badge holders

- 33 Notwithstanding the submitted Travel Plan, a revised Travel Plan shall be submitted to the Local Planning Authority for approval in writing to include but not limited to, the following information:

- (a) The Travel Plan Co-ordinator details (it is acceptable to have a named contact to act as the interim Travel Plan Co-ordinator until one is appointed. It is recommended that the Travel Plan Co-ordinator is someone from the community;
- (b) Baseline targets identified through both the travel plan and Transport Assessment to include car mode share;
- (c) Confirmation that the Travel Plan and associated measures will be included at the point of sale (or rent)
- (d) Feasibility of car club membership for residents

The development shall only be implemented in accordance with the approved Travel Plan.

Reason: in the interest of promoting sustainable travel, having regard to the car-free nature of the scheme

- 34 In the event that one or more of the commercial units hereby approved are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or internal ducting, must be submitted to the Local Planning Authority for approval in writing.

The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen and the development shall thereafter be operated at all times during the operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: In the interest of neighbour amenity and to ensure an acceptable appearance of the development is maintained in the interest of visual amenity

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 (PWAL) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 (F16) 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 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.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. The Local Planning Authority will not accept soil quality certificates from the soil supplier as proof of soil quality

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